

**POLICY NAME:** Liquid Trade Waste  
**POLICY REF:** L02  
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 Resolution 260215/25  
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**TABLE OF CONTENTS**

**OBJECTIVE** ..... 1  
**POLICY** .. ..... 1  
**BACKGROUND** ..... 1  
**DEFINITIONS**..... 2  
**SCOPE OF POLICY** ..... 8  
**RELATED DOCUMENTATION** ..... 8  
**PART 1: EXEMPTIONS**..... 10  
**PART 2: CRITERIA FOR APPROVAL TO DISCHARGE LIQUID TRADE WASTE INTO COUNCIL'S SEWERAGE SYSTEM**..... 1

    2.1 Factors for Consideration ..... 1  
 2.2 Discharge Quality ..... 2  
 2.3 Prohibited Substances ..... 2  
 2.4 Stormwater Discharges from Open Areas ..... 1  
 2.5 Food Waste Disposal Units ..... 2  
 2.6 Devices That Macerate or Pulverise Waste ..... 2  
 2.7 Use of Additives in Pre-Treatment Systems ..... 2  
 3.1 The NSW Framework for Regulation of Sewerage and Trade Waste ..... 7  
 3.2 Alignment with the National Framework for Wastewater Source Management ..... 8  
 3.3 Application Procedures ..... 9  
 3.6 Liquid Trade Waste Charging Categories ..... 15  
 3.7 Liquid Trade Waste Fees and Charges ..... 18

        3.7.1 Application Fee ..... 18  
 3.7.2 Annual Trade Waste Fee ..... 18  
 3.7.3 Re-Inspection Fee ..... 19  
 3.7.4 After hours WWTP site attendance fee ..... 19  
 3.7.5 Trade Waste Usage Charges (Category 2) ..... 19  
 3.7.6 Excess Mass Charges ..... 19  
 3.7.7 Food Waste Disposal Charges<sup>12</sup> ..... 21  
 3.7.8 Non-Compliance Charges ..... 21  
 3.7.9 Non-Compliance Penalties ..... 24  
 3.7.10 Discharge of Stormwater to the Sewerage System Charges ..... 24  
 3.7.11 Septic and Pan Waste Disposal Charges ..... 24  
 3.7.12 Responsibility for Payment of Fees and Charges ..... 24  
 3.7.13 Administration Charges for Non-Compliance Notification ..... 24

## 10.2 Policy (Review) - Liquid Trade Waste

3.8	Monitoring.....	25
3.9	Liquid Trade Waste Services Agreement.....	26
3.10	Enforcement of Approvals and Agreements.....	27
3.11	Modification and Revocation of Approvals .....	27
3.12	Prevention of Waste of Water .....	27
3.13	Effluent Improvement Plans .....	27
3.14	Due Diligence Programs and Contingency Plans .....	27
	<b>REVIEW .</b> ....	<b>28</b>
	<b>ATTACHMENT 1 - PROVISIONS IN THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 IN REGARD TO ACCEPTANCE OF LIQUID TRADE WASTE INTO THE SEWERAGE SYSTEM.....</b>	<b>29</b>

### **TABLES**

Table 1:	Exemptions .....	10
Table 2:	Substances Prohibited from Being Discharged into the Sewerage System.....	1
Table 3:	Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System.....	3
Table 4:	Liquid Trade Waste Discharges with Automatic Assumed Concurrence.....	13
Table 5:	Deemed concentration of substances in domestic sewage.....	20
Table 6:	Summary of trade waste fees and charges .....	25

### OBJECTIVE

The objectives of this policy are:

- **To** protect public health
- **To** protect the health and safety of Council employees
- **To** protect the environment from the discharge of waste that may have a detrimental effect
- **To** protect Council assets from damage
- **To** assist Council to meet its statutory obligations
- **To** provide an environmentally responsible liquid trade waste service to the non-residential sector
- **To** encourage waste minimisation and cleaner production in the commercial and industrial sectors
- **To** promote water conservation, water recycling and biosolids reuse
- **To** ensure compliance of liquid trade waste dischargers with Council's approved conditions
- **To** provide operational data on the volume and composition of industrial and commercial effluent to assist in the operation of the sewerage system and the design of augmentations or new sewerage systems
- **To** ensure commercial provision of services and full cost recovery through appropriate sewerage and liquid trade waste fees and charges.

### POLICY

This policy comprises three parts:

- **Part 1** specifies the circumstances in which a person is exempt from the necessity to apply for an approval to discharge liquid trade waste to Council's sewerage system
- **Part 2** specifies the criteria which Council will take into consideration in determining whether to give or refuse a liquid trade waste approval
- **Part 3** specifies the framework for regulation of liquid trade waste, including the NSW Framework for Regulation of Sewerage and Trade Waste, alignment with the National Framework for Wastewater Source Management, application procedures, liquid trade waste discharge categories, liquid trade waste services agreements, monitoring of liquid trade waste discharges, liquid trade waste fees and charges, modification or revocation of approvals, prevention of waste of water and contaminated stormwater discharges from open areas.

### BACKGROUND

This policy sets out how council will regulate sewerage and trade waste discharges to its sewerage system in accordance with the NSW Framework for Regulation of Sewerage and Trade Waste (section 3.1 of this policy). The policy is concerned with the approval, monitoring and enforcement process for liquid trade wastes discharged to Council's sewerage system and the levying of commercial sewerage and liquid trade

waste fees and charges. It has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment, and Council's sewerage system. The policy also promotes waste minimisation, water conservation, water recycling and bio-solids reuse.

Sewerage systems are generally designed to cater for waste from domestic sources that are essentially of predictable strength and quality. Council **may** accept trade waste into its sewerage system as a **service** to businesses and industry.

Liquid trade wastes may exert much greater demands on sewerage systems than domestic sewage and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment.

Impacts of poor liquid trade waste regulation include:

- Grease, oil, solid material, if not removed on-site, can cause sewer chokes and blockages and the discharge of untreated sewage to the environment.
- Strong waste may cause sewage odour problems and corrosion of sewer mains, pumping stations and sewage treatment works.

**Requirement for Liquid Trade Waste Approvals**

A person wishing to discharge liquid trade waste to the sewerage system must, under section 68 of the *Local Government Act 1993*, obtain prior approval from Council. Discharging liquid trade waste without an approval is an offence under section 626 of the Act.

The procedure for approval is governed by Chapter 7 of the Local Government Act and is subject to the *Local Government (General) Regulation 2005*.

Under clause 28 of the Local Government (General) Regulation, a council must not grant an approval under section 68 of the Act to discharge trade waste (whether treated or not) into a sewer of the council unless the Secretary, Department of Planning, Industry and Environment (DPIE) ~~Director-General of the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS)~~ has concurred with the approval.

Under section 90 (2) of the Local Government Act, **DPIE**, may give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

**DEFINITIONS**

<b>Assumed Concurrence</b>	Council may apply to the <b>Secretary</b> <del>Director-General</del> of the <b>Department of Planning, Industry and Environment</b> <del>Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS)</del> for authorisation to assume concurrence for Classification B or Classification S activities. If granted, Council will no longer need to forward such applications to <del>DTIRIS</del> <b>DPIE</b> for concurrence.
<b>Automatic Assumed Concurrence</b>	Councils have been authorised to assume <b>DPIE</b> <del>DTIRIS</del> concurrence for Classification A activities. Such applications may be approved by Council

without forwarding the application to **DTIRIS** **DPIE** for concurrence.

<b>Biochemical Oxygen Demand (BOD<sub>5</sub>)</b>	The amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C. In practical terms, BOD is a measure of biodegradable organic content of the waste.
<b>Bio-solids</b>	Primarily organic solid product produced by sewage processing. Until such solids are suitable for beneficial use, they are defined as wastewater solids or sewage sludge.
<b>Bunding</b>	Secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.
<b>Chemical Oxygen Demand (COD)</b>	A measure of oxygen required to oxidise organic and inorganic matter in wastewater by a strong chemical oxidant. Wastewaters containing high levels of readily oxidised compounds have a high COD.
<b>Chemical Toilet</b>	Toilet in which wastes are deposited into a holding tank containing a deodorizing or other chemicals; wastes are stored and must be pumped out (and chemical recharged) periodically.
<b>Commercial Kitchen/Caterer</b>	For the purpose of these Guidelines, a commercial kitchen/caterer is generally a premise that is typically a stand-alone operation and prepares food for consumption off-site. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition would not apply to a food processing factory supplying pre-prepared meals to an airline company or similar.
<b>Contingency Plan</b>	A set of procedures for responding to an incident that will affect the quality of liquid trade waste discharged to the sewerage system. The plan also encompasses procedures to protect the environment from accidental and unauthorised discharges of liquid trade waste to the stormwater drainage system, and leaks and spillages from stored products and chemicals.
<b>Director-General</b>	<del>Director-General means the Director-General of the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS).</del>

<b>NSW Office of Water (NOW) Concurrence</b>	Is required before a council may approve an application for the discharge of certain Classifications of liquid trade waste (including septic tank and pan waste) to the sewerage system. It is a requirement under section 90(1) of the Local Government Act and clause 28 of the Local Government (General) Regulation 2005 that council obtain the written concurrence of the Secretary of the Department of Planning, Industry and Environment (DPIE) <del>Director-General of the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS))</del> prior to approving such waste to be discharged to the council's sewerage system. DPIE provides concurrence on behalf of the Secretary. <del>Such concurrence request is to be provided to the NSW Office of Water (a separate office within DTIRIS).</del>
<b>Due Diligence Program</b>	A plan that identifies potential health and safety, environmental or other hazards (e.g. spills, accidents or leaks) and appropriate corrective actions aimed at minimising or preventing the hazards.
<b>Effluent</b>	The liquid discharged following a wastewater treatment process.
<b>Effluent Improvement Plan (EIP)</b>	The document required to be submitted by a discharger who is not meeting the acceptance limits for discharge waste quality set down in Council's approval conditions and/or liquid trade waste agreement. The document sets out how a discharger will meet the acceptance limits for the discharge of liquid trade waste to the sewerage system within a given timeframe.
<b>Galley Waste</b>	In this Policy, a liquid waste from a kitchen or a food preparation area of a vessel; solid wastes are excluded.
<b>Heavy Metals</b>	Metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain. Examples include mercury, chromium, cadmium, arsenic, nickel, lead and zinc.
<b>Housekeeping</b>	Is a general term, which covers all waste minimisation activities connected with the way in which operations within the premises are carried out.

<b>Industrial Discharges</b>	Industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes. For the purposes of this Policy, most of the processes defined in Concurrence Classification "C" are industrial discharges.
<b>Liquid Trade Waste</b>	<p>Liquid trade waste is defined in the <i>Local Government (General) Regulation 2005</i> as:</p> <p><i>Liquid trade waste means all liquid waste other than sewage of a domestic nature.</i></p> <p>Liquid trade waste discharges to the sewerage system include liquid wastes from:</p> <ul style="list-style-type: none"> <li>• business/commercial premises (eg. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, service station, supermarket, dentist)</li> <li>• community/public premises (including craft club, school, college, university, hospital and nursing home)</li> <li>• industrial premises</li> <li>• trade activities (e.g. mobile carpet cleaner)</li> <li>• any commercial activities carried out at a residential premises</li> <li>• saleyards, racecourses and from stables and kennels that are not associated with domestic households</li> <li>• septic tank waste, chemical toilet waste, waste from marine pump-out facilities and established sites for the discharge of pan content from mobile homes/caravans to the sewerage system.</li> </ul> <p>While septic tank, pan and ship-to-shore pump-out waste are defined as trade waste, specific procedures need to be applied to their management as the waste is often transported from its source to the sewerage system. Accordingly, specific references to these wastes are provided in this policy where necessary.</p> <p>Liquid trade waste excludes:</p> <ul style="list-style-type: none"> <li>• toilet, hand wash basin*, shower and bath wastes derived from all the premises and activities mentioned above</li> <li>• wastewater from residential toilets, kitchens, bathrooms or laundries (ie. domestic sewage)</li> <li>• common use (non-residential) kitchen and laundry facilities in a caravan park</li> <li>• residential swimming pool backwash.</li> </ul> <p><i>*Used for personal hygiene only.</i></p>
<b>Mandatory Concurrence</b>	For the liquid waste in Classification C, councils will need to obtain concurrence from <b>DTIRIS</b> <b>DPIE</b> for

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	<p>each discharger. <del>Such concurrence request is to be provided to the NSW Office of Water (a separate office within DTIRIS).</del></p>
<b>Methylene Blue Active Substances (MBAS):</b>	<p>These are anionic surfactants (see Surfactants definition) and are called MBAS as their presence and concentration is detected by measuring the colour change in a standard solution of methylene blue dye.</p>
<b>Minimal Pre-treatment</b>	<p>For the purpose of this Policy includes sink strainers, dry basket arrestors, plaster arrestors and fixed or removable screens.</p>
<b>National Guideline</b>	<p>National Wastewater Source Management Guideline</p>
<del><b>NSW Office of Water (NOW)</b></del>	<p><del>New South Wales Office of Water (NOW): In accordance with the Public Sector Employment and Management (Departments) Order 2011, from 4 April 2011 the NSW Office of Water is a separate office within the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS). The NSW Office of Water provides concurrence on behalf of the Director General, DTIRIS.</del></p>
<b>Open Area</b>	<p>Any unroofed process, storage, washing or transport area potentially contaminated with rainwater and substances which may adversely affect the sewerage system or the environment.</p>
<b>pH</b>	<p>A measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H<sup>+</sup>) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.</p>
<b>Premises</b>	<p>Has the same meaning as defined in the <i>Local Government Act</i> Dictionary and includes any of the following:</p> <ul style="list-style-type: none"> <li>a) a building of any description or any part of it and the appurtenances to it;</li> <li>b) land, whether built on or not;</li> <li>c) a shed or other structure;</li> </ul>



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	<ul style="list-style-type: none"> <li>d) a tent;</li> <li>e) a swimming pool;</li> <li>f) a ship or vessel of any description (including a houseboat); or van</li> </ul>
<b>Prescribed Pre-treatment Equipment</b>	Is defined as standard non-complex equipment used for pre-treatment of liquid trade waste, eg. a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit (refer to Table 7 of <i>Liquid Trade Waste Regulation Guidelines</i> , 2009).
<b>Primary Measurement Device</b>	A device such as a gauging pit, weir tank or flume installed in the liquid trade waste discharge line suitable for installation of instrumentation for flow measurement. In cases of commercial flows this can mean a removable section of pipe (in the fresh water supply to the trade waste area) and the installation of a check meter.
<b>Regulation</b>	Local Government (General) Regulation 2005 under the Local Government Act 1993.
<b>Septage</b>	Material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge and liquid.
<b>Septic Tank</b>	Wastewater treatment device that provides a preliminary form of treatment for wastewater, comprising sedimentation of settleable solids, floatation of oils and fats, and anaerobic digestion of sludge.
<b>Septic Tank Effluent</b>	The liquid discharged from a septic tank after treatment.
<b>Ship-to-Shore Pump-out</b>	Liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes, galley wastes and dry dock cleaning wastes from maintenance activities.
<b>Sewage Management Facility</b>	A human waste storage facility or a waste treatment device intended to process sewage and includes a drain connected to such a facility or device
<b>Sewage of a Domestic Nature</b>	The waterborne waste derived from human origin, comprising faecal matter, urine and liquid household wastes from water closet pans, sinks, baths, basins and similar fixtures designed for use in private dwellings, but excludes waste in or from a sewage management facility.

<b>Sewerage System</b>	The network of sewage collection, transportation, treatment and by-products (effluent and bio-solids) management facilities.
<b>Surfactants</b>	The key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants. Anionic surfactants react with a chemical called methylene blue to form a blue-chloroform-soluble complex; the intensity of colour is proportional to concentration.
<b>Surge Control Device</b>	A device that is installed in a grease arrestor chamber and may improve the arrestor performance by stabilising hydraulic surges.
<b>Suspended Solids (SS)</b>	The insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter. Previously also referred to as non-filterable residue (NFR).
<b>Total Dissolved Solids (TDS)</b>	The dissolved salts in wastewater.
<b>Waste Minimisation</b>	Procedures and processes implemented by industry and business to modify, change, alter or substitute work practices and products that will result in a reduction in the volume and/or strength of waste discharged to sewer.

### **SCOPE OF POLICY**

This policy applies to:

- Property owners
- Water customers
- Sewer customers
- Council employees
- Community members
- Committees of Council
- Consultants/Contractors
- NSW Licensed Plumbers
- Commercial enterprises/businesses in the Ballina Shire that discharge liquid trade waste to Council's sewerage system.

### **RELATED DOCUMENTATION**

Related documents, policies and legislation:

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2005
- Environment Planning and Assessment Act 1979 (NSW)
- Public Health Act 2010 (NSW)
- Public Health Regulation 2012
- Water Management Act 2000

- Water Management (General) Regulation 2011-2018
- Radiation Control Act Amendment 2010 (NSW)
- Radiation Control Act 1990 (NSW)
- Protection of the Environment Operations Act 1997 (NSW)
- Protection of the Environment Operations Regulation (General 2009)
- Australian Sewage Quality Management Guidelines, June 2012, WSAA.
- Integrated Water Cycle Management Guidelines for NSW Local Water Utilities 2004 -
- Plumbing Code of Australia (PCA) Australian & New Zealand Standards AS/NZS 3500
- Liquid Trade Waste Regulation Guidelines 2009 - NSW Department of Water and Energy
- NSW Government's Best-Practice Management of Water Supply of Sewerage Guidelines, 2007
- Dual Water Supply Plumbing Policy 2013 2017(BSC)
- Enforcement Policy 2103 2017 (BSC)
- Water Metering Policy Policy 2012 2017(BSC)
- Backflow Prevention (Containment) Policy 2014 2018 (BSC)
- ~~Drinking Water Policy 2011 (BSC)~~
- Drinking Water Management System (BSC)
- Recycled Water Management System (BSC)
- ~~BSC Liquid Trade Waste Fact Sheets No's 1 – 5.~~

**PART 1: EXEMPTIONS**

**For obtaining approval of liquid trade waste discharge**

**Table 1: Exemptions**

<p>If your business is listed below, you are still a liquid trade waste discharger but have an exemption <b>from DPIE</b> <del>the Director-General DTIRIS</del>. You do not need to apply to Council for an approval to discharge trade wastewater to sewer.</p> <p>However, you must continue to meet pre-treatment, backflow prevention and other requirements listed below or as determined by Council. Council may check compliance by inspecting premises at any time.</p> <p>You must only use pre-treatment items that are approved for use within our area of operations. To find out if pre-treatment items are approved for use, read about Grease traps and pre-treatment equipment in Councils Liquid trade waste fact sheets, or contact Councils Water Quality &amp; Trade Waste Officer.</p> <p>However, an annual trade waste fee does apply to each such discharger, and will be levied as Category one (1) and charged annually in accordance with Councils Fees &amp; Charges on your rates notice.</p>	
<b>Exempt process/business</b>	<b>Pre-treatment requirements</b>
Bed and Breakfast (not more than 10 persons including proprietor)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Mobile carpet cleaners	20 micron filter unit
Day care centre (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4). Nappies are not to be flushed into the toilet.
Florist - retail	In-floor bucket trap, no organophosphates pesticides to sewer
Fruit and vegetable – retail	Floor waste basket and sink strainer required (see Note 3, <del>DWE Guidelines</del> ).

If your business is listed below, you are still a liquid trade waste discharger but have an exemption from DPIE the Director-General DTIRIS. You do not need to apply to Council for an approval to discharge trade wastewater to sewer.

However, you must continue to meet pre-treatment, backflow prevention and other requirements listed below or as determined by Council. Council may check compliance by inspecting premises at any time.

You must only use pre-treatment items that are approved for use within our area of operations. To find out if pre-treatment items are approved for use, read about Grease traps and pre-treatment equipment in Councils Liquid trade waste fact sheets, or contact Councils Water Quality & Trade Waste Officer.

However, an annual trade waste fee does apply to each such discharger, and will be levied as Category one (1) and charged annually in accordance with Councils Fees & Charges on your rates notice.

Exempt process/business	Pre-treatment requirements
Jeweller shop - no mini plater, stone cutting or ultrasonic washing	Floor waste basket and sink strainer required (see Note 3, <a href="#">DWE Guidelines</a> ).
Mixed business - no food prep or cooking	<ul style="list-style-type: none"> <li>• Floor waste basket and sink strainer required (see Note 3, <a href="#">DWE Guidelines</a>).</li> <li>• Housekeeping practices (see Note 4, <a href="#">DWE Guidelines</a>).</li> </ul>
Nut shop - retail	Floor waste basket and sink strainer required (see Note 3, <a href="#">DWE Guidelines</a> ).
Optical service – retail, no lens grinding or manufacturing	<ul style="list-style-type: none"> <li>• Floor waste basket and sink strainer required (see Note 3, <a href="#">DWE Guidelines</a>).</li> <li>• Housekeeping practices (see Note 3, <a href="#">DWE Guidelines</a>).</li> </ul>

If your business is listed below, you are still a liquid trade waste discharger but have an exemption from DPIE ~~the Director-General DTIRIS~~. You do not need to apply to Council for an approval to discharge trade wastewater to sewer.

However, you must continue to meet pre-treatment, backflow prevention and other requirements listed below or as determined by Council. Council may check compliance by inspecting premises at any time.

You must only use pre-treatment items that are approved for use within our area of operations. To find out if pre-treatment items are approved for use, read about Grease traps and pre-treatment equipment in Councils Liquid trade waste fact sheets, or contact Councils Water Quality & Trade Waste Officer.

However, an annual trade waste fee does apply to each such discharger, and will be levied as Category one (1) and charged annually in accordance with Councils Fees & Charges on your rates notice.

Exempt process/business	Pre-treatment requirements
Pet shop – retail no animal washing/grooming	Floor waste basket and sink strainer required (see Note 3, <del>DWE Guidelines</del> ).
Pizza reheating for home delivery no food prep or cooking	Housekeeping practices (see Note 4, <del>DWE Guidelines</del> ).
Venetian blind cleaning	Floor waste basket and sink strainer required (see Note 2, <del>DWE Guidelines</del> ).

**Notes:**

1. Where “required” is used it means as required by Council.
2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system.
3. All drainage from floors in food preparation areas is required to pass through a floor waste basket.
4. Food preparation activities need to comply with sound housekeeping practices including:
  - (a) Floor must be dry swept before washing.
  - (b) Pre-wiping of all utensils, plates, bowls etc. to the scrap bin before washing up.
  - (c) Use of a food waste disposal unit is not permitted.

**PART 2: CRITERIA FOR APPROVAL TO DISCHARGE LIQUID TRADE WASTE INTO COUNCIL'S SEWERAGE SYSTEM****2.1 Factors for Consideration**

Council's decision to accept liquid trade waste into its sewerage system is on the basis of a preventive risk management framework for managing risks to the sewerage system within an integrated water cycle management<sup>1</sup> context. It will be based on the discharge meeting Council's requirements<sup>2</sup>. When determining an application to discharge liquid trade waste to the sewerage system, Council will consider the following factors:

- The potential for the liquid trade waste discharge to impact on public health
- The possible impacts the discharge may pose to the environment (land, water, air, noise, or nuisance factors)
- The potential impacts of the discharge on the health and safety of the Council's employees
- The possible impact of the discharge on Council's sewerage infrastructure or sewage treatment process
- The capability of the sewerage system (both transportation and treatment components) to accept the quality and quantity of the proposed liquid trade waste discharge
- The impact the liquid trade waste will have on the ability of the sewerage scheme to meet **DTIRIS & NOW-DPIE** licence requirements
- Compliance of the proposed liquid trade waste discharge with guideline limits in this policy<sup>3</sup>
- The potential impacts of the discharge on the quality of, and management practices for, effluent and bio-solids produced from the sewage treatment process
- The adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed safeguards if the pre-treatment system fails

<sup>1</sup> *Integrated Water Cycle Management Guidelines for NSW Local Water Utilities, DWE, October 2004.*

<sup>2</sup> In considering options for waste management to drive resource efficiency, the following order of preference set out on page 6 of the *National Wastewater Source Management Guidelines, July 2008*, WSAA will be adopted:

- Avoidance
- Minimisation
- Re-use
- Recovery of energy
- Treatment
- Disposal

<sup>3</sup> The quality of trade waste from some low risk commercial activities in Classification A will exceed guideline limits in Council's trade waste policy. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the discharger installs and properly operates and maintains the required pre-treatment equipment (refer to Table 4 on 22 and Tables 7 to 9 of *Liquid Trade Waste Regulation Guidelines, 2009*). Similarly, septic and pan waste may exceed some guideline limits.

- Whether appropriate safeguards are proposed to avoid the discharge of other, non-approved wastes to the sewerage system
- The adequacy of any chemical storage and handling facilities, and the proposed safeguards for preventing the discharge of chemicals to the sewerage system and the environment.
- Whether prohibited substances are proposed to be discharged
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls
- Waste minimisation and water conservation programs
- The adequacy of the proposed due diligence program and contingency plan, where required.

### **2.2 Discharge Quality**

Council has guideline limits for the acceptance of discharges, as set out in Table 3 Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System (under 2.8 of this policy). Council may vary the guideline limits for a particular sewage treatment works. Where the guideline limits cannot be met, applicants are required to provide justification for exceeding the limits. Based on the type and the proposed contaminant levels, Council may refuse the application, or may approve it subject to an effluent improvement program, or other conditions being implemented.

### **2.3 Prohibited Substances**

Some substances are not suitable for discharge to the sewerage system. Table 3 sets out those substances which must not be discharged to the sewerage system. Council may not grant approval for the discharge of these substances to the sewerage system unless it is specifically approved under section 68 of the Local Government Act.



**Table 2: Substances Prohibited from Being Discharged into the Sewerage System**

- organochlorine weedicides, fungicides, pesticides, herbicides and substances of a similar nature and/or wastes arising from the preparation of these substances
- organophosphorus pesticides and/or waste arising from the preparation of these substances
- any substances liable to produce noxious or poisonous vapours in the sewerage system
- organic solvents and mineral oil
- any flammable or explosive substance
- discharges from 'Bulk Fuel Depots'
- chromate from cooling towers
- natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions
- rain, surface, seepage or subsoil water, unless specifically permitted
- solid matter
- any substance assessed as not suitable to be discharged into the sewerage system
- waste that contains pollutants at concentrations which inhibit the sewage treatment process – refer *National Wastewater Source Management Guideline, July 2008, WSAA*
- any other substances listed in a relevant regulation.

**2.4 Stormwater Discharges from Open Areas**

Stormwater is a prohibited discharge under this policy. The ingress of stormwater into the sewerage system can cause operational problems to the system and result in sewer overflows, as the sewerage system does not have the capacity for such flows. Therefore, Council does not generally accept the discharge of stormwater to the sewerage system.

However, it is recognised that it may not always be possible or practical to prevent all stormwater entering the sewerage system at some liquid trade waste premises. The discharge of limited quantities of first flush stormwater from sealed areas may be considered where roofing cannot be provided because of safety or other important considerations or specific site constraints. The discharge from unsealed areas is not permitted.

Before the stormwater will be considered for discharge to the sewerage system, the applicant must provide the following information:

- reasons why the area cannot be fully or partially roofed and bunded to exclude stormwater

- the dimensions and a plan of the open area under consideration
- whether the open area is sealed
- the estimated volume of the stormwater discharge
- information on rain gauging
- where a first-flush system is proposed, details on how the stormwater will be diverted to the drainage system after the first flush is accepted (the first flush to be limited to first 10 mm of storm run-off)
- measures proposed for diverting stormwater away from the liquid trade waste generating area
- report on other stormwater management options considered and why they are not feasible.

**Note:** Trade waste charges for the acceptance of stormwater to the sewerage system are indicated in section 3.7.9 of this policy.

### 2.5 Food Waste Disposal Units

The use of food waste disposal units (also known as in-sinkerators, in-sink food waste disposers, or garbage grinders) is not permitted. Existing installations in hospitals and nursing homes may be permitted, provided that wastewater is discharged through an adequately sized grease arrestor. For existing premises, a food waste disposal charge will be levied based on the number of beds in the hospital or nursing home (refer to section 3.7.6 of this policy).

If the hospital or nursing home kitchen is refurbished, the food waste disposal unit must be removed.

### 2.6 Devices That Macerate or Pulverise Waste

Macerators and any other similar devices that are used for pulverising of solid waste are not authorised to connect to Council's sewerage system (Refer *NSW Code of Practice: Plumbing and Drainage, 2006 now known as Plumbing Code of Australia (PCA)*). Solid waste includes, but is not limited to, sanitary napkin, placenta, surgical waste, disposable nappy, mache bedpan and urine containers.

Therefore Council will not accept any discharges from such devices to its sewerage system.

### 2.7 Use of Additives in Pre-Treatment Systems

Council does not allow solvents, enzymes, bio-additives, and odour control agents to be used in pre-treatment systems (except neutralising chemicals designated for the pre-treatment) except by specific written application and subsequent approval.

### 2.8 Premises with Refuelling Points

#### New Premises

In accordance with directions from the ~~NOW~~ Circular LWU 13 April 2012, Council does not permit the connection of new refuelling points (i.e. service station forecourts and other refuelling areas, bus/truck depots etc.) to the sewerage system from 1 June 2012, and

**Existing Premises**

- Existing premises with a refuelling point may continue to discharge to the sewerage system in accordance with Councils prior approval and with concurrence from **DPIE NOW**.
- If an existing business is sold, then the new operator may continue to discharge to Councils sewerage system with an appropriate approval in force.

For both items 1 and 2 above, Council is required to inspect the existing premises to determine compliance. Non-compliance issues identified during the inspection must be rectified so as to comply with both Councils and **DPIE NOW** requirements, or disconnect the discharge from the refuelling point to the sewerage system.

**Refurbished premises**

If an existing premises is to be refurbished then the discharge from the refuelling area must be disconnected from discharging to Councils sewerage system.

**Table 3: Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System**

<b>General acceptance guideline limits</b>	
<b>Parameter*</b>	<b>Limits#</b>
Flow Rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is set on the available capacity of the sewer. Large dischargers are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD <sub>5</sub> and Suspended Solids	Normally, approved at 300 mg/L each. Concentration up to 600mg/L and in some cases higher concentration for low mass loadings may be acceptable if the treatment works has sufficient capacity and odour will not be a problem.
COD	Normally, not to exceed BOD <sub>5</sub> by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
Total Dissolved Solids	Up to 4000 mg/L may be accepted. However, the acceptance limit may be reduced depending on available effluent disposal options and will be subject to a mass load limit.
Temperature	Less than 38°C.
pH	Within the range 7.0 to 9.0.

Oil and Grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works, and 50 mg/L if the volume is greater than 10%.
Detergents	All industrial detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes.
Colour	No visible colour when the waste is diluted to the equivalent dilution afforded by domestic sewage flow.
Radioactive Substances	The discharge must comply with the <i>Radiation Control Act 1990</i> .

\* See Glossary for explanation of terms

# Refer to ~~National Wastewater Source Management Guideline, July 2008, WSAA,~~ (now replaced with *Australian Sewage Quality Management Guidelines, June 2012, WSAA*). for recommended analytical methods

**Table 2 (Cont.) – Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System**

<b>Acceptance guideline limits for inorganic compounds</b>	
<b>Parameter</b>	<b>Maximum concentration (mg/L)</b>
Ammonia (as N)	50
Boron	5
Bromine	5
Chlorine	10
Cyanide	1
Fluoride	20
Nitrogen (total Kjeldahl)	100
Phosphorus (total)	20
Sulphate (as SO <sub>4</sub> )	500
Sulphide (as S)	1
Sulphite (as SO <sub>3</sub> )	15
<b>Acceptance guideline limits for organic compounds</b>	
<b>Parameter</b>	<b>Maximum concentration (mg/L)</b>

## 10.2 Policy (Review) - Liquid Trade Waste

Benzene	<0.001
Toluene	0.5
Ethylbenzene	1
Xylene	1
Formaldehyde	30
Phenolic compounds (except pentachlorophenol)	5
Petroleum hydrocarbons (non-flammable)*	30
Pesticides general (except organochlorine and organophosphorus)*	0.1
Polynuclear Aromatic Hydrocarbons (PAHs)	5

cont ...

\* Refer to Table 2

**Table 2 (Cont.) – Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System**

Parameter	Maximum concentration (mg/L)	Allowed daily mass limit (g/d)
<b>Acceptance guideline limits for metals</b>		
Aluminium	100	-
Arsenic	0.5	2
Cadmium	1	6
Chromium*	3	15
Cobalt	5	15
Copper	5	15
Iron	100	-
Lead	1	6
Manganese	10	30
Mercury	0.01	0.05
Molybdenum	5	30
Nickel	3	15
Selenium	1	15

## 10.2 Policy (Review) - Liquid Trade Waste

Ballina Shire Council

Liquid Trade Waste

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Silver	2 <sup>#</sup>	6
Tin	5	15
Zinc	5	15
Total heavy metals excluding aluminium, iron and manganese	less than 30 mg/L and subject to total mass loading requirements	

\* Where hexavalent chromium (Cr<sup>6+</sup>) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr<sup>3+</sup>), prior to discharge into the sewer. Discharge of hexavalent chromium (Cr<sup>6+</sup>) from chromate compounds used as corrosion inhibitors in cooling towers is not permitted.

# This limit is applicable to large dischargers. The concentration of silver in photo processing waste where a balancing tank is provided is not to exceed 5 mg/L.

**PART 3: Framework for Regulation of Liquid Trade Waste****3.1 The NSW Framework for Regulation of Sewerage and Trade Waste**

Due to the *Tragedy of the Commons*<sup>4</sup> in the use of common pool resources, sound regulation of sewerage and trade waste requires implementation of **all** the following integrated measures.

1. Preparation and implementation of a sound trade waste regulation policy, assessment of each trade waste application and determination of appropriate conditions of approval. The conditions must be consistent with the LWU's *Integrated Water Cycle Management Strategy* and demand management plan. In addition, execution of a liquid trade waste services agreement is required for large dischargers to assure compliance.
2. Preparation and implementation of a sound *Development Servicing Plan*<sup>5</sup>, with commercial sewerage developer charges to ensure new development pays a fair share of the cost of the required infrastructure.
3. Full cost recovery with appropriate sewer usage charges<sup>6</sup> and trade waste fees and charges<sup>7</sup> in order to provide the necessary pricing signals to dischargers. These charges must include non-compliance trade waste usage charges and non-compliance excess mass charges in order to provide the necessary incentives for dischargers to consistently comply with their conditions of approval.
4. Monitoring, mentoring and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval.
5. Enforcement, including appropriate use of penalty notices under section 222 of the *Protection of the Environment Operations Act 1997*. Orders may also be issued and penalties imposed for offences under sections 626, 627 and 628 of the *Local Government Act 1993*.
6. Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval.

Together, the above six measures comprise the NSW framework for regulation of sewerage and trade waste. The framework involves a preventive risk management approach, which has been developed to address the use of common pool resources by providing economic incentives for dischargers to minimise their waste and to consistently comply with their conditions of approval.

<sup>4</sup> Refer to page 3 of *National Wastewater Source Management Guideline, July 2008*, WSAA. Thus, in the absence of appropriate controls and measures (such as conditions of approval, a sewer usage charge, a trade waste usage charge, a non-compliance trade waste usage charge, excess mass charges, non-compliance excess mass charges and penalty notices), it would be in the economic interest of each trade waste discharger to minimize their efforts and expenditure on control and pre-treatment of their trade waste before discharging it to the sewerage system. In the past, failure to implement these measures has caused multi-million dollar damage to sewerage networks, pumping stations and treatment works (refer to the examples shown on pages 30, 47 and 48 of the *Liquid Trade Waste Regulation Guidelines, 2009*).

<sup>5</sup> In accordance with the *NSW Developer Charges Guidelines for Water Supply, Sewerage and Stormwater, 2002*.

<sup>6</sup> In accordance with page 29 of the *NSW Water Supply, Sewerage and Trade Waste Pricing Guidelines, 2002*.

<sup>7</sup> In accordance with Appendices D and I of the *Liquid Trade Waste Regulation Guidelines, 2009*.

### 3.2 Alignment with the National Framework for Wastewater Source Management

The NSW framework for regulation of sewerage and trade waste is outlined in section 3.1. The NSW framework is driven by the NSW Government's *Best-Practice Management of Water Supply of Sewerage Guidelines, 2007* and is consistent with that in the *National Framework for Wastewater Source Management*.<sup>8</sup>

In particular, under the *Best-Practice Management Guidelines* each LWU is required to achieve the following outcomes:

- Prepare and implement a 30-year Integrated Water Cycle Management Strategy, demand management plan, pay-for-use water supply pricing and community and customer involvement (Elements 1, 6, 8)
- Annual performance monitoring, including an annual triple bottom line (TBL) Performance Report and Action Plan to identify and address any areas of under-performance (Elements 5, 6, 9, 10, 11, 12)
- Achieve full cost recovery for water supply, sewerage and trade waste services and apply an appropriate non-residential sewer usage charge (Elements 3, 8)
- Prepare and implement a sound trade waste regulation policy and issue an appropriate approval to each trade waste discharger, including waste minimisation and cleaner production (Elements 1, 2, 3, 4, 7, 8)
- Appropriate trade waste fees and charges (including incentives to comply with LWU's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges) (Elements 3, 8)
- Trade waste services agreement for large dischargers to assure compliance (Elements 3, 8)
- Appropriate training of LWU staff and monitoring, mentoring and coaching of trade waste dischargers (Elements 1, 4, 5, 7, 8)
- Enforcement, including appropriate use of penalty notices or orders (Elements 3, 8)

<sup>8</sup> The following 12 elements of the *National Framework for Wastewater Source Management* are set out on page 22 of the *National Wastewater Source Management Guideline, July 2008*, WSAA:

#### COMMITMENT

1. Commitment to Wastewater Source Management

#### SYSTEM ANALYSIS and MANAGEMENT

2. Assessment of the Wastewater System
3. Preventive Measures for Wastewater Input Quality Management
4. Operational Procedures and Process Control
5. Verification of Wastewater Inputs Quality
6. Management of Incidents/Complaints and Emergencies

#### SUPPORTING REQUIREMENTS

7. Employee Awareness and Training
8. Customer and stakeholder involvement and awareness
9. System Validation and Research and Development
10. Documentation and Reporting

#### REVIEW

11. Evaluation and Audit
12. Review and Continual Improvement



- Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval (Element 8).

### 3.3 Application Procedures

#### 3.3.1 Classification A, B, & C Trade Waste dischargers (see Councils Liquid Trade Waste Fact Sheets).

To obtain Council's approval to discharge liquid trade waste to Council's sewerage system, a discharger must lodge an application in writing. Application forms are available from Council's offices and from Councils web site. If a person wishes to discharge liquid trade waste to the sewerage system but is not the owner of the premises, the person must obtain the owner's consent to the application i.e. the application form must be also signed by the property owner. The applicant must provide the following information:

- site owner's full name, address, contact telephone number
- address of the business/industry where discharge to the sewerage system will occur
- name of contact person for the premises and telephone contact for the business/industry
- type of process/activity generating the liquid trade waste
- normal hours of business operation
- rate of discharge, including
  - the average per day, maximum per day and per hour, and
  - hours of the day during which discharge will take place
- characteristics of wastes, including
  - nature of source
  - expected maximum and average concentrations of pollutants

(Where sampling and testing are required to establish the quality of the liquid trade waste, the testing should be carried out in accordance with the procedures set out in the *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association, American Water Works Association and Water Pollution Control Federation).

- chemicals to be used – supply Material Safety Data Sheets
- details of any proposed pre-treatment facilities, location and site plan. Details should include:
  - pre-treatment process details
  - internal wastewater drainage
    - pump size
    - rising main size, length and profile
  - system operational characteristics
  - operational procedures
  - provisions for sampling and flow measurement, where required
  - proposed connection point to the sewerage system

- 
- flow diagram and hydraulic profile of proposed liquid trade waste pre-treatment facilities
  - maintenance schedule for pre-treatment equipment, including contractor's details
  - stormwater drainage plan
  - measures for prevention of stormwater ingress into the sewerage system
  - location, nature and chemical composition of all substances stored/used on site
  - justification for disposing of the waste into the sewerage system over other possible options (if any)
  - methods of disposal for other wastes that are not discharged to the sewerage system
  - any relevant environmental impact assessments
  - any additional information as requested by Council.

### **3.3.2 Classification S Trade Waste discharger (see Councils Liquid Trade Waste Fact Sheets).**

Council may allow at its discretion pump out service providers approval to bring approved liquid TW sourced from within the Ballina Shire Council Local Government area to a designated Waste Water Treatment Plant (WWTP).

The following information needs to be provided in the Classification S TW application and submitted with the appropriate application fee as set out in Councils fees and Charges document for the discharge of septic tank and pan waste to the sewerage system at a designated Council Waste Water Treatment Plant (WWTP):

- identification of the pump out service providers business name, and or company details
- owner's full name, address, contact telephone numbers, including an after hours emergency contact number, & email address
- names of staff who may be operating the vehicles, & entering the Council WWTP, & who need to comply with the conditions of any approval issued
- copies of all relevant insurance documents for the business subject to the application
- the WWTP that the applicant proposes/wishes to discharge to
- details of all vehicles subject to the application including; make, model, registration number, and capacity of the vehicles TW storage tank
- Council may require each vehicle to be weighed at Councils weigh station to confirm capacities if required
- colour photographs of all vehicles subject to the application must be submitted. Photos must include the front, rear and side of each vehicle with the registration number clearly readable in the photos
- statement from the applicant that all vehicles subject to the application are registered and adequately insured
- clear signage must be displayed on every vehicle subject to the application identifying the business name and contact details. Unmarked vehicles are not to be operated within the Ballina Shire Council area

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- proposed methods and cleaning schedule of the vehicles TW storage tank that are subject to the application
  - proposed daily liquid TW volume in kilolitres to be discharged at the WWTP
  - proposed method of discharge including plans and drawings if appropriate
  - details of where each vehicle is parked/stored when not in use
  - details of any proposed facilities for a disposal point, location and site plan (if applicable). Details should include the proposed connection point to the sewerage system, type, & diameter of fittings and hose.
  - security arrangements at the proposed disposal site (if applicable)
  - measures proposed to limit the flow rate from the tanker into the WWTP to prevent flooding of the WWTP and associated adverse impacts on the operation of the WWTP and staff
  - the provision of freshwater for hosing down where needed, and where the fresh water is to be sourced from. The discharger should not rely on utilising Councils water supply at the WWTP.
  - details of the backflow prevention measures utilised and the fill point for accessing fresh water for the approved vehicles
  - Standpipe approval required if applicable
  - bunding and measures to prevent the ingress of stormwater at the proposed dump point, if applicable
  - details outlining the type of odour inhibiting measures to be used or other chemicals, if required by Council, and their dosage rates
  - statement that septic effluent will not be mixed with septage or grease trap pump out, i.e. dedicated tankers must be used for each type of waste
  - for boat/marina facility – the type and number of vessels either moored at the marina and/or would utilise the pump-out facility on a regular basis:
    - private
    - commercial.

Council may, under Section 86 of the Local Government Act 1993, request an applicant to provide more information to enable it to determine the application.

If the application is unclear Council may reject the application under Section 85 of the Local Government Act 1993.

### **3.4 Approval of Applications (See Councils Liquid Trade Waste Fact Sheets).**

Where an application is approved, Council will notify the applicant as soon as practical of the approval and any conditions of the approval. The duration of the approval will be as stated in the approval. In cases where Council requires a discharger to enter into a liquid trade waste services agreement (refer to section 3.9 of this policy), Council will issue a deferred commencement approval under section 95 of the Local Government Act requesting the discharger to do so within the time specified in Council's letter. In such cases, the approval will not be operative until the agreement has been executed by the discharger.

An applicant may make a minor amendment or withdraw an application before it is approved by Council. An applicant may also apply to Council to renew or extend an approval, in accordance with section 107 of the Local Government Act.

If an application is refused, Council will notify the applicant of the grounds for refusal.

An approval to discharge liquid trade waste to Council's sewer is not transferable. A new application must be lodged and a new approval obtained if there is a change of the approval holder or the activity. Council must be notified of change of ownership and/or occupier in all cases, whether a new approval is required or not, to allow updating of records.

### 3.4.1 TW Approval duration

The duration of an approval is generally for a five (5) year period. However Council may issue an approval with a shorter duration if deemed necessary with the concurrence of the **DPIE NOW**.

### 3.4.2 Revoking an Approval

Under Section 108 of the Local Government Act Council may revoke a current approval if it has grounds to do so under Section 109 of the Local Government Act 1993.

Circumstances where an approval may be revoked are:

- failure by the approved discharger to comply with a requirement made by or under the Act regarding a condition of the approval,
- failure by the approved discharger to comply with a condition of the approval

A Notice under Section 109 of the Local Government Act 1993 is to be issued to the discharger if an approval is to be revoked.

### 3.5 **Concurrence of the Department of Planning, Industry and Environment (DPIE) Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) (See BSC's Liquid Trade Waste Fact Sheets No's 1–5).**

If Council supports an application and has a notice stating that concurrence of the **Director-General, DTIRIS Secretary, DPIE** can be assumed for the waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence from **DTIRIS DPIE** in accordance with the requirements of section 90(1) of the Local Government Act. ~~All such concurrence requests will be provided to the NSW Office of Water (a separate office within DTIRIS).~~

Liquid trade waste discharges are divided into four (4) classifications for the purpose of the concurrence process:

- Concurrence Classification A – liquid trade waste dischargers for which Council has been authorised to assume concurrence to the approval subject to certain requirements
- Concurrence Classification B – liquid trade waste dischargers whereby Council may apply to the **Secretary, DPIE Director-General, DTIRIS** for authorisation to assume concurrence to the approval subject to certain requirements
- Concurrence Classification S – the acceptance of septic tank, pan waste and ship-to-shore pump-out from sources from within the Ballina Shire Council Local Government area only. Council may apply to the **Secretary, DPIE Director-**

**General, DTIRIS** for authorisation to assume concurrence to the approval subject to certain conditions.

- Concurrence Classification C – all other liquid trade waste dischargers that do not fall within Concurrence Classification A, B or S, and therefore require Council to apply to **DTIRIS DPIE** for concurrence.

**All councils have been authorised to assume concurrence for Concurrence Classification “A” liquid trade waste discharges. These are listed in Table 4 below and in most cases Council will not need to seek DTIRIS DPIE concurrence for approval of trade waste applications for these activities**

**Table 4: Liquid Trade Waste Discharges with Automatic Assumed Concurrence**

<b>Commercial retail food preparation activities</b>	<b>Other commercial activities</b>
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash and veterinary with no X-ray)
Bed and Breakfast (<10 persons)	Beautician
Bistro	Boiler blowdown
Boarding house/hostel kitchen	Car detailing
Butcher shop (retail)	Cooling tower
Café/coffee shop/coffee lounge	Craft activities (making of clay pottery, ceramics, cutting and polishing of gemstones or making of jewellery at clubs, cottage industries)
Canteen	Dental surgery/dental specialist
Cafeteria	Dental technician
Chicken/poultry shop (only fresh chickens/game sold)	Doctor's surgery, medical centre - plaster casts (no X-rays)
Chicken/poultry shop (retail BBQ/charcoal chicken)	Florist
Club (kitchen wastes)	Funeral parlour, morgue
Commercial kitchen/caterer	Hairdressing (includes barbers)
Community hall/civic centre	Jewellery shop
Day care centre	Laboratory (pathology/analytical)
Delicatessen	Laundry or laundromat (coin operated)
Doughnut shop	Lawnmower repairs

## 10.2 Policy (Review) - Liquid Trade Waste

Fast food outlet (McDonalds, KFC, Burger King, Pizza Hut, Red Rooster, etc.)	Mechanical repairs/workshop
Fish shop (retail – fresh and/or cooked)	Mobile cleaning units
Food caravan	Optical service
Fruit and vegetable shop (retail)	Pet shop (retail)
Function centre	Photographic tray work/manual development
Hotel	Plants retail (no nursery)
Ice cream parlour	School (Primary and Secondary)
Juice bar	Stone working
Mixed business	Swimming pool/spa/hydrotherapy
Motel	Vehicle washing (by hand/wand, automatic car wash, external truck wash or underbody/engine degrease only)
Nightclub	Venetian blind cleaning
Nursing home kitchen	Veterinary /animal kennels with X-ray
Nut shop	Waterless minilab
Patisserie	
Pie shop	
Pizza shop	
Restaurant	
Salad bar	
Sandwich shop	
School canteen	
Supermarket (with butcher/delicatessen/ seafood/or charcoal chickens)	
Take-away food outlet	

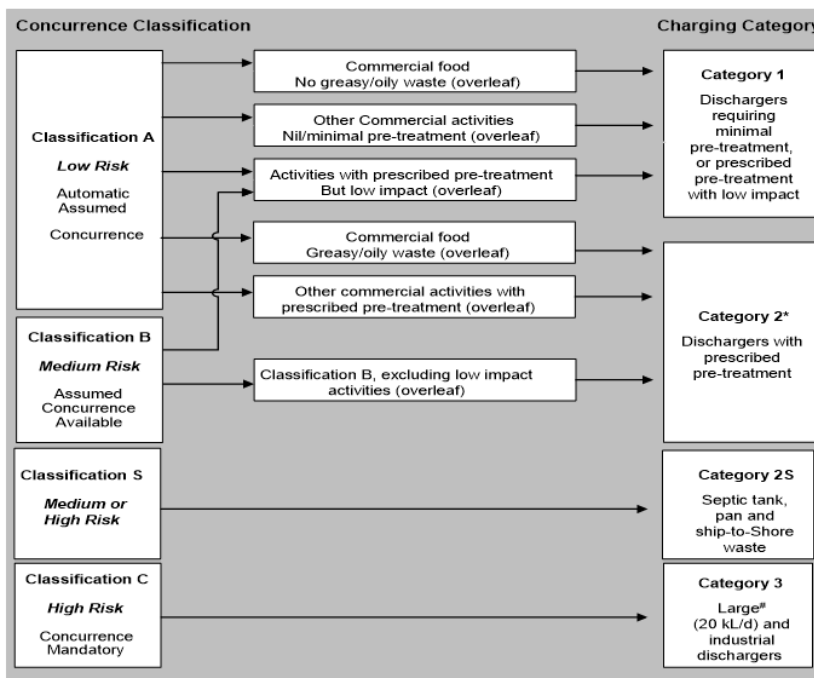
**Notes:**

The volume of Classification "A" liquid trade waste must not exceed 5kL a day or 1000L per annum except in the case of commercial retail food preparation activities, where up to 16 kL/d is included in this category. If the waste discharged to the sewer exceeds these volumes, the application must be treated as Concurrence Classification B. Discharges over 20 kL/d must be treated as Classification C.

**3.6 Liquid Trade Waste Charging Categories**

Four (4) classifications of liquid trade waste have been established for concurrence purposes, Classification A, B, C and S (refer section 3.5 of this policy). For trade waste charging purposes there are also four (4) charging categories, Category 1, 2, 2S and 3.

Figure 1 below shows that Classification A dischargers fall into Charging Category 1 or Category 2. Classification B dischargers fall into Charging Category 2, except for a few dischargers with low impact on the sewerage system which fall into Category 1. Classification S dischargers fall into charging Category 2S. Classification C dischargers fall into Charging Category 3.



**Figure 1: Charging categories for trade waste**

\* Also includes fish shop (fresh fish for retail)

# Except shopping complexes and institutions (hospital, educational facilities, etc.). These will be charged as Category 2 in accordance with activities carried out on the premises.

**Category 1 Discharger**

Category 1 liquid trade waste dischargers are those conducting an activity deemed by Council as requiring nil or only minimal pre-treatment equipment and whose effluent is well defined and of a relatively low risk to the sewerage system. In

**3.6.1 CATEGORY 1 DISCHARGER**

Category 1 includes dischargers requiring prescribed pre-treatment but with low impact on the sewerage system, and those activities identified in table 1 as not exempt.

**Classification A activities – commercial retail food preparation activities that do not generate an oily/greasy waste:** bakery (only bread baked on-site), bistro (sandwiches, coffee only), café/coffee shop/coffee lounge, canteen, community hall (minimal food), day care centre, delicatessen, fruit and vegetable shop, hotel, ice cream parlour (take away only), juice bar, mixed business, motel, nightclub, nut shop, pizza cooking/reheating (no preparation or washing up on-site, pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar, take away food outlet.

**Classification A activities – Other commercial activities:** animal wash, beautician/hairdressing, crafts < 1000 L/d, dental surgery (plaster casts, no X-ray unless digital), doctor's surgery and medical centre (plaster casts, no X-ray), florist, funeral parlour, mobile cleaning units, morgue, jewellery shop, optical service (retail), pet shop, plants retail (no nursery), public swimming pool, photographic (tray work/manual development), venetian blind cleaning, veterinary (no X-ray).

**Classification A or B activities – dischargers with prescribed pre-treatment with low impact on the sewerage system:** boiler blowdown, cooling tower, industrial boilers, laboratory (analytical/pathology/tertiary institution), laundry, primary and secondary school<sup>9</sup>, vehicle washing.

**3.6.2 CATEGORY 2 DISCHARGER**

Category 2 liquid trade waste dischargers are those conducting an activity deemed by Council as requiring a prescribed type of liquid trade waste pre-treatment equipment and whose effluent is well characterised.

**Trade Waste dischargers with prescribed pre-treatment<sup>10</sup> include:**

**Classification A activities:** Premises that prepare and/or serve hot food or foods that generate an oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen, butcher, café/coffee shop/coffee lounge, cafeteria, canteen, fast food outlet, chicken/poultry shop, club, community hall<sup>11</sup>, commercial kitchen/caterer, nursing home, patisserie, supermarket, doughnut shop, fish shop (cooking on-site), function centre, hotel, ice cream parlour, motel, nightclub, pizza cooking, restaurant, sandwich shop/salad bar, take away food outlet.

**Other commercial Classification A activities:** car detailing, craft activities > 1000 L/d, dental surgery with X-ray, lawnmower repairs, mechanical workshop, stone working, veterinary (with X-ray), waterless mini-lab.

**Classification B activities:** auto dismantler, bus/coach depot, construction equipment maintenance and cleaning, equipment hire, maintenance and cleaning, glass cutting and grinding, graphic arts, hospital (with or without X-ray), medical centre (with X-ray),

<sup>9</sup> If significant hot food preparation is carried out, Category 2 charges may be levied by Council.

<sup>10</sup> Excludes low impact activities, listed under Category 1.

<sup>11</sup> If the type and size of kitchen fixtures installed enable catering for large functions.



optical services (at medical or educational facilities, workshops), oyster processing – shucking, panel beating, photographic lab, radiator repairer, screen printing, service station forecourt, shopping complex, water wash mini-lab, X-ray radiologist.

**Other Classification A activities:** fish shop (fresh fish for retail).

### **3.6.3 CATEGORY 2S DISCHARGER**

Category 2S dischargers are those conducting an activity of transporting and/or discharging septic tank or pan content waste into the sewerage system.

**Trade waste dischargers include the following Classification “S” activities:**

**Classification S activities:** bus/rail coaches/caravan/motor home/caravan park waste dump points, mooring/marina dump points, pan waste, portable chemical toilet waste, septage, septic tank effluent, ship-to-shore pump-outs (galley waste and toilet waste).

### **3.6.4 CATEGORY 3 DISCHARGER (LARGE OR INDUSTRIAL WASTE DISCHARGERS)**

Category 3 liquid trade waste dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes (over 20 kL/d) of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds 20 kL/d becomes a Category 3 discharger, except shopping complexes and institutions (eg. hospitals, educational facilities, correctional facilities, etc.)

**Large trade waste dischargers and other Classification C activities include:** abattoir, bakery (wholesale), brewery, cooling towers, cosmetics/perfumes manufacture, dairy processing (milk/cheese/yoghurt/ice cream etc.), food processing (cereals/cannery/condiments/ confectionary/edible oils/fats/essence/ flavours/fish/fruit juice/gelatine/honey/meat/pickles/ smallgoods/tea and coffee/vinegar/yeast manufacture etc.), fruit and vegetable processing, flour milling, glue manufacturer, egg processing, pet food processing, plants nursery (open areas), potato processing, poultry processing, saleyards, seafood processing, soft drink/cordial manufacture, starch manufacture, sugar refinery, tanker washing, tip leachate, transport depot/ terminal, water treatment backwash, wholesale meat processing, winery, wine/spirit bottling.

**Dischargers of industrial waste include the following Classification C activities:** acid pickling, adhesive/latex manufacture, agricultural and veterinary drugs, anodising, bitumen and tar, bottle washing, cardboard and carton manufacture, carpet manufacture, caustic degreasing, chemicals manufacture and repackaging, contaminated site treatment, cyanide hardening, detergent/soaps manufacture, drum washing, electroplating, engine gearbox reconditioning, extrusion and moulding (plastic/metal), feather washing, fellmonger, felt manufacture, fertilisers manufacture, fibreglass manufacture, filter cleaning, foundry, galvanising, glass manufacture, ink manufacture, laboratories (excluding those in Category 2), liquid wastewater treatment facility (grease trap receival depot and other pump-out waste depot), metal finishing, metal processing (refining/rumbling/ non-cyanide heat treatment/phosphating/ photo engraving/printed circuit etching/sheet metal fabrication etc.), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pharmaceuticals manufacture, plaster manufacture, powder coating, printing (newspaper, lithographic), sandblasting, slipway, tannery, timber processing

(joinery and furniture/plywood/hardwood), textile manufacture (wool dyeing/spinning/scouring), truck washing (internal), waxes and polishes.

### 3.7 Liquid Trade Waste Fees and Charges

Council provides sewerage and liquid trade waste services on a commercial basis, with full cost recovery through sewerage and liquid trade waste fees and charges. Council's proposed fees and charges are advertised annually for public comment in its draft Management Plan, and are subsequently listed in Councils yearly "*Scheduled Fees and Charges*" document". All fees and charges shall be read and calculated in conjunction with this document.

In addition to the trade waste fees and charges described below, Council may elect to include any trade waste charges shown in Appendix I of the *Liquid Trade Waste Regulation Guidelines, 2009*.

Liquid trade waste discharged to the sewerage system from industrial, commercial or other non-residential customers can impose significant costs on sewage transport and treatment facilities. To recover these costs and to ensure removal of existing significant cross-subsidies from residential customers, in addition to a two-part tariff with an appropriate **sewer usage charge/kL** for non-residential sewerage, appropriate fees and charges are levied for liquid trade waste.

Council's liquid trade waste fees and charges may include:

- Application fee
- Annual trade waste fee
- Re-inspection fee
- After hours attendance
- Trade waste usage charge
- Septic tank and pan waste disposal charge
- Excess mass charges
- Food waste disposal charge
- Non-compliance trade waste usage charge
- Non-compliance excess mass charge and pH charge
- Non-compliance penalty.

#### **Administration charge for non-compliance notification fee**

##### 3.7.1 Application Fee

The application fee recovers the cost of administration and technical services provided by Council in processing applications for approval to discharge liquid trade waste to the sewerage system. The application fee will be allocated on the basis of the category into which the discharger is classified and reflects the complexity of processing the application. Application fees will be set annually by Council. A change of ownership and renewal fee is also charged to update Councils trade waste register.

##### 3.7.2 Annual Trade Waste Fee

The purpose of this fee is to recover the cost incurred by Council for administration and the scheduled inspections each year to ensure a liquid trade waste discharger's ongoing compliance with the conditions of their approval.

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As part of an inspection, Council or its agents may undertake monitoring of the liquid trade waste discharges from premises or business. Such monitoring may include but is not limited to, flow measurement and the sampling of the liquid trade waste. **Where more than one (1) instance** of such monitoring is undertaken by Council, or its agents, in a financial year, the cost involved may be recovered from the discharger.

Annual liquid trade waste fees are determined on the basis of the category of the discharger and are proportionate to the complexity of their inspection and administration requirements. Annual trade waste fees will be set by Council. Where the discharger is required to pay for monitoring this will be charged on the basis of full cost recovery.

### **3.7.3 Re-Inspection Fee**

Where non-compliance with the conditions of an approval has been detected and the discharger is required to address these issues, Council will undertake re-inspections to confirm that remedial action has been satisfactorily implemented. Council will impose a fee for each re-inspection. The re-inspection fee will be set annually by Council on the basis of full cost recovery. A re-inspection may include the monitoring of liquid trade waste discharges, the cost of which may be recovered from the discharger.

### **3.7.4 After hours WWTP site attendance fee**

In instances where the approved Classification "S" discharger wishes to discharge outside the normal operating hours of the WWTP then an after-hours WWTP site attendance fee at a minimum of one (1) hour will be levied. Operating hours are outlined in the approval to discharge. The fee is to be in accordance with Council's fees and charges document.

### **3.7.5 Trade Waste Usage Charges (Category 2)**

The trade waste usage charge is imposed to recover the additional cost of transporting and treating liquid trade waste from Category 2 dischargers.

Trade Waste Usage Charge (\$) =  $Q \times \$1.63/\text{kL}$  (2014/15\$)

Where Q = Volume (kL) of liquid trade waste discharged to sewer.

### **3.7.6 Excess Mass Charges**

Excess mass charges will apply for substances discharged in excess of the deemed concentrations in domestic sewage shown in Table 5 below. For excess mass charge calculation, equation (1) below will be applied.

**Table 5: Deemed concentration of substances in domestic sewage**

Substance	Concentration (mg/L)
Biochemical Oxygen Demand (BOD <sub>5</sub> )	300
Suspended Solids	300
Total Oil and Grease	50
Ammonia (as Nitrogen)	35
Total Kjeldahl Nitrogen	50
Total Phosphorus	10
Total Dissolved Solids	1000
Sulphate (SO <sub>4</sub> )	50 <sup>#</sup>

<sup>#</sup> The concentration in the potable water supply to be used if it is higher than 50mg/L.

NB. Substances not listed above are deemed not to be present in domestic sewage.

*Equation (1)*

$$\text{Liquid Trade Waste Excess Mass Charge (\$)} = \frac{(S - D) \times Q \times U}{1,000} \quad (1)$$

Where: S = Concentration (mg/L) of substance in sample.

D = Concentration (mg/L) of substance deemed to be present in domestic sewage.

Q = Volume (kL) of liquid trade waste discharged to the sewerage system.

U = Charging rate (\$/kg) for discharge of substance to the sewerage system.

Charging rates (U) used in equation (1) are as shown in Council's Annual Management Plan and subsequent "Scheduled Fees and Charges" .

With regard to BOD, equation (1) applies for BOD<sub>5</sub> up to 600 mg/L.

***Excess mass charges for BOD exceeding 600mg/L***

If Council approves the acceptance limits for BOD<sub>5</sub> higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate U<sub>e</sub> (\$/kg) as shown in equation (2). Equation (2) provides a strong incentive for dischargers to reduce the strength of waste. In addition, equation (5) Non-compliance excess mass charges for BOD will be used where the discharger has failed to meet their approved BOD limit on two (2) or more instances in a financial year.

*Equation (2)*

$U_e$  is the excess mass charging rate for BOD (\$/kg).

$$U_e = 2C \times \frac{(\text{Actual BOD} - 300\text{mg/L})}{600\text{mg/L}} \times 1.05 \times \frac{(\text{Actual BOD} - 600\text{mg/L})}{(600\text{mg/L})} \quad (2)$$

Where  $C$  = the charging rate (\$/kg) for  $BOD_5$  600mg/L.

Actual  $BOD$  = the concentration of  $BOD_5$  as measured in a sample

For example if  $C$  = \$0.623/kg, equation (2) would result in the following excess mass charging rates:

\$0.623/kg for  $BOD_5$  600mg/L

\$1.96/kg for  $BOD_5$  1200mg/L

\$5.05/kg for  $BOD_5$  2400mg/L

The excess mass charge for BOD is calculated using equation (1):

$$\text{Excess Mass Charge for BOD (\$)} = \frac{(S - D) \times Q \times U_e}{1,000}$$

**3.7.7 Food Waste Disposal Charges<sup>12</sup>**

Where Council has permitted the use of a food waste disposal unit for an existing hospital, nursing home or other eligible facility, the following additional food waste disposal charge will be payable annually.

$$\text{Food Waste Disposal Charge (\$)} = B \times UF$$

Where  $B$  = Number of beds in hospital or nursing home.

$UF$  = Annual charging rate (\$/bed) for a food waste disposal unit at a hospital or nursing home.

**Note:** The recommended annual charging rate is \$23/bed (2007/08\$).

**3.7.8 Non-Compliance Charges**

**Category 1, 2 and 2S Dischargers**

If the discharger has not installed or maintained appropriate pre-treatment equipment, the following trade waste usage charges will be applied for the relevant billing period:

Category 1 Discharger - \$1.63/kL (2014/15\$).

Category 2 Discharger - \$12.68/kL (2014/15\$).

**Category 3 Discharger - Non-compliance pH charge.**

Equation (3) is used for waste with pH being outside the approved range. This equation provides an incentive for dischargers to apply appropriate pH correction so their waste remains within the approved pH limits. Council may require industrial and large dischargers to install and permanently maintain a pH chart recorder or data logger as control of pH is critical to minimising odour and corrosion problems in the sewerage system. In accordance with Councils yearly "Scheduled Fees and Charges"

<sup>12</sup> For existing installations only. New installations are not permitted.

document”, all fees and charges shall be read and calculated in conjunction with this document. *Equation (3)*.

Charging rate for pH where it is outside the approved range for the discharger =

$$K \times (\text{actual pH} - \text{approved pH})^{\#} \times 2^{(\text{actual pH} - \text{approved pH})^{\#}}$$

# absolute value to be used.

K = pH coefficient = 0.346 (2007/08\$) and needs to be adjusted in accordance with changes in the CPI and or in accordance with Councils “*Scheduled Fees and Charges*”.

*Example: Council has approved the pH range 8.0 to 9.0 for a large discharger generating high strength trade waste in order to prevent corrosion and odour problems in the sewerage system.*

*Case 1: pH measured 7.0*

$$\text{Charging rate } (\$/\text{kL}) = 0.346 \times [7 - 8] \times 2^{[7 - 8]} = \$0.69/\text{kL}$$

*Case 2: pH measured 11.0*

$$\text{Charging rate } (\$/\text{kL}) = 0.346 \times [11 - 9] \times 2^{[11 - 9]} = \$2.77/\text{kL}$$

***Non-compliance excess mass charges***

Where a discharge quality fails to comply with the approved concentration limits of substances specified in Council’s approval conditions (or the acceptance criterion listed in Council’s trade waste policy), Council incurs additional costs in accepting and treating that waste. Council may also face problems with the effluent and bio-solids management.

In order to recover Council’s costs, equation (4) shall apply for non-compliance excess mass charges, except for BOD where equation (5) shall apply. In accordance with Councils yearly “*Scheduled Fees and Charges*” document”, all fees and charges shall be read and calculated in conjunction with this document.

*Equation (4)*

$$\text{Non-compliance Excess Mass Charges } (\$) = \frac{(S - A) \times Q \times 2U}{1,000} + \frac{(S - D) \times Q \times U}{1,000}$$

Where:

S = Concentration (mg/L) of substance in sample.

A = Approved maximum concentration (mg/L) of pollutant as specified in Council’s approval (or liquid trade waste policy).

Q = Volume (kL) of liquid trade waste discharged for the period of non-compliance.

U = Excess mass charging rate (\$/kg) for discharge of pollutant to sewerage system, as shown in Council’s Annual Management Plan.

D = Concentration (mg/L) of substance deemed to be present in domestic sewage.

***Non-compliance excess mass charges for BOD***

If a discharger has failed to meet the approved maximum concentration of BOD on two or more instances in a financial year, the non-compliance excess mass charging rate for BOD  $U_n$  will be levied on the basis of equation (5) below:

Equation (5)  $U_n$  is the BOD non-compliance excess mass charging rate.

$$U_n = 2C \times \frac{(A - 300 \text{ mg / L})}{600 \text{ mg / L}} \times 1.05^{\frac{(A - 600 \text{ mg / L})}{600 \text{ mg / L}}} + 4C \times \frac{(\text{Actual BOD} - A)}{600 \text{ mg / L}} \times 1.05^{\frac{(\text{Actual BOD} - A)}{600 \text{ mg / L}}}$$

For example, if  $C = \$0.623/\text{kg}$ ,  $BOD_5$  actual (measured) level is  $2400\text{mg/L}$  and the approved maximum concentration of BOD ( $A$ ) is  $1000\text{mg/L}$ , equation (5) would result in a non-compliance excess mass charging rate of  $\$8.02/\text{kg}$ .

Non-compliance Excess Mass Charge for BOD is calculated using equation (1):

$$\text{Non-compliance Excess Mass Charge (\$)} = \frac{(S - D) \times Q \times U_n}{1,000}$$

**The non-compliance excess mass charges shown above are in lieu of the excess mass charges in section 3.7.6.**

**NB.** Council will continue applying the above non-compliance excess mass charge until the quality of discharge complies with Council's approved quality (or the trade waste policy) limits, within the time frame determined by Council for remedying the problem. If the discharger fails to rectify the problem within this time frame, the discharger may be required to cease discharging liquid trade waste into Council's sewerage system and may also be required to pay a 'non-compliance penalty' as indicated in the following section.

**3.7.9 Non-Compliance Penalties**

The non-compliance penalty covers instances where Council may seek compensation for its costs relating to legal action, damage to infrastructure, incurred fines and other matters resulting from illegal, prohibited or unapproved liquid trade waste discharged to the sewerage system. Also included are fines under:

- *Protection of the Environment Operations Act 1997*, section 120(1) (Pollution of any waters by a discharger who fails to comply with the conditions of approval for discharge of liquid trade waste to sewer)
- *Local Government Act, 1993*, section 627 (Failure to comply with an approval), section 628 (Failure to comply with an order). Non-compliance penalties will be pursued by legal action.

**3.7.10 Discharge of Stormwater to the Sewerage System Charges**

The discharge of stormwater, surface and subsoil waters to the sewerage system is prohibited under this policy. As indicated in section 2.4, the acceptance of first flush stormwater runoff may be permitted. A direct to sewer charge of \$14.93/kL (2014/15\$) will be applied to Category 3 dischargers in accordance with the non-compliance trade waste usage charge, if approval is granted to accept the above waters. Excess mass charges will be also applied in accordance with section 3.7.5.

**3.7.11 Septic and Pan Waste Disposal Charges**

This charge is imposed to recover the cost of accepting and treating septic tank and pan waste.

Septic tank and pan waste disposal charge (\$) = Q x S

Where: Q = Volume (kL) of waste discharged to sewer.

S = Charging rate in \$/kL for septic tank effluent, septage or chemical toilet waste as indicated in Council's Annual Management Plan.

**3.7.12 Responsibility for Payment of Fees and Charges**

Property (land) owners are responsible for the payment of fees and charges for water supply, sewerage and liquid trade services provided by Council. This includes property owners of marina, Caravan Park, etc., if a dump point located at their premises is connected to the sewerage system. Where another party (lessee) leases premises any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

Council will charge a septic tank and pan waste disposal charge for services it provides to transporters of septic tank and pan waste tankered and discharged to the sewerage system.

**3.7.13 Administration Charges for Non-Compliance Notification**

In instances where a discharger is in non compliance with the Act, Council policies or their Trade Waste Approval or Agreement, Council may charge an Administration fee as set out in Councils "*Scheduled Fees and Charges*" document for the costs of associated administration of the non compliance event.

In the case of Classification S dischargers the non compliance fee may be levied for each discharge event that is in non compliance with; councils requirements and directions, an approval or an agreement. The fee is to recoup costs incurred by Council for staff time that have to follow up non compliance issues.



Some situations Instances where an Administration Charge for non compliance may be imposed but not limited to the following are:

- Failure to complete/provide any details on the disposal dockets at the WWTP.
- Failure to sign the completed disposal docket
- Failure to submit to Council details of Grease Trap pump outs in accordance with required time frames

**All persons/contractors entering Council property including those persons/dischargers of Classification “S” TW must comply with any direction given to them by all Council staff including the WWTP operators on site, and is an offence not to do so.**

**Table 6: Summary of trade waste fees and charges<sup>13</sup>**

CHARGING CATEGORY	APPLICATION FEE	ANNUAL NON-RESIDENTIAL SEWERAGE BILL WITH APPROPRIATE SEWER USAGE	ANNUAL TRADE WASTE FEE	RE-INSPECTION FEE (when required)	TRADE WASTE USAGE CHARGE/kL	SEPTIC WASTE DISPOSAL CHARGE	EXCESS MASS CHARGES/kg	NON-COMPLIANCE TRADE WASTE USAGE CHARGE/kL	NON-COMPLIANCE EXCESS MASS/kg and pH CHARGES/kL	NON-COMPLIANCE PENALTY (if required)
1	Yes <sup>14</sup>	Yes	Yes	Yes	No	No	No	Yes <sup>15</sup>	No	Yes
2	Yes	Yes	Yes	Yes	Yes	No	No	Yes <sup>16</sup>	No	Yes
2S	Yes	Yes <sup>16</sup>	Yes	Yes	No	Yes	No	No	No	Yes
3	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes

All dischargers of liquid trade waste to Council’s sewerage system should be aware that they are subject to prosecution and imposition of fines under the *Local Government Act 1993* and the *Protection of the Environment (Operations) Act 1997* and Regulations. In addition to fines, Council may recover costs of damages and fines incurred by Council as a result of an illegal liquid trade waste discharge.

**3.8 Monitoring**

Council will carry out inspections of the premises of all liquid trade waste dischargers and their treatment facilities at least once per annum. Inspections of commercial premises preparing hot food may be carried out at least four (4) times per annum (refer

<sup>13</sup> In addition, a Food Waste Disposal Charge will apply where Council has approved the use of an existing food waste disposal unit for a hospital, nursing home or other eligible facility (refer to section 2.7.6 of this policy).

<sup>14</sup> Not applicable for dischargers exempted in Table 1.

<sup>15</sup> Non-compliance trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment: (In accordance with Councils yearly “Scheduled Fees and Charges” document”, all fees and charges shall be read and calculated in conjunction with this document.)

<sup>16</sup> Only applicable if the discharger has a dump point located at their premises which is connected to the sewerage system

section 3.7.2 of this policy). Monitoring of the large and industrial dischargers is to be carried out as specified in the approval conditions.

The applicant may be required to monitor the liquid trade waste discharge as a condition of an approval or agreement. They may also be required to pay for any sampling and testing of liquid trade waste undertaken by Council.

For this purpose, an inspection/sampling point, where the waste can be inspected and sampled, will be specified in the approval and/or agreement. This point will normally be located after the pre-treatment facility. The discharger may need to install a suitable method of flow measurement.

Council may require the discharger to:

- install a permanent primary measurement device
- measure the volume and flow rate using the permanently installed flow measurement system (such as a flow metering system)
- install a flow measurement device on a temporary basis and obtain enough data to determine a basis for assessing the flow rate and volume
- provide a system which allows obtaining a flow weighted composite sample.

Testing of samples is to be undertaken by a NATA-registered or other laboratory recognised by the [NSW Office of Water \(NOW\) DPIE](#) to ensure reliable and accurate results. Where the discharger is sampling the effluent, Council may randomly take duplicates to confirm the waste characteristics.

### **3.9 Liquid Trade Waste Services Agreement**

In addition to its approval under the Local Government Act, Council may require certain dischargers, including those who wish to discharge liquid trade waste in large volumes (discharge >20 kL/d) or industrial waste (Concurrence Classification C discharges) or Classification S into its sewerage system to execute a liquid trade waste services agreement.

The agreement will set out the conditions associated with the discharge and execution of the agreement will be a condition of the approval issued by Council (refer to section 3.4 of this policy). The conditions will be binding on the applicant and the Council. The agreement will be for a period of up to five (5) years. No discharge is to be made to Council's sewerage system until an agreement or an interim agreement has been executed.

Provision can be made in the agreement for (in addition to Council's approval conditions):

- additional conditions for discharge of liquid trade waste
- cancellation of the agreement and/or order to cease the discharge if the discharger is found to be in breach of the agreement or the liquid trade waste approval or, in the opinion of Council, the waste is adversely affecting the sewerage system or the environment
- entry by Council officers to inspect the liquid trade waste collection, treatment, monitoring and disposal systems
- the applicant to notify Council in advance of any changes that may affect the quality and quantity of the liquid trade waste
- the amount of bond/security to be lodged with Council prior to discharging to the sewerage system.

### 3.10 Enforcement of Approvals and Agreements

Any person who fails to obtain Council's approval to discharge liquid trade waste into the sewerage system, or fails to comply with the conditions of the approval, may be liable to a penalty as provided under the *Local Government Act 1993* (sections 626 to 628 and 634 to 639).

Polluting of any waters by a discharger of liquid trade waste who does not have a Council approval or who fails to comply with the conditions of the approval is an offence under section 120 (1) of the *Protection of the Environment Operations Act 1997*. In addition, under section 222 of this Act, Council may issue a penalty notice (ie. an on-the-spot fine) to such a discharger.

Any person who fails to comply with the terms or conditions of a liquid trade waste services agreement (ie. there is a breach of the agreement) will be required to indemnify the Council against any resulting claims, losses or expenses. Suspensions may also apply and may include a notice to cease the discharge.

### 3.11 Modification and Revocation of Approvals

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system in any of the following circumstances:

- if the approval was obtained by fraud, misrepresentation or concealment of facts
- for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the council not to have granted the approval
- for failure to comply with a requirement made by or under the *Local Government Act 1993* relating to a condition of the approval
- for failure to comply with a condition of the approval.

### 3.12 Prevention of Waste of Water

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation (refer to Attachment 1) to waste or misuse water.

Dilution of trade waste with water from any non-process source including Council's water supply, bore water, groundwater and/or stormwater as a means of reducing pollutant concentration is therefore strictly prohibited.

### 3.13 Effluent Improvement Plans

Where the existing liquid trade waste discharged does not meet Council's requirements, the applicant may be required to submit an Effluent Improvement Plan setting out how Council's requirements will be met. The proposed plan must detail the methods/actions proposed to achieve the discharge limits and a timetable for implementation of the proposed actions. Such actions may include more intensive monitoring, improvements to work practices and/or pre-treatment facilities to improve the effluent quality and reliability.

### 3.14 Due Diligence Programs and Contingency Plans

For *Concurrence Classification A*, a discharger is not required to submit either a due diligence program or a contingency plan.

A discharger may be required to submit a due diligence program and a contingency plan for *Concurrence Classification B or Classification S* where it is considered that the discharge may pose a potential threat to the sewerage system. If required, a due diligence program and contingency plan must be submitted to Council within six (6) months and three (3) months respectively of receiving a liquid trade waste approval.

For *Concurrence Classification C*, a discharger may need to provide a due diligence program and contingency plan to Council within six (6) months and three (3) months respectively of receiving a liquid trade waste approval.

It should be noted that:

1. If the discharger has an accredited environmental management system in place, a due diligence program and contingency plan may not be required. However, proof of accreditation must be provided to Council with the application. The EMP may not include all necessary provisions in regard to trade waste. In such cases Council may require that a suitable due diligence program and contingency plan be developed and submitted to Council.
2. Where Council considers there is potential risk to the sewerage system from a discharge, it may request a due diligence program and contingency plan to be submitted prior to commencing the discharge.

### **REVIEW**

The Liquid Trade Waste Policy is to be reviewed every four years.

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**ATTACHMENT 1 - PROVISIONS IN THE LOCAL GOVERNMENT (GENERAL) REGULATION 2005 IN REGARD TO ACCEPTANCE OF LIQUID TRADE WASTE INTO THE SEWERAGE SYSTEM**

***Clause 25 Matters to Accompany Applications Relating to Discharge into Sewers***

An application for approval to discharge trade waste into a sewer under the control of a Council or that connects with such a sewer must be accompanied by the information required by Table 1 to the ~~Liquid Trade Waste Management Guidelines~~<sup>#</sup> Liquid Trade Waste Regulation Guidelines

***Clause 28 Approval to Discharge Waste into Sewers: Concurrence Required***

A council must not grant an approval under section 68 of the Act to discharge trade waste (whether treated or not) into a sewer of the council unless the ~~DPIE Director-General of the DTIRIS~~<sup>\*</sup> has concurred with the approval.

Note: Section 90 (2) of the Act permits any person or authority whose concurrence is required before an approval can be granted to give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

***Clause 32 Disposal of Trade Waste***

- (1) An approval to dispose of trade waste into a sewer of the council is subject to such conditions (if any) as the council specifies in the approval.
- (2) In imposing any such conditions, the council is to have regard to the matter set out in Table 5 to ~~the Liquid Trade Waste Management Guidelines~~. Liquid Trade Waste Regulation Guidelines.

***Clause 159 Prevention of Waste and Misuse of Water***

The owner, occupier or manager of premises to which water is supplied by the council must:

- (a) prevent waste of water by taking prompt action to repair leaking taps, pipes or fittings located on the premises
- (b) take any other action that is reasonable to prevent waste and misuse of water.

~~# "Liquid Trade Waste Management Guidelines" means the Guidelines of that name produced by the Department of Energy, Utilities and Sustainability in March 2005, as in force from time to time. The 2005 Guidelines have now been superseded by Liquid Trade Waste Regulation Guidelines, April 2009.~~

~~\* From 27 July 2009 a reference to the Director-General of the Department of Energy, Utilities and Sustainability is to be construed as a reference to the Director-General DTIRIS.~~