

POLICY NAME: LIQUID TRADE WASTE

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OBJECTIVE

The objectives¹ 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

¹ The above objectives are consistent with the *Framework for Wastewater Quality Management* on page 14 of the *Australian Wastewater Quality Management Guidelines, July 2022*, Water Services Association of Australia (WSAA)

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 Director-General of the Department of Trade and Investment, Regional Infrastructure and Services (or that Director-General's nominee) has concurred with the approval.

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

DEFINITIONS

Assumed Concurrence	Council with may apply to the Secretary of the Department of Planning and Environment for authorisation to assume concurrence for Classification B or Classification S activities. If granted, Council will no longer need to forward such applications to DPE for concurrence.
Automatic Assumed Concurrence	Councils have been authorised to assume DPE concurrence for Classification A activities. Such applications may be approved by Council without forwarding the application to DPE for concurrence.
Biochemical Oxygen Demand (BOD₅)	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.
Bio-solids	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.

Bunding	Secondary containment provided for storage areas, particularly for materials with the propensity to cause environmental damage.
Chemical Oxygen Demand (COD)	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.
Chemical Toilet	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.
Commercial Kitchen/Caterer	For the purpose of this Policy, a commercial kitchen/caterer is generally a premises 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 a third party.
Contingency Plan	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.
Concurrence	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 and Environment (DPE) prior to approving such waste to be discharged to the council's sewerage system. DPE provides concurrence on behalf of the Secretary.
Due Diligence Program	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.
Effluent	The liquid discharged following a wastewater treatment process.
Effluent Improvement Plan (EIP)	The document required to be submitted by a discharger who fails 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.

Galley Waste	In this Policy, a liquid waste from a kitchen or a food preparation area of a vessel; solid wastes are excluded.
Heavy Metals	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.
Housekeeping	Is a general term, which covers all waste minimisation activities connected with the way in which operations within the premises are carried out.
Industrial Discharges	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.
Liquid Trade Waste	<p>Liquid trade waste is defined in the <i>Local Government (General) Regulation 2005</i> as:</p> <p><i>all liquid waste other than sewage of a domestic nature discharged to the sewerage system.</i></p> <p>Liquid trade waste discharges to the sewerage system include liquid wastes from:</p> <ul style="list-style-type: none">• business/commercial premises (eg. beautician, florist, hairdresser, hotel, motel, restaurant, butcher, service station, supermarket, dentist)• community/public premises (including craft club, school, college, university, hospital and nursing home)• industrial premises• trade activities (e.g. mobile carpet cleaner)• any commercial activities carried out at a residential premises• saleyards, racecourses and from stables and kennels that are not associated with domestic households• 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. <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">• toilet, hand wash basin*, shower and bath wastes derived from all the premises and activities mentioned above• wastewater from residential toilets, kitchens, bathrooms or laundries (ie. domestic sewage)• common use (non-residential) kitchen and laundry facilities in a caravan park• residential swimming pool backwash.

**Used for personal hygiene only.*

Mandatory Concurrence

For the liquid waste in Classification C, councils will need to obtain concurrence for approval of each discharge. The Water Utilities Branch of the Department of Planning and Environment provides concurrence on behalf of the department's Secretary.

Methylene Blue Active Substances (MBAS):

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.

Minimal Pre-treatment

For the purpose of this Policy includes sink strainers, dry basket arrestors, plaster arrestors and fixed or removable screens.

Open Area

Any unroofed process, storage, washing or transport area that is potentially contaminated with rainwater and substances which may adversely affect the sewerage system or the environment.

pH

A measure of acidity or alkalinity of an aqueous solution, expressed as the logarithm of the reciprocal of the hydrogen ion (H^+) activity in moles per litre at a given temperature; pH 7 is neutral, below 7 is acidic and above 7 is alkaline.

Premises

Has the same meaning as defined in the *Local Government Act Dictionary* and includes any of the following:

- a) a building of any description or any part of it and the appurtenances to it;
- b) land, whether built on or not;
- c) a shed or other structure;
- d) a tent;
- e) a swimming pool;
- f) a ship or vessel of any description (including a houseboat); or van

Prescribed Pre-treatment Equipment

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 8 of Liquid Trade Waste Management Guidelines, 2021)

Primary Measurement Device

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.

Regulation

Local Government (General) Regulation 2005 under the Local Government Act 1993.

Septage	Material pumped out from a septic tank during desludging; contains partly decomposed scum, sludge and liquid.
Septic Tank	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.
Septic Tank Effluent	The liquid discharged from a septic tank after treatment.
Ship-to-Shore Pump-out	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.
Sewage Management Facility	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
Sewage of a Domestic Nature	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.
Sewerage System	The network of sewage collection, transportation, treatment and by-products (effluent and bio-solids) management facilities.
Surfactants	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.
Suspended Solids (SS)	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).
Total Dissolved Solids (TDS)	The total dissolved materials in wastewater.
Waste Minimisation	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 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 Wastewater Quality Management Guidelines, July 2022, 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 Management Guidelines 2021 – NSW Department of Planning, Industry and Environment
- NSW Government's Best-Practice Management of Water Supply of Sewerage Guidelines, 2007
- Dual Water Supply Plumbing Policy 2017(BSC)
- Enforcement Policy 2017 (BSC)
- Water and Wastewater Connections Policy 2021 (BSC)
- Backflow Prevention (Containment) Policy 2022 (BSC)
- Drinking Water Management System (BSC)
- Recycled Water Management System (BSC)

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 from DPE. 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 & 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 & Charges on your rates notice.</p>	
Exempt process/business	Pre-treatment requirements
Beautician	Solvents not to be discharged to sewer
Bed and breakfast (not more than 10 persons including proprietor)	Sink strainer in food preparation areas Housekeeping practices (see Note 4)
Cooling tower < 500 L/h	No Chromium-based products to be discharged to the sewer
Crafts ceramic, pottery, etc (including hobby clubs) - flows 200-1000L/d	Plaster arrestor required
Day care centre (no hot food prepared)	Sink strainers in food preparation areas Housekeeping practices (see Note 4) Nappies, wet wipes are not to be flushed into the toilet
Delicatessen (no hot food prepared)	Sink strainers in food preparation areas; Housekeeping practices (see Note 4)
Dental technician	Plaster arrestor required
Dental mobile (no amalgam waste)	Nil

If your business is listed below, you are still a liquid trade waste discharger but have an exemption from DPE. 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
Dog/cat grooming/animal wash only	Dry basket arrestor for floor waste outlet and sink strainer/hair trap required (see Note 3) Animal litter and any disposable waste products must not be discharged to sewer Organophosphorus pesticides are prohibited to be discharged to sewer
Florist	Dry basket arrestor for floor waste outlet and sink strainer required Herbicides/pesticides are not permitted to be discharged to sewer
Fruit and vegetable – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3)
Hairdressing	Dry basket arrestor for floor waste outlet and sink strainer/ hair trap
Jewellery Shop - Miniplater	Miniplater vessel to contain no more than 1.5 L of precious metal solution
- ultrasonic washing	Nil
- precious stone cutting	If : < 1,000 L/d plaster arrestor required > 1,000 L/d general-purpose pit required
Medical centre/doctor's surgery/ physiotherapy (plaster casts only)	Plaster arrestor required, if plaster of paris casts is used
Mixed business (minimal hot food)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3) Housekeeping practices (see Note 4)

If your business is listed below, you are still a liquid trade waste discharger but have an exemption from DPE. 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
Mobile Cleaning Units - carpet cleaning	20 micron filtration system fitted to a mobile unit
- garbage bin washing	Dry basket arrestor for floor waste outlet is required. Discharge via grease arrestor (if available)
Motel (no hot food prepared and no laundry facility)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3) Housekeeping practices (see Note 4)
Nut shop	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3)
Optical service – retail	Solids settlement tank/pit required
Pet shop – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 2) Animal litter and any disposable waste products must not be discharged to sewer Organophosphorus pesticides are prohibited to be discharged to sewer
Pizza reheating for home delivery	Housekeeping practices (see Note 4)
Venetian blind cleaning	Nil (see Note 2)

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 dry basket arrestor.
4. Use of a food waste disposal unit (garbage grinders) and/or a food waste processing unit (food digesters, composters, etc.) is not permitted. Food preparation activities need to comply with sound housekeeping practices including:
 - (a) Floor must be dry swept before washing.
 - (b) Scraping all utensils, plates, bowls etc. to the scrap bin before washing up.

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 management² context. It will be based on the discharge meeting Council's requirements³. 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 (reticulation and treatment components) to accept the quality and quantity of the proposed liquid trade waste discharge
- The impact on the ability of the sewerage to meet licence requirements (e.g. under the Protection of the Environment Operations Act 1997)
- The potential impacts of the discharge on management practices for effluent and biosolids produced from the sewage treatment process
- Compliance of the proposed liquid trade waste discharge with guideline limits in this policy⁴
- 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
- Whether appropriate safeguards are proposed to avoid the discharge of other, non-approved wastes to the sewerage system

² *Integrated Water Cycle Management Guidelines for NSW Local Water Utilities, DWE, October 2004.*

³ In considering options for waste management to drive resource efficiency, the following order of preference set out in the *Australian Wastewater Quality Management Guidelines, July 2022*, WSAA will be adopted:

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

⁴ 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 8, Table 9, Table 11, and Table 16 by *Liquid Trade Waste Management Guidelines, 2021*). Similarly, septic and pan waste may exceed some guideline limits.

- The adequacy of the proposed maintenance program of pre-treatment facilities and the effluent monitoring program (if applicable)
- The adequacy of any chemical storage and handling facilities, and the proposed safeguards for preventing the chemicals to the sewerage system and the environment.
- Proposed management of liquid waste not discharged to the sewerage system and safeguards to avoid any accidental discharge of these wastes to the sewerage system
- 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.
- The potential for growth of the community

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 2 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

<ul style="list-style-type: none"> • 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 • Per- and Poly-fluoroalkyl substances (PFAS) • any substances liable to produce noxious or poisonous vapours in the sewerage system • organic solvents and mineral oil⁵ • any flammable or explosive substance⁵ • discharges from chemicals and/or oil storage areas and 'Bulk Fuel Depots' • chromate from cooling towers • natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions • roof, rain, surface, seepage or subsoil water, unless specifically permitted (Clause 137A of the Local Government (General) Regulation 2005) • solid matter⁵ • Disposable Products including wet wipes, cleaning wipes, colostomy bags, cat litter and other products marketed as flushable • any substance assessed as not suitable to be discharged into the sewerage system • liquid waste that contains pollutants at concentrations which inhibit the sewage treatment process – refer to the <i>Australian Wastewater Quality Management Guidelines, July 2022, WSAA</i> • any other substances listed in a relevant regulation.
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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:

⁵ In excess of the approved limit (refer to Table 6)

- reasons why the area cannot be fully or partially roofed and bunded to exclude stormwater
- the dimensions and a plan of the open area proposed to be connected to the sewerage system
- 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 3.7.10 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 3.7.7 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 Circular LWU 13 April 2012, effective 1 June 2012, the discharge of wastewater including run-off from new service station forecourts and other refuelling points (such as at bus depots, etc.) is not permitted. Refer to NSW EPA Practice Note, titled *Managing Run-off from Service Station Forecourts, June 2019, for information on managing such wastewater*.

Existing Premises

The discharge of wastewater from existing service stations and other refuelling areas may be permitted, provided appropriate pre-treatment is provided and the requirements are adhered to (such as having a manual activated pump, an inspection aperture, etc.). Further information

is provided in section 5.3.11 and section F6.5 of Appendix F of the *Liquid Trade Waste Management Guidelines, 2021*.

Council is required to inspect the existing premises to determine compliance. Non-compliance issues identified during the inspection must be rectified to comply with both Councils and DPE 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

General acceptance guideline limits	
Parameter*	Limits#
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 ₅ and Suspended Solids	Normally, approved at 300 mg/L each. Concentration up to 600mg/L.
COD	Normally, not to exceed BOD ₅ 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 detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes discharges.

Colour	<p>Colour must be biodegradable. No visible colour when the waste is diluted to the equivalent dilution afforded by domestic sewage flow.</p> <p>Specific limits may be imposed on industrial discharges where colour has a potential to interfere with sewage treatment processes and the effluent management.</p>
Radioactive Substances	<p>The discharge must comply with the Radiation Control Act 1990.</p> <p>If expected to be present (e.g. Iodine 131 from ablation), acceptance requirements will be set on a case-by-case assessment.</p>

* See Glossary for explanation of terms

Refer *Australian Wastewater Quality Management Guidelines, July 2022, WSAA* for recommended analytical methods

Table 3 (Cont.) – Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System

Acceptance guideline limits for inorganic compounds	
Parameter	Maximum concentration (mg/L)
Ammonia (as N)	50
Boron	5
Bromine	5
Chlorine	10
Cyanide	1
Fluoride	30
Nitrogen (total Kjeldahl)	100
Phosphorus (total)	20
Sulphate (as SO ₄)	500
Sulphide (as S)	1
Sulphite (as SO ₃)	15

Acceptance guideline limits for organic compounds	
Parameter	Maximum concentration (mg/L)
Benzene	<0.001
Toluene	0.5
Ethylbenzene	1
Xylene	1
Formaldehyde	30
Phenolic compounds non-halogenated	1
Petroleum hydrocarbons ⁶	
• C ₆ -C ₉ (flammable)	5
• Total Recoverable Hydrocarbons (TRH)	30
Pesticides general (except organochlorine and organophosphorus) *	0.1
Polynuclear Aromatic Hydrocarbons (PAHs)	5

Table 3 (Cont.) – Guideline Limits for Acceptance of Liquid Trade Wastes into Sewerage System

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

⁶ Always ask a laboratory to carry out a silica gel clean up, if other than petroleum products are expected to be present in a liquid trade waste sample, e.g. animal fats, plant oil, soil, etc

Nickel	1	5
Selenium	1	5
Silver	2	5
Tin	5	15
Zinc	1	5
Total heavy metals excluding aluminium, iron and manganese	less than 30 mg/L and subject to total mass loading requirements	

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

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*⁷ 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 Council'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*⁸, 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 charges⁹ and trade waste fees and charges¹⁰ 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 Council'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.

⁷ Refer to *Australian Wastewater Quality Management Guidelines, July 2022, 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 (examples shown on pages 236 and 252 of the *Liquid Trade Waste Management Guidelines, 2021*)

⁸ In accordance with the *NSW Developer Charges Guidelines for Water Supply, Sewerage and Stormwater, 2016*.

⁹ In accordance with page 29 of the *NSW Water Supply, Sewerage and Trade Waste Pricing Guidelines, 2002*.

¹⁰ In accordance with Council's Scheduled Fees and Charges and NSW Liquid Trade Waste Management Guidelines, 2021

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 matched with the elements indicated in the *National Framework for Wastewater Source Management*.¹¹

In particular, under the *Best-Practice Management Guidelines* each Council 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 liquid trade waste fees and charges (including incentives to comply with Council's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges) (Elements 3, 8)
- Liquid 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)
- Disconnection of a trade waste service in the event of persistent failure to comply with the Council's conditions of approval (Element 8).

¹¹ The following 12 elements of the *National Framework for Wastewater Quality Management* are set out in the *Australian Wastewater Quality Management Guidelines, July 2022, WSAA*:

COMMITMENT

1. Commitment to Wastewater Quality Management

SYSTEM ANALYSIS and MANAGEMENT

2. Assessment of the Hazards
3. Risk assessment and control
4. Operational Monitoring and control points
5. Verification Monitoring
6. Management of Incidents and Emergencies

SUPPORTING REQUIREMENTS

7. Employee Awareness and Training
8. Stakeholder Management
9. Research and Development
10. Documentation and Reporting

REVIEW

11. Evaluation and Audit
12. Review and Continual Improvement

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:

- Applicant's full name, address and contact details
- site owner's full name, address, contact telephone number, if different to the applicant
- 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
- Proposed date of commencement of discharge to the sewerage system
- 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

Additional information required for applications in Concurrence Classification B or C

- flow diagram and hydraulic profile of any proposed pre-treatment facilities
- physical and chemical characteristics of the proposed discharge, including:
 - nature of source
 - expected maximum and average concentrations of pollutants, and
 - temperature and pH
- location, nature and chemical composition of all substances stored/used on site
- relevant safety data sheets
- 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
- Consultant report (if applicable)
- 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 trade waste 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:

- 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 trade waste 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

-
- proposed methods and cleaning schedule of the vehicles trade waste storage tank that are subject to the application
 - proposed daily liquid trade waste 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 DPE Council may either elect to shorten the duration, or it may extend or renew the approval before it lapses or at any time within three (3) months after the approval lapses.

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 and Environment (DPE) (See BSC's Liquid Trade Waste Fact Sheets).

If Council supports an application and has a notice stating that concurrence can be assumed for the waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence from DPE in accordance with the requirements of section 90(1) of the Local Government Act.

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, DPE 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, DPE 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 DPE 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 DPE concurrence for approval of trade waste applications for these activities

Table 4: Liquid Trade Waste Discharges with Automatic Assumed Concurrence

Commercial Retail food preparation activities	Other commercial activities
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash)
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 (pottery, ceramics, cutting and polishing of gemstones or making of jewellery)
Canteen	Dental surgery/Dental specialist
Cafeteria	Dental technician
Chicken/poultry shop (fresh chicken/game, retail barbeque/roast chicken)	
Club (kitchen wastes)	Dry-cleaning (separator water, boiler)
Commercial kitchen/caterer	Florist
Community hall/civic centre/function centre (kitchen waste)	Funeral parlour/morgue
Day care centre	Hairdressing (includes barbers)
Delicatessen	Jewellery shop
Doughnut shops	Laboratory (pathology/analytical)
Fast food outlets (McDonalds, KFC, Burger King, Hungry Jack, Pizza Hut, Red Rooster, etc.)	Laundry or laundromat (coin operated)
Fish shop (retail—fresh and/or cooked)	Lawnmower repairs
Food Caravan	Mechanical repairs/workshop
Fruit and vegetable shop (retail)	Medical centre/doctor surgery/physiotherapy— plaster of paris casts, laboratory
Hotel	Mobile cleaning units
Ice cream parlour	Nursing home (other than food-related activities)

Juice bar	Optical service
Mixed business	Pet shop (retail)
Mobile food van	Photographic tray work/manual development
Motel	Plants retail (no nursery or open space)
Nightclub	School (other than kitchen waste)
Nursing home kitchen	Stone working
Nut shop	Surfboard manufacturing (wet process)
Patisserie	Swimming pool/spa/hydrotherapy
Pie shop	Vehicle (car) washing (by hand/wand, automatic car wash/bus wash/external truck wash or underbody/engine degrease only)
Pizza shop	Venetian blind cleaning
Restaurant	Veterinary Surgery
Salad bar	
Sandwich shop	
School canteen and Home science	
Snack bar	
Supermarket (with butcher/bakery/delicatessen/seafood or roasted chicken)	
Takeaway food shop	

Notes:

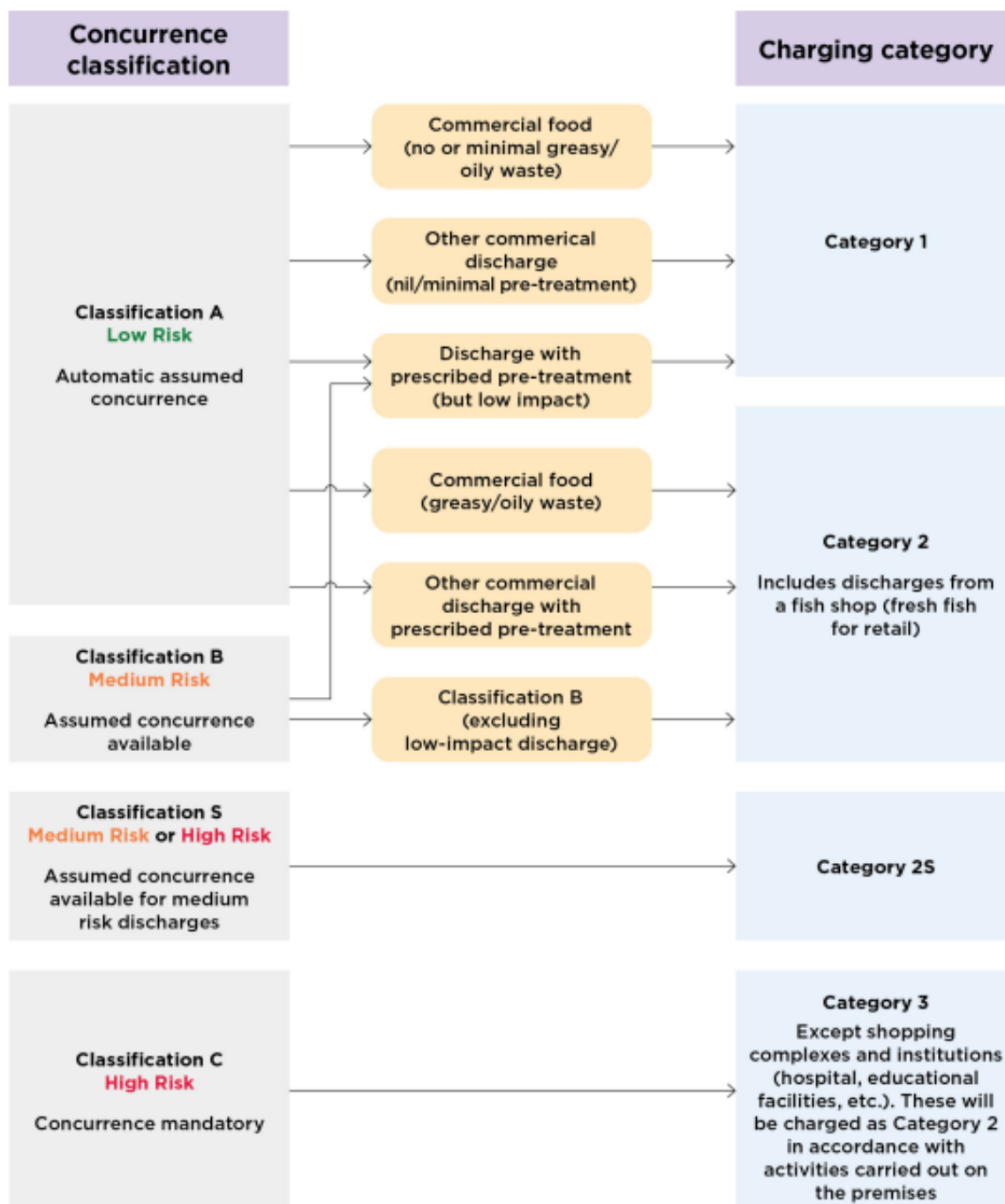
The volume of Classification "A" liquid trade waste must not exceed 5kL a day except in the case of commercial retail food preparation activities, where up to 16 kL/d is included in this category. If the waste discharged to the sewer exceeds these volumes, the application must be treated as Concurrence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

3.6 Liquid Trade Waste Charging Categories

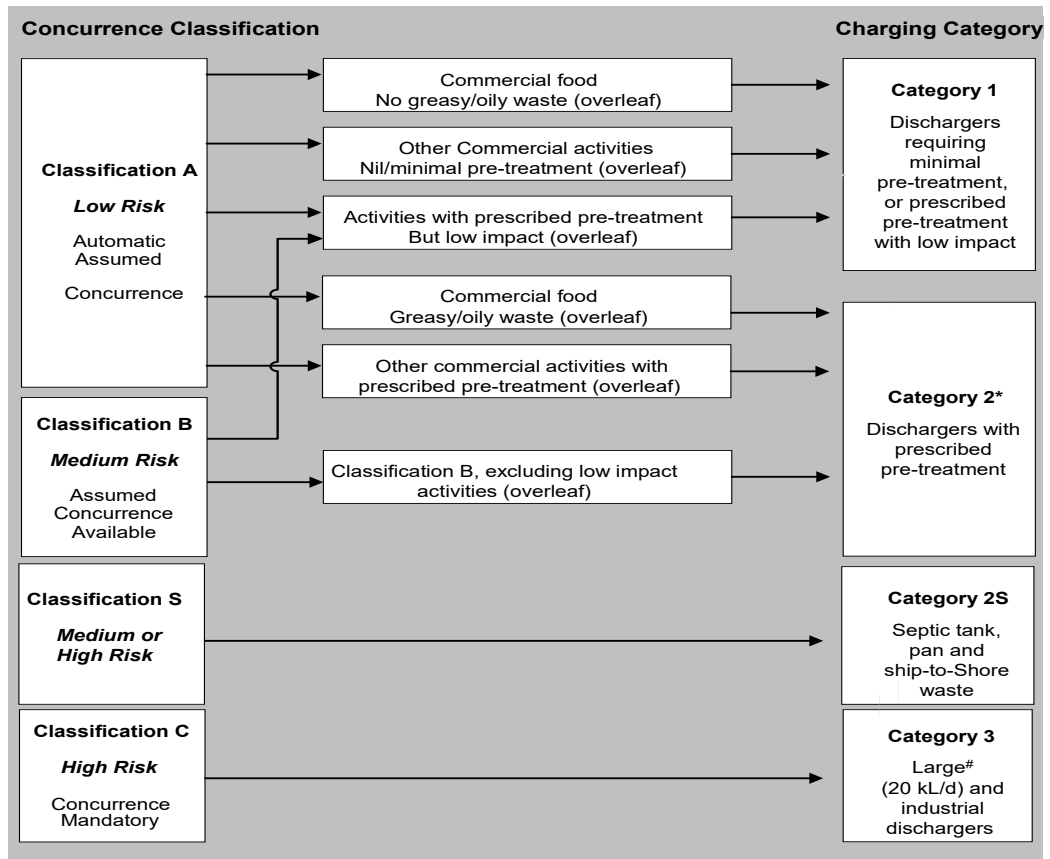
Four (4) classifications of liquid trade waste have been established for concurrence purposes, Classification A, B, C and S (refer section 3.5 of this policy). For trade waste charging purposes there are also four (4) charging categories, Category 1, 2, 2S and 3.

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 liquid trade waste



Changing Image out



3.6.1 CATEGORY 1 DISCHARGER

Category 1 includes dischargers requiring nil or minimal 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), boarding/hostel < 10 persons, bistro (sandwiches, coffee only), café/coffee shop/coffee lounge, canteen, community hall (minimal food), day care centre (minimal hot food), delicatessen (minimal or no hot food), fruit and vegetable shop, hotel/motel (minimal hot food), ice cream parlour (take away only), juice bar, mixed business, nightclub (no hot food), nut shop, pie shop (re-heating only), pizza no cooking/reheating (pizza heated and sold for consumption off-site), potato peeling (small operation), sandwich shop/salad bar, school canteen with minimal hot food, take away food outlet (no hot food).

Classification A activities – Other commercial activities: animal wash, beautician/tanning booths/hairdressing, crafts < 1000 L/d, dental surgery/dental technician (plaster casts, dry-cleaning, florist, funeral parlour, medical centre/doctor surgery/physiotherapy (plaster casts only), mobile cleaning units, morgue, jewellery shop, optical service, pet shop, plants retail (no nursery), non-residential swimming pool/hydrotherapy, veterinary.

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/laundromat, primary and secondary school¹², vehicle washing/detailing (excluding truck 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-treatment¹³ include:

Classification A activities: commercial retail food preparation/serving activities that generate oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen (exceeding 10 persons), butcher, café/coffee shop/coffee lounge, cafeteria, canteen, day care centre with hot food, delicatessen with hot food, fast food outlet, chicken/poultry shop, club, community hall¹⁴, commercial kitchen/caterer, nursing home, patisserie, supermarket, fish shop (retail and cooking on-site), function centre, hotel, ice cream parlour, motel, nightclub, pizza cooking, restaurant, sandwich shop/salad bar, takeaway food outlet with hot food, school canteen with hot food.

Other commercial Classification A activities: car detailing, craft activities > 1000 L/d, lawnmower repairs, mechanical workshop, stone working, surfboard manufacture (wet process only).

Classification B activities: auto dismantler, bus/coach depot, bakery (wholesale), butcher (wholesale), boutique or artisan foods, construction equipment maintenance and cleaning, engine reconditioning, equipment hire, maintenance and cleaning, fish co-op glass cutting and grinding, graphic arts, hospital, microbrewery, oyster processing – shucking, panel beating, photographic lab, radiator repairer, screen printing, service station forecourt, shopping complex, truck washing (platforms/flat beds) and truck washing (external).

¹² If significant hot food preparation is carried out, Category 2 charges may be levied by council.

¹³ Excludes low impact activities, listed under Category 1.

¹⁴ If the type and size of kitchen fixtures installed enable catering for large functions.

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:

- transporters who tanker human waste to council’s sewage treatment works—septic tank waste (effluent and septage), ablution block waste (blackwater and greywater), portable toilet waste, sludge from on-site aerated wastewater treatment systems for single households, waste from pit toilets, night soil
- ship-to-shore pump-out facility owners/operators—toilet waste and/or greywater
- owners/operators of ‘dump points’ that are directly connected to the sewerage system for disposal of toilet waste and/or greywater from a bus or a recreation vehicle (RV) (e.g. caravan, motor home).

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 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 the limits indicated becomes a Category 3 discharger, except shopping complexes and institutions.

- Classification A—discharge volume > 20 kL/d
- Classification B—greater than their maximum daily discharge volume.

All Classification C dischargers belong to Charging Category 3.

Large trade waste dischargers and other Classification C activities include: Abattoir, brewery, cooling towers, cosmetics/perfumes manufacture, dairy processing* (milk/cheese/yoghurt/ice cream etc.), distillery, 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.), food waste processing unit (digester/composter), 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, truck washing (internal) water treatment backwash, waxes and polishes, 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 Categories 1 and 2), liquid wastewater treatment facility (grease trap receipt depot and other pump-out waste depot), metal finishing, metal processing (refining/rolling/ 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, textile manufacture (wool dyeing/spinning/scouring), timber processing (joinery and furniture/plywood/hardwood).

*Excluding small boutique or artisan food industries not exceeding the maximum discharge volume

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 Council's yearly "*Scheduled Fees and Charges*" document". All fees and charges shall be read and calculated in conjunction with this document.

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/Renewal 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/Renewal 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 Council's 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.

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 x [Volume charge per kL]

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

[Volume charge per kL] = as per Council's fees and charges

3.7.6 Excess Mass Charges

Excess mass charges will be imposed on Category 3 Dischargers where 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 ₅)	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 ₄)	50 [#]

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 BOD₅, equation (1) applies for BOD₅ up to 600 mg/L.

Excess mass charges for BOD₅ exceeding 600mg/L

If Council approves the acceptance limits for BOD₅ higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate U_e (\$/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 BOD₅ will be used where the discharger has failed to meet their approved BOD₅ limit on two (2) or more instances in a financial year.

Equation (2)

U_e is the excess mass charging rate for BOD₅ (\$/kg).

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

Where C = the charging rate (\$/kg) for BOD₅ 600mg/L.

Actual BOD = the concentration of BOD₅ as measured in a sample

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

\$0.623/kg for BOD₅ 600mg/L

\$1.96/kg for BOD₅ 1200mg/L

\$5.05/kg for BOD₅ 2400mg/L

The excess mass charge for BOD₅ is calculated using equation (1):

$$\text{Excess Mass Charge for BOD}_5 (\$) = \frac{(S - D) \times Q \times U_e}{1,000}$$

3.7.7 Food Waste Disposal Charges¹²

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. These charges are in addition to category-specific liquid trade waste fees and charges (for example Category 2 charges plus U_F).

Food Waste Disposal Charge (\$) = $B \times U_F$

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

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

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 - The volume charge (\$/kL) as per Council's Fees and Charges must be applied.

Category 2 Discharger - A non-compliance charge may be 5 to 10 times higher than the volume charge (\$/kL) indicated in Council's Fees and Charges.

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

¹⁵ For existing installations only. New installations are not permitted.

Councils yearly “*Scheduled Fees and Charges*” 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

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

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

Case 2: pH measured 11.0

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

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 BOD₅ on two or more instances in a financial year, the non-compliance excess mass charging rate for BOD₅ 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.

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

Where:

U_n = The BOD₅ non-compliance excess mass charging rate in (\$/kL)

A = BOD₅ approved limit

C = Charging rate for BOD₅ 600 mg/L

For example, if C = \$0.623/kg, BOD₅ actual (measured) level is 2400mg/L and the approved maximum concentration of BOD₅ (A) is 1000mg/L, equation (5) would result in a non-compliance excess mass charging rate of \$8.02/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 clause 137A of the Local Government (General) Regulation 2005 and this policy. As indicated in section 2.4, the acceptance of first flush stormwater runoff may be permitted. A direct to sewer charge found in Council's "Scheduled Fees and Charges" 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.

In relation to tankered human waste, waste transporters who collect the waste and discharge the waste at the sewage treatment works are responsible for the payment. A waste transporter who tankers liquid trade waste to the treatment works may pay only the liquid trade waste fees and charges as non-residential sewerage fees are not applicable.

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 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 docket 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" trade waste 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 charges¹⁶

CHARGING CATEGORY	APPLICATION FEE	ANNUAL NON-RESIDENTIAL SEWERAGE BILL WITH APPROPRIATE SEWER USAGE CHARGE/KL	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 (if required)	NON-COMPLIANCE PENALTY (if required)
1	Yes ¹⁷	Yes	Yes ¹⁸	Yes	No	No	No	Yes ¹⁹	No	Yes
2	Yes	Yes	Yes	Yes	Yes	No	No	Yes ¹⁹	No	Yes
2S	Yes	No	Variable ²⁰	Optional ²¹	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 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)

¹⁶ 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 3.7.7 of this policy).

¹⁷ Not applicable for dischargers exempted in Table 1.

¹⁸ May not be applicable for dischargers listed as Deemed to be Approved.

¹⁹ 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.*)

²⁰ Refer to s. 8.3.5 in *Liquid Trade Waste Management Guidelines, 2021* and 3.6.3 and 3.7.11 of this policy.

²¹ Applicable if re-inspection of facilities is required, for example, ship-to-shore pump-out facility.

- 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 DPE 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 plan (EMP) 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.

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

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 Director-general of the Department of Trade and Investment, Regional Infrastructure and Services (or that Director-General's nominee) 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 Liquid Trade Waste Management Guidelines.

Clause 137A Substances prohibited from being discharged into public sewers

- (1) For the purposes of Section 638 of the Act (Discharge of prohibited matter into sewer or drain), roof, rain, surface, seepage or ground water is prescribed as prohibited matter.
- (2) This clause does not apply in relation to:
 - (a) a discharge that is specifically approved under section 68 of the Act, or
 - (b) a discharge into a public drain or a gutter of council, or
 - (c) a discharge in an area of operations within the meaning of the Sydney Water Act 1994 or the Hunter Water Act 1991.

Clause 143 Inspection of pipes and drains and measurement of water and sewage

- (1) Council may, at any reasonable time:
 - (a) inspect any service pipe connected to a water main, and
 - (b) inspect any drain connected to a sewer main, and
 - (c) install meters or other devices for measuring the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (d) measure the quantity of water supplied to, or the quality and quantity of sewage discharged from, premises, and
 - (e) inspect any pre-treatment devices connected to council's sewerage system.

- (2) The occupier of the relevant premises must provide to council such information as it requires to enable it to estimate the quantity of water actually supplied to, or the quality and quantity of sewage actually discharged from, the premises.
- (3) In this clause, 'pre-treatment device' means any device used to reduce or eliminate contaminants in trade waste, or to alter the waste's nature, before it is discharged into a sewer.

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.