



Local Approvals Policy

Liquid Trade Waste Discharge to the Sewerage System

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Produced By: Shoalhaven Water Group
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For more information contact the Shoalhaven Water Group

Administrative Centre, Bridge Road, Nowra • Telephone (02) 4429 3111 • Fax (02) 4422 1816 • PO Box 42 Nowra 2541
Southern District Office – Deering Street, Ulladulla • Telephone (02) 4429 8999 • Fax (02) 4429 8939 • PO Box 737 Ulladulla

council@shoalhaven.nsw.gov.au • www.shoalhaven.nsw.gov.au

CONTENTS

PURPOSE OF THIS POLICY	1
WHAT IS LIQUID TRADE WASTE?	3
OBJECTIVES	4
SCOPE OF THIS POLICY	4
INSTRUCTIONS FOR USE	5
RELATIONSHIP TO OTHER DOCUMENTS	5
DISCLAIMER	5
PART 1. EXEMPTION CIRCUMSTANCES	6
PART 2. CRITERIA FOR APPROVAL TO DISCHARGE LIQUID TRADE WASTE	6
2.1. Factors for Consideration	6
2.2. Substances Prohibited from Discharge to the Sewerage System	7
2.3. Guideline Limits for Acceptance of Liquid Trade Waste	7
2.4. Liquid Trade Waste from Existing Premises/Dischargers.....	8
2.5. Stormwater Discharges from Open Areas.....	8
2.6. Service Station Covered Forecourts & Bus/Truck Depot Refuelling	9
2.7. Food Waste Disposal Units	10
2.8. Use of Additives in Pre-treatment Systems.....	10
2.9. Devices that Macerate or Pulverise Waste	10
PART 3. MATTERS RELATING TO LIQUID TRADE WASTE APPROVALS	10
3.1. The NSW Framework for Regulation of Sewerage and Trade Waste.....	10
3.2. Alignment with the National Framework for Wastewater Source Management.....	11
3.3. Council Approval Required.....	12
3.4. Method of Application	12
3.5. Authority to Make an Application	13
3.6. Provision of Information Relating to an Application.....	13
3.7. Amendments by Applicant.....	13
3.8. Concurrence.....	13
3.9. Notification as to Outcome of an Application	16
3.10. Review or Appeal of a Decision to Refuse an Application	16
3.11. Classification of Liquid Trade Waste Dischargers.....	16
3.12. Liquid Trade Waste Services Agreement.....	16
3.13. Due Diligence Programs and Contingency Plans	17

3.14. Inspections and Monitoring.....	18
3.15. Self-Monitoring by Dischargers	18
3.16. Effluent Improvement Plan for Existing Dischargers.....	19
3.17. Waste or Misuse of Water by Dilution of Liquid Trade Waste	19
3.18. Determination of Liquid Trade Waste Discharge Volume.....	19
3.19. Liquid Trade Waste Fees and Charges.....	19
3.20. Responsibility for the Payment of Liquid Trade Waste Fees and Charges	21
3.21. Approvals Not Transferable	21
3.22. Modification or Revocation of an Approval.....	21
3.23. Enforcement of Approvals and Agreements.....	21
3.24. Duration of an Approval	21
3.25. Changes to Activity and/or Liquid Trade Waste Properties	22
3.26. Definitions of Terms, Abbreviations and Acronyms	22
3.27. Implementation.....	22
3.28. Review.....	22
3.29. Application of Ecologically Sustainable Development Principles.....	22
Schedule 1 Substances Prohibited From Discharge to the Sewerage System.....	23
Schedule 2 Guideline Limits for Acceptance of Liquid Trade Waste	24
APPENDIX A Exception from Installing Pre-treatment Equipment.....	27
APPENDIX B Open Area Discharge	28
APPENDIX C Valid Applicants	29
APPENDIX D Application Information Required	30
APPENDIX E Classification of Liquid Trade Waste Dischargers.....	32
APPENDIX F Determination of Liquid Trade Waste Discharge Volume	37
APPENDIX G Liquid Trade Waste Fees and Charges	40
APPENDIX H Modification or Revocation of Approval.....	48
APPENDIX I	49
Sample Liquid Trade Waste Services Agreement.....	49
APPENDIX J Local Government (General) Regulation 2005 Provisions.....	59
APPENDIX K Glossary of Terms, Abbreviations and Acronyms.....	60
PURPOSE OF THIS POLICY.....	1
WHAT IS LIQUID TRADE WASTE?	2
OBJECTIVES.....	3
SCOPE OF THIS POLICY.....	3
INSTRUCTIONS FOR USE.....	4
RELATIONSHIP TO OTHER DOCUMENTS.....	4
DISCLAIMER	4

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PART 1. EXEMPTION CIRCUMSTANCES	5	Formatted: Default Paragraph Font, Font: Bold, Check spelling and
PART 2. CRITERIA FOR APPROVAL TO DISCHARGE LIQUID TRADE WASTE	5	Formatted
2.1. Factors for Consideration	5	Formatted
2.2. Substances Prohibited from Discharge to the Sewerage System	6	Formatted
2.3. Guideline Limits for Acceptance of Liquid Trade Waste	6	Formatted
2.4. Liquid Trade Waste from Existing Premises/Dischargers	7	Formatted
2.5. Stormwater Discharges from Open Areas	7	Formatted
2.6. Food Waste Disposal Units	8	Formatted
2.7. Use of Additives in Pre-treatment Systems	8	Formatted
2.8. Devices that Macerate or Pulverise Waste	8	Formatted
PART 3. MATTERS RELATING TO LIQUID TRADE WASTE APPROVALS	9	Formatted
3.1. The NSW Framework for Regulation of Sewerage and Trade Waste	9	Formatted
3.2. Alignment with the National Framework for Wastewater Source Management	10	Formatted
3.3. Council Approval Required	11	Formatted
3.4. Method of Application	11	Formatted
3.5. Authority to Make an Application	11	Formatted
3.6. Provision of Information Relating to an Application	11	Formatted
3.7. Amendments by Applicant	11	Formatted
3.8. Concurrence of the Department of Environment, Climate Change and Water	12	Formatted
3.9. Notification as to Outcome of an Application	14	Formatted
3.10. Review or Appeal of a Decision to Refuse an Application	14	Formatted
3.11. Classification of Liquid Trade Waste Dischargers	14	Formatted
3.12. Liquid Trade Waste Services Agreement	14	Formatted
3.13. Due Diligence Programs and Contingency Plans	15	Formatted
3.14. Inspections and Monitoring	16	Formatted
3.15. Self Monitoring by Dischargers	16	Formatted
3.16. Effluent Improvement Plan for Existing Dischargers	17	Formatted
3.17. Waste or Misuse of Water by Dilution of Liquid Trade Waste	17	Formatted
3.18. Determination of Liquid Trade Waste Discharge Volume	17	Formatted
3.19. Liquid Trade Waste Fees and Charges	17	Formatted
3.20. Responsibility for the Payment of Liquid Trade Waste Fees and Charges	19	Formatted
3.21. Approvals Not Transferable	19	Formatted
3.22. Modification or Revocation of an Approval	19	Formatted
3.23. Enforcement of Approvals and Agreements	19	Formatted
3.24. Duration of an Approval	19	Formatted
3.25. Changes to Activity and/or Liquid Trade Waste Properties	20	Formatted
3.26. Definitions of Terms, Abbreviations and Acronyms	20	Formatted
3.27. Implementation	20	Formatted

PURPOSE OF THIS POLICY

This policy outlines the requirements applicable to all industrial, commercial, community and State or Local Government activities conducted within the City of Shoalhaven which discharge, or which in Council's opinion have the potential to discharge, liquid trade waste to Council's sewerage system. Discharges from residential/domestic sources to Council's sewerage system are not subject to this policy unless they include liquid trade waste.

Sewerage systems are generally designed to safely and efficiently collect, transfer and treat 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 management include:

- Grease, oil, solid material, if not removed on-site, can cause blockages in the sewerage system and result in overflows of untreated sewage to the environment.
- Strong waste may cause odour problems and corrosion of sewer mains, pumping stations and sewage treatment facilities.

This policy is concerned with the approval process for liquid trade wastes discharged into Council's sewerage system and the levying of appropriate sewerage and liquid trade waste fees and charges. It has been developed to ensure the proper control of liquid trade waste discharged to the sewerage system and hence protection of public health, worker safety, the environment, and Council's sewerage system. The policy also promotes waste minimisation and water conservation.

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 2005*, 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 [Environment, Climate Change and Water \(DECCW\)](#) [Trade and Investment, Regional Infrastructure and Services \(DTIRIS\)](#) has concurred with the approval.

Shoalhaven City Council – Liquid Trade Waste Discharge to the Sewerage System

Under Section 90 (2) of the *Local Government Act*, the Director-General, [DECCWDTIRIS](#), may give the council notice that the concurrence may be assumed (with such qualifications or conditions as are specified in the notice).

WHAT IS LIQUID TRADE WASTE?

Liquid trade waste is defined in the *Local Government (General) Regulation 2005* as:

Liquid trade waste means all liquid waste other than sewage of a domestic nature.

Liquid trade waste discharges to the sewerage system *include* liquid wastes discharged from:

- 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 (eg. mobile carpet cleaner);
- any commercial activities carried out at a residential premises;
- saleyards, racecourses and from stables and kennels not associated with domestic households; and
- 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.

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.

Liquid trade waste excludes:

- 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

OBJECTIVES

The objectives of this policy are:

- to protect public health;
- to protect the health and safety of Council employees;
- to protect the environment from the discharge of waste that may have a detrimental effect;
- to protect Council assets from damage;
- to assist Council to meet its statutory obligations;
- to provide an environmentally responsible liquid trade waste management service to the non-residential sector;
- to encourage waste minimisation and cleaner production in the commercial and industrial sectors;
- to promote water conservation;
- to ensure that reuse of the sewage treatment works effluent or biosolids is feasible;
- to ensure compliance of liquid trade waste discharge with the 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; and
- to ensure commercial provision of services and cost recovery through appropriate sewerage and liquid trade waste fees and charges.

SCOPE OF THIS 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 the 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; and
- 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.

INSTRUCTIONS FOR USE

The attached schedules and appendices should be consulted for additional technical and administrative information concerning the provisions of this policy.

RELATIONSHIP TO OTHER DOCUMENTS

This policy should be read in conjunction with the following documents or legislation:

- Local Government Act, 1993;
- Local Government (General) Regulation, 2005;
- Protection of the Environment Operations Act, 1997;
- Protection of the Environment Operations (General) Regulation, 2009;
- Plumbing Code of Australia 2012;
- Water Supply, Sewerage and Trade Waste Pricing Guidelines - Department of Land and Water Conservation, 2002;
- Guidelines for Best Practice Management Water Supply and Sewerage - Department of Energy, Utilities and Sustainability, 2007;
- Liquid Trade Waste Regulation Guidelines – Department of Water and Energy, 2009;
- Australian Sewage Quality Management Guidelines, June 2012, WSAA;
- ~~National Wastewater Source Management Guideline, July 2008, WSAA; and~~
- Management Plan – Shoalhaven City Council.

This policy, upon adoption by Council, will supersede POL09/96 “Liquid Trade Waste Discharge to the Sewerage System”

DISCLAIMER

In certain circumstances, Council reserves the right to make modifications to this document after its adoption without further consultation. Such circumstances are limited to modifications that will not alter the substance or intent or requirements of the adopted policy and may include correction of typographic errors, changes to internal procedures relating to the policy, changes to document formatting, alterations to schedules or appendices that do not form part of the actual policy, amendments resulting from changed or new legislation or consequential to the adoption by Council of another policy and so on.

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PART 1. EXEMPTION CIRCUMSTANCES

No exemptions shall apply. All dischargers of liquid trade waste to the sewerage system must have Council approval to do so. A liquid trade waste approval may also be required where, in Council's opinion, there is reasonable cause to believe the activities being conducted have the potential to result in liquid trade waste discharges to the sewerage system.

PART 2. CRITERIA FOR APPROVAL TO DISCHARGE LIQUID TRADE WASTE

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 management¹ context. It will be based on the discharge meeting Council's requirements². When determining an application to discharge liquid trade waste into the sewerage system, Council will consider the following factors:

- The potential for the liquid trade waste discharge to impact on public health.
- The possible impacts the discharge may pose to the environment (land, water, air, noise, or nuisance factors).
- The potential impacts of the discharge on the health and safety of the Council's employees.
- The possible impact of the discharge on Council's sewerage infrastructure or sewage treatment process.
- The capability of the sewerage system (both transportation and treatment components) to accept the quality and quantity of the proposed liquid trade waste discharge, taking into consideration both current system demands and allowance for potential community growth.
- The impact the liquid trade waste will have on the ability of the sewerage scheme to meet Environment Protection Authority (EPA) licence requirements.

¹ Integrated Water Cycle Management Guidelines for NSW Local Water Utilities, DWE, October 2004

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

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

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- Compliance of the proposed liquid trade waste discharge with guideline limits in this policy. **Note:** 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 1 of this policy and Tables 7 to 9 of *Liquid Trade Waste Regulation Guidelines, 2009*). Similarly, septic and pan waste may exceed some guideline limits.
- The potential impacts of the discharge on the quality of, and management practices for, effluent and biosolids 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.
- The adequacy of the proposed cleaning and maintenance program for the pre-treatment equipment.
- Whether appropriate safeguards are proposed to avoid the discharge of other, non-approved wastes to the sewerage system.
- The adequacy of any chemical storage and handling facilities, and the proposed safeguards for preventing the discharge of chemicals to the sewerage system.
- Whether prohibited substances are proposed to be discharged.
- The potential for stormwater entering the sewerage system and adequacy of proposed stormwater controls.
- Waste minimisation and water conservation programs.
- The adequacy of the proposed due diligence program and contingency plan, where required.

2.2. Substances Prohibited from Discharge to the Sewerage System

Some substances are not suitable for discharge to the sewerage system. Schedule 1 sets out those substances which must not be discharged to the sewerage system. Council may not grant approval for the discharge of these substances into the sewerage system unless it is specifically approved under Section 68 of the *Local Government Act*.

2.3. Guideline Limits for Acceptance of Liquid Trade Waste

Council has guideline limits that set out the quantity and quality criteria for the acceptance of liquid trade waste into the sewerage system (Schedule 2). Council may periodically vary its guideline limits for a particular sewage treatment works to reflect Federal and State Government regulatory requirements and Council's reuse needs for treated effluent and bio-solids.

The absence of any reference to substances or effluent characteristics in Schedule 2 does **not** necessarily imply that **no** guideline limits exist for such substances or characteristics in regard to the acceptance of liquid trade waste into Council's sewerage system. It is the applicant's responsibility to inform Council if their liquid trade waste

discharges to the sewerage system are to contain substances or possess characteristics not listed in Schedule 2 of this policy. Council will then after consideration advise the applicant in writing of the applicable guideline limits for those substances or effluent characteristics. The substances or characteristics shall, following written notification of the applicant by Council, be considered as specified substances or characteristics.

The quantity and quality conditions of an approval to discharge liquid trade waste to the sewerage system will generally be in accordance with Council's guideline limits. Council may however, under certain circumstances (eg. ability of receiving sewage treatment plant to take the liquid trade waste discharges or other disposal options available to discharger) and with the concurrence of [DECCW NOW](#), implement approval conditions different to those contained within its guidelines.

Where applicants for an approval to discharge liquid trade waste to the sewerage system cannot meet Council's guideline limits or proposed approval conditions they will need to provide justification for not conforming to these requirements. Depending upon which limits/conditions are to be exceeded and by how much, Council may refuse the application, or may approve it subject to an Effluent Improvement Plan and/or other conditions being implemented.

2.4. Liquid Trade Waste from Existing Premises/Dischargers

Existing dischargers who have nil or inadequate liquid trade waste pre-treatment equipment at their current premises are generally required to improve their discharge quality by installing/upgrading pre-treatment equipment to the current technology or standards approved by Council and [DECCW NOW](#).

At Council's discretion and with the concurrence of [DECCW NOW](#) a period of time may be granted for an **existing** discharger to install liquid trade waste pre-treatment equipment or perform other works required to achieve compliance with the conditions of a liquid trade waste approval and/or a liquid trade waste services agreement. The period of time granted will generally not exceed 12 months and will be assessed on a case by case basis taking into account the capacity of the receiving sewage treatment plant to accept the discharger's liquid trade waste and the cost and/or difficulty of works to be undertaken. The scope of works required, results to be achieved and timetable for completion shall be laid out in an Effluent Improvement Plan agreed to by the discharger and Council.

Where installation of the prescribed liquid trade waste pre-treatment equipment at premises, occupied by the discharger prior to July 2004, is not considered by Council and [DECCW NOW](#) as feasible or reasonable in order to treat an **existing** discharge, an exception from installing such equipment may apply (Appendix A).

Existing premises undergoing refurbishment/renovation must allow for the installation of the appropriate liquid trade waste pre-treatment equipment. If new or refurbished premises cannot accommodate the prescribed pre-treatment equipment required for an activity, then that premises is not suitable for conducting that type of activity.

2.5. 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 water from sealed areas will be considered where roofing cannot be provided because of safety or other important considerations. The discharge from unsealed areas is not permitted.

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

- reasons why the area cannot be fully or partially roofed and bunded to exclude stormwater;
- the dimensions and a plan of the open area under consideration;
- whether the open area is sealed;
- the estimated volume of the stormwater discharge;
- information on rain gauging;
- where a first-flush system is proposed, details on how the stormwater will be diverted to the drainage system after the first flush is accepted (the first flush to be limited to first 10 mm of storm run off);
- measures proposed for diverting stormwater away from the liquid trade waste generating area; and
- 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 11.0 of Appendix G.

2.6. Service Station Covered Forecourts & Bus/Truck Depot Refuelling

2.6.1 New Premises

Connection of any discharge from refuelling points at service stations and other premises to Council's sewerage system is prohibited.

2.6.2 Existing Premises

Existing businesses with a refuelling points may continue to discharge to Council's sewerage system in accordance with their approval and any additional applied conditions.

If the existing business is sold, then the new operator may continue to discharge to Council's sewerage system with the appropriate approval in force.

If the existing premises with a refuelling point is refurbished, then the discharge from this area must be disconnected from Council's sewerage system.

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2.6-2.7. 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 those 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 7.0 of Appendix G).

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

2.7-2.8. Use of Additives in Pre-treatment Systems

Council does not allow solvents, enzymes, bioadditives, 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.

2.8-2.9. 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). 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 into its sewerage system.

PART 3. MATTERS RELATING TO LIQUID TRADE WASTE APPROVALS

3.1. The NSW Framework for Regulation of Sewerage and Trade Waste

Due to the *'Tragedy of the Commons'*³ in the use of common pool resources, sound regulation of sewerage and trade waste requires implementation of all the following integrated measures.

- 1) Preparation and implementation of a sound trade waste regulation policy, assessment of each trade waste application and determination of appropriate conditions of approval. The conditions must be consistent with the LWU's *Integrated Water Cycle Management Strategy* and demand management plan. In addition, execution of a liquid trade waste services agreement is required for large dischargers to assure compliance.

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

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- 2) Preparation and implementation of a sound *Development Servicing Plan*⁴, 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 charges⁵ and trade waste fees and charges⁶ in order to provide the necessary pricing signals to dischargers. These charges must include non-compliance trade waste usage charges and non-compliance excess mass charges in order to provide the necessary incentives for dischargers to consistently comply with their conditions of approval.
- 4) Monitoring, mentoring and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval.
- 5) Enforcement, including appropriate use of penalty notices under section 222 of the *Protection of the Environment Operations Act 1997*. Orders may also be issued and penalties imposed for offences under sections 626, 627 and 628 of the *Local Government Act 1993*.
- 6) Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval.

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Together, the above 6 measures comprise the NSW framework for regulation of sewerage and trade waste. The framework involves a preventive risk 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.

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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 above. The NSW framework is driven by the NSW Government's *Best-Practice Management of Water Supply of Sewerage Guidelines, 2007* and is consistent with that in the *National Framework for Wastewater Source Management*.⁷

⁴ In accordance with the *NSW Developer Charges Guidelines for Water Supply, Sewerage and Stormwater, 2002*.

⁵ In accordance with page 29 of the *NSW Water Supply, Sewerage and Trade Waste Pricing Guidelines, 2002*.

⁶ In accordance with Appendices D and I of the *Liquid Trade Waste Regulation Guidelines, 2009*.

⁷ The following 12 elements of the *National Framework for Wastewater Source Management* are set out on page 22-18 of the *National Wastewater Source Management Guideline, July 2008, WSAA Australian Sewage Quality Management Guidelines, June 2012, WSAA*.

COMMITMENT

1. Commitment to Wastewater Source Management

SYSTEM ANALYSIS & MANAGEMENT

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

SUPPORTING REQUIREMENTS

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

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

- Prepare and implement a 30-year Integrated Water Cycle Management Strategy, demand management plan, pay-for-use water supply pricing and community and customer involvement (Elements 1, 6, 8)
- Annual performance monitoring, including an annual triple bottom line (TBL) Performance Report and Action Plan to identify and address any areas of under-performance (Elements 5, 6, 9, 10, 11, 12)
- Achieve full cost recovery for water supply, sewerage and trade waste services and apply an appropriate non-residential sewer usage charge (Elements 3, 4)
- 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)
- Appropriate trade waste fees and charges (including incentives to comply with LWU's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges) (Elements 3, 4)
- 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, 4)
- Disconnection of a trade waste service in the event of persistent failure to comply with the LWU's conditions of approval (Element 4)

3.3. Council Approval Required

Council approval shall be obtained prior to the discharge of liquid trade waste to the sewerage system, or in cases where Council considers an activity to have a potential for liquid trade waste discharges, prior to the commencement of that activity.

An approval to discharge liquid trade waste to the sewerage system is dependant upon the applicant's on-going compliance with the conditions contained within that approval. Dischargers of liquid trade waste to Council's sewerage system are subject to prosecution and imposition of fines under various sections of the Local Government Act, 1993 and/or the Protection of the Environment Operations Act, 1997 and regulations pursuant to these Acts, where the liquid trade waste is discharged without obtaining Council approval or other than in accordance with the conditions of Council's approval.

3.4. Method of Application

A written application for approval to discharge liquid trade waste to the sewerage system is to be made by completing and submitting the appropriate Council application form

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REVIEW

11. Evaluation & Audit

12. Review & Continual Improvement

together with any supporting documentation/information required by Council and paying the relevant application fee.

3.5. Authority to Make an Application

An application can be made by the person seeking to carry out the activity for which Council approval to discharge liquid trade waste to the sewerage system is required. However if the application applies to particular land, the applicant must be the owner of the land (property owner), or a person who has the consent of the landowner. In certain situations Council has a preference as to who should make an application or sign as the landowner (Appendix C).

3.6. Provision of Information Relating to an Application

An applicant for approval to discharge liquid trade waste to Council's sewerage system shall provide all information as may be prescribed by relevant regulations and specified by Council to enable Council to determine the application (Appendix D). This information is to be in a clear, legible, written format as required by Council. Failure on the part of the applicant to meet these conditions may result in the delay or refusal of the application. Council may, under Section 86 of the *Local Government Act*, request an applicant to provide more information to enable it to determine the application.

3.7. Amendments by Applicant

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*.

3.8. Concurrence of the Department of Environment, Climate Change and Water

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

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Liquid trade waste discharges are divided into four classifications for the purpose of the concurrence process.

- Concurrence Classification A – liquid trade waste dischargers for which Council may automatically assume concurrence to the approval subject to certain requirements.
- Concurrence Classification B – liquid trade waste dischargers whereby Council has been authorised to assume concurrence to the approval subject to certain requirements.
- Concurrence Classification S – the acceptance of pan waste and ship-to-shore pump-out. Council may apply to the Director-General, ~~Trade &~~

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[Investment DTIRIS](#) for assumed 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 [NOW forward the application](#) for concurrence.

Councils have already been given notice of assumed concurrence for Concurrence Classification A, B and B-S liquid trade waste discharges. These are listed in Table 1 and Council will not need to seek [DECCW-NOW](#) concurrence for approval of trade waste applications for these activities.

Table 1 – Liquid Trade Waste Discharges with Assumed Concurrence

Commercial retail food preparation activities	Other commercial activities
Bakery (retail)	Animal wash (pound, stables, racecourse, kennels, mobile animal wash and veterinary with no X-ray)
Bed & Breakfast (<10 persons)	Automatic dismantler
Bistro	Beautician
Boarding house/hostel kitchen	Boiler blowdown
Butcher shop (retail)	Bus/Coach depot
Café/coffee shop/coffee lounge	Car detailing
Canteen	Cooling tower

Shoalhaven City Council – Liquid Trade Waste Discharge to the Sewerage System

Cafeteria	Craft activities (making of clay pottery, ceramics, cutting and polishing of gemstones or making of jewellery at clubs, cottage industries)
Chicken/poultry shop (only fresh chickens/game sold)	Comfort Cooling Towers over 500 L/h (non-industrial)
Chicken/poultry shop (retail BBQ/charcoal chicken)	Construction equipment maintenance and cleaning
Club (kitchen wastes)	Dental surgery/dental specialist
Commercial kitchen/caterer	Dental technician
Community hall/civic centre	Doctor's surgery, medical centre - plaster casts (no X-rays)
Day care centre	Education Facilities - tertiary institution
Delicatessen	Equipment hire, maintenance and cleaning
Doughnut shop	Florist
Fast food outlet (McDonalds, KFC, Burger King, Pizza Hut, Red Rooster, etc.)	Funeral parlour, morgue
Fish shop (retail – fresh and/or cooked)	Glass cutting and grinding
Food caravan	Hairdressing (includes barbers)
Fruit and vegetable shop (retail)	Hospital
Function centre	Jewellery shop
Hotel	Laboratory (pathology/analytical/autopsy/ dental/photographic/tertiary institution)
Ice cream parlour	Laundry or laundromat (coin operated)
Juice bar	Lawnmower repairs
Mixed business	Mechanical repairs/workshop
Motel	Medical centre (with X-ray)
Nightclub	Mobile cleaning units
Nursing home kitchen	Optical service (including medical or educational facilities and workshops)
Nut shop	Panel beating
Oyster processing - shucking	Pet shop (retail)
Patisserie	Photographic tray work/manual development/ waterwash minilab/graphic arts/X-ray
Pie shop	Plants retail (no nursery)

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Shoalhaven City Council – Liquid Trade Waste Discharge to the Sewerage System

Pizza shop	Radiator repair
Restaurant	School (Primary and Secondary)
Salad bar	Screen printing
Sandwich shop	Service station covered forecourt
School canteen	Shopping complex
Shopping complex	Stone working
Supermarket (with butcher/ seafood/ delicatessen/or charcoal chickens)	Swimming pool/spa/hydrotherapy
Take-away food outlet	Vehicle washing
	Venetian blind cleaning
	Veterinary /animal kennels with X-ray
	Waterless minilab

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Note: The volume of liquid trade waste must ~~be less than~~ not exceed 5 kL/d or 1000 kL/a 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 into the sewer exceeds these volumes, the application must be treated as Concurrence Classification B (Chapter 5 of *Liquid Trade Waste Regulation Guidelines*). Discharges over 20 kL/d must be treated as Classification C.

3.9. Notification as to Outcome of an Application

Where an application is approved, Council will notify the applicant as soon as practical of such approval and any conditions of the approval. Should the application be refused then Council will notify the applicant of the reason(s) for refusal.

3.10. Review or Appeal of a Decision to Refuse an Application

Where an application for approval to discharge liquid trade waste to the sewerage system has been refused by Council, or NOW has not given concurrence to the application, the applicant may request Council to review the determination or the applicant can appeal the decision in the NSW Land and Environment Court.

3.11. Classification of Liquid Trade Waste Dischargers

For administrative purposes and the allocation of fees and charges Council will classify liquid trade waste dischargers into various categories (Appendix E).

3.12. 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 (refer to Appendix I). 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. The conditions will be binding on the applicant and the Council. The agreement will be for a period of up to five years. No discharge is to be made to Council's sewerage system until an agreement or an interim agreement has been executed.

In cases where Council requires a discharger to enter into an agreement, Council may 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.

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

- 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; and
- the amount of bond/security to be lodged with Council prior to discharging to the sewerage system.

3.13. 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 months and three 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 months and three months respectively of receiving a liquid trade waste approval.

It should be noted that:

- (1) If the discharger has an accredited environmental management system in place, a due diligence program and contingency plan may not be required. However, proof of accreditation must be provided to Council with the application. In some occasions, the EMP may not include all necessary provisions in regards to trade waste. In such cases the Council may require that the due diligence program and the contingency plan be developed and submitted.

- (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.

3.14. Inspections and 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 4 times per annum (refer to Section 3.0 in Appendix G). 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); or
- install a flow measurement device on a temporary basis and obtain enough data to determine a basis for assessing the flow rate and volume; and
- 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 NSW Office of Water (NOW) to ensure reliable and accurate results. Where the discharger is sampling the effluent, Council may randomly take duplicates to confirm the waste characteristics.

3.15. Self-Monitoring by Dischargers

As a condition of Council's approval and/or a Liquid Trade Waste Services Agreement the applicant may be required to undertake self-monitoring of their liquid trade waste discharges. The samples for self-monitoring must be collected at a frequency and in a manner representative of the liquid trade waste being discharged, as agreed with by Council. Duplicate samples may be taken by Council in order to confirm results obtained from the discharger's self-monitoring.

Unless otherwise agreed with by Council analysis of all samples is to be undertaken 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, at a laboratory with NATA certification for the substances/parameters to be tested.

The results from a discharger's self-monitoring program are required to be forwarded to Council within seven (7) days of receipt by the discharger or arrangements made for the transfer of results to Council directly from the analytical laboratory.

3.16. Effluent Improvement Plan for Existing Dischargers

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.

3.17. Waste or Misuse of Water by Dilution of Liquid Trade Waste

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 Appendix J) 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.

3.18. Determination of Liquid Trade Waste Discharge Volume

Council may require that the volume of liquid trade waste discharged to the sewerage system be determined by a meter, or some other means of measurement (Appendix F), acceptable to Council. The results of such determinations shall be forwarded to Council on request.

3.19. 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. In addition to the trade waste fees and charges described below, Council may elect to include any trade waste charges shown in Appendix E of *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, Department of Land & Water Conservation, 2002.

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

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

- Application fee
- Annual trade waste fee
- Re-inspection fee

Shoalhaven City Council – Liquid Trade Waste Discharge to the Sewerage System

- Trade waste usage charge
- Pan waste disposal charge
- Excess mass charges
- Food waste disposal charge
- Non-compliance excess mass charge and pH charge
- Non-compliance penalty

Table 2 - Summary of Trade Waste Fees and Charges⁸

CHARGING CATEGORY	APPLICATION FEE	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	NON-COMPLIANCE EXCESS MASS/kg and pH CHARGES/kL (if required)	NON-COMPLIANCE PENALTY (if required)
1A	Yes	Yes	Yes	Yes	No	No	No	Yes	No	Yes
1B	Yes	Yes	Yes	Yes	No ⁹	No	No	Yes	No	Yes
2A	Yes	Yes	Yes	Yes	Yes ¹⁰	No	No	Yes	No	Yes
2B	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes
2S	Yes	Yes ¹¹	Yes ¹¹	Yes ¹¹	No	Yes	No	No	No	Yes
3A	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes
3B	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes

NB. 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.

The liquid trade waste fees and charges (Appendix G) shown in Table 2 are payable to Council. Liquid trade waste fees and charges are in **addition** to non-residential sewerage bills (Refer to current Council Management Plan) and may be levied whether or not a liquid trade waste discharger has an approval from Council. Liquid trade waste usage, excess mass, food waste disposal unit and non-compliance excess mass charges are calculated using the formulae given in Appendix G of this policy.

⁸ 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 Appendix C).

⁹ For Category 1B Dischargers the liquid trade waste usage charge applies only where prescribed pre-treatment equipment acceptable to Council is not installed, or where such pre-treatment equipment is installed but not maintained in accordance with the conditions of the applicant's liquid trade waste approval or as otherwise specified by Council in writing.

¹⁰ Non-compliance liquid trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment:

Category 1A & 1B - \$1.43/kL (2009/10\$)

Category 2A & 2B - \$13.37/kL (2009/10\$)

¹¹ Only applicable if the discharger has a dump point located at their premises which is connected to the sewerage system.

3.20. Responsibility for the Payment of Liquid Trade Waste Fees and Charges

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

Council will charge a pan waste disposal charge for services it provides to transporters of pan waste tankered and discharged to the sewerage system, in accordance with Council's Management Plan.

3.21. Approvals Not Transferable

An approval to discharge liquid trade waste to Council's sewerage system 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.

3.22. Modification or Revocation of an Approval

Council reserves the right to modify or revoke an approval to discharge liquid trade waste to the sewerage system in certain circumstances (Appendix H).

3.23. 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 (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 in accordance with Section 9 of the agreement. Suspensions may also apply and may include a notice to cease the discharge.

3.24. Duration of an Approval

An approval for the discharge of liquid trade waste to Council's sewerage system shall be for a maximum of five (5) years. Council at its discretion may grant an approval for a shorter period of time. The duration of the approval will be as stated in the approval. A new application for approval to discharge liquid trade waste to Council's sewerage system shall be submitted prior to the cessation of a current approval if liquid trade

waste discharge to the sewerage system, or an activity which in Council's opinion has potential to result in the discharge liquid trade waste, is to continue after the current approval's expiry date.

3.25. Changes to Activity and/or Liquid Trade Waste Properties

If the nature of the liquid trade waste generating activity, liquid trade waste pre-treatment process or the quality or quantity of liquid trade waste discharged to the sewerage system is to change, Council shall be advised, in writing, by the applicant at least twenty eight (28) days prior to any such changes and a new liquid trade waste application may be required to be submitted.

3.26. Definitions of Terms, Abbreviations and Acronyms

Refer to Glossary (Appendix K).

3.27. Implementation

The Shoalhaven Water Group has responsibility for the implementation of this policy.

3.28. Review

This policy shall be reviewed within one year of the election of every new Council and when changes to applicable legislation, guidelines or standards occur.

3.29. Application of Ecologically Sustainable Development Principles

This policy applies the principles of Ecologically Sustainable Development by enforcing measures for the proper disposal of liquid trade waste to Council's sewerage system and in so doing prevents or reduces the contamination of the land, estuarine or ocean environments.

SCHEDULE 1
SUBSTANCES PROHIBITED FROM DISCHARGE TO THE SEWERAGE SYSTEM

The following substances shall not, unless specifically permitted by the conditions of an approval issued under Section 68 of the Local Government Act, 1993, be discharged to the sewerage system.

- Organochlorine or organophosphorus weedicides, fungicides, pesticides, herbicides and substances of similar nature and/or wastes arising from the preparation of these substances;
 - Any substances liable to produce noxious or poisonous vapours in the sewerage system;
 - Organic solvents and mineral oil;
 - Any flammable or explosive substance;
 - Discharges from 'Bulk Fuel Depots';
 - Natural or synthetic resins, plastic monomers, synthetic adhesives and rubber or plastic emulsions;
 - Chromate from cooling towers;
 - Rain, surface, seepage or subsoil water, unless specifically permitted;
 - Solid matter;
 - Any substance assessed as not suitable to be discharged into the sewerage system;
 - Waste liquids that contain substances at concentrations which inhibit the sewage treatment processes – ~~[National Wastewater Source Australian Sewage Quality Management Guideline, July 2008](#)~~ [Guidelines, June 2012](#).
- NB.** Where Council's acceptance guidelines specify a lower concentration for a substance or a more stringent condition than given in the ~~[National Wastewater Source Australian Sewage Quality Management Guideline, July 2008](#)~~, [Guidelines, June 2012](#). Council's acceptance guidelines are to take precedence.
- Any other substances listed in a relevant Act or Regulation.

**SCHEDULE 2
GUIDELINE LIMITS FOR ACCEPTANCE OF LIQUID TRADE WASTE
INTO THE SEWERAGE SYSTEM**

SPECIFIED SUBSTANCE / CHARACTERISTIC	LIMIT	MAXIMUM MASS LOADING
Aluminium	Not to exceed 100 mg/L	
Ammonia (as Nitrogen)	Not to exceed 50 mg/L	
Arsenic	Not to exceed 1 mg/L	2 g/d
Benzene	Not to exceed 0.04 mg/L	
Biochemical Oxygen Demand (5 day BOD test). See note (iv).	Not to exceed 300 mg/L	
Boron	Not to exceed 5 mg/L	
Bromine	Not to exceed 5 mg/L	
Cadmium	Not to exceed 1 mg/L	6 g/d
Chlorine	Not to exceed 10 mg/L	
Chromium. See Notes (viii.) and (ix.)	Not to exceed 3 mg/L	15 g/d
Cobalt	Not to exceed 5 mg/L	15 g/d
Chemical Oxygen Demand (COD). See note (xvii.)	Not to exceed 3 x BOD ₅ mg/L	
Copper	Not to exceed 5 mg/L	15 g/d
Cyanide. See Note (xv.)	Not to exceed 1 mg/L	
Detergent (as MBAS). See note (xiv.)	Not to exceed 50 mg/L	
Ethylbenzene	Not to exceed 1 mg/L	
Fluoride	Not to exceed 20 mg/L	
Formaldehyde	Not to exceed 30 mg/L	
Iron	Not to exceed 100 mg/L	
Lead	Not to exceed 1 mg/L	6 g/d
Manganese	Not to exceed 10 mg/L	30 g/d
Mercury	Not to exceed 0.01 mg/L	0.05 g/d
Molybdenum	Not to exceed 5 mg/L	30 g/d
Nickel	Not to exceed 3 mg/L	15 g/d
Nitrogen (as Total Kjeldahl Nitrogen, TKN)	Not to exceed 100 mg/L	
Oil and Grease (total). See Notes (xii.)	Not to exceed 50 mg/L	
Pesticides (no organochlorine or organophosphorus types)	Not to exceed 0.1 mg/L	
Petroleum Hydrocarbons (only non-flammables allowed)	Not to exceed 30 mg/L	
pH	Within the range 7.0 to 9.0	
Phenolic Compounds (no pentachlorophenol permitted)	Not to exceed 5 mg/L	
Phosphorus (as total P)	Not to exceed 20 mg/L	
Polynuclear Aromatic Hydrocarbons (PAHs)	Not to exceed 5 mg/L	
Selenium	Not to exceed 1 mg/L	15g/d
Silver See Note (x.)	Not to exceed 2 mg/L	6 g/d
Sulphate (as SO ₄)	Not to exceed 500 mg/L	
Sulphide (as S)	Not to exceed 1 mg/L	
Sulphite (as SO ₃)	Not to exceed 15 mg/L	
Suspended Solids. See note (iv.)	Not to exceed 300 mg/L	
Temperature	Not to exceed 38 °C	
Tin	Not to exceed 5 mg/L	15/g/d
Toluene	Not to exceed 0.5 mg/L	
Total Dissolved Solids. See Note (ii.)	Not to exceed 4,000 mg/L	
Xylene	Not to exceed 1 mg/L	
Zinc	Not to exceed 5 mg/L	15 g/d

The following notes also form part of the Guideline Limits for Acceptance of Liquid Trade Waste into the Sewerage System and must be read in conjunction with the above information.

Notes

- i. The maximum daily volume (kL/d) and the instantaneous rate of volumetric discharge (kL/h or L/s) will be determined by the available hydraulic capacity of the sewer and/or sewage treatment plant. Large dischargers are required to provide a balancing tank to even out the load on the sewage treatment works.
- ii. The total dissolved solids concentration limit may be varied up to a maximum of 4,000 mg/L depending on available effluent disposal options. A maximum mass loading requirement for total dissolved solids may also be imposed subject to Council's operational and environmental considerations.
- iii. The discharge should exhibit no visible colour when the waste is diluted to the equivalent dilution afforded by domestic sewage flow.
- iv. Normally, approved at 300 mg/L. Concentration up to 600mg/L and in some cases higher concentration for low mass loadings may be acceptable if the treatment works has sufficient capacity and odour will not be a problem.
- v. Council reserves the right to impose a maximum mass loading requirement for any substance discharged to the sewerage system. This maximum mass loading requirement is unless otherwise advised by Council in addition to the concentration limit for the specified substance.
- vi. Council may at its discretion, for small discharges, implement a maximum mass loading requirement for a specified substance (shown in the above table) in lieu of a concentration limit as regards the discharge of that specified substance to the sewerage system. If however the maximum mass loading requirement is exceeded then Council's guideline limit (or other limit as notified in writing by Council) concentration for the specified substance will automatically apply.
- vii. Total heavy metals excluding aluminium, iron and manganese to be less than 30 mg/L and subject to total mass loading requirements.
- viii. Where hexavalent chromium (Cr6+) is present in any proposed wastewater, pre-treatment will be required to convert it to the trivalent state (Cr3+) prior to discharge into the sewerage system.
- ix. Discharge of hexavalent chromium (Cr6+) from chromate compounds used as corrosion inhibitors in cooling towers is not permitted.
- x. Where in Council's opinion small scale photo processing operations are undertaken the 2 mg/L concentration limit and 6g/d maximum mass loading requirement will not apply, rather the effluent from any silver recovery unit shall not exceed 50 mg/L silver, and/or where a balancing/dilution tank has been installed the effluent shall not exceed 5 mg/L silver.

- xi. There shall be no discharge of fibrous material, which in Council's opinion could cause an obstruction, blockage or damage in the sewerage system.
- xii. Discrete fat, oil or grease must not be discharged to the sewerage system.
- xiii. There shall be no discharge of substances (or mixtures of substances) that are not miscible with water.
- xiv. All industrial detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS, Methylene Blue Active Substances) may be imposed on large liquid trade wastes.
- xv. Refer to ~~National Wastewater Source-Australian Sewage Quality Management Guideline, July 2008~~ Guidelines, June 2012, WSAA for recommended analytical methods.
- xvi. The discharge must comply with the Radiation Control Act, 1990 in regard to radioactive substances
- xvii. Normally, not to exceed BOD5 by more than three times. This ratio is given as a guide only to prevent the discharge of non-biodegradable waste.
- xviii. The quality of liquid trade waste from some low and medium risk commercial activities will exceed Council's guideline limits for acceptance given in this Schedule. As a higher level of pre-treatment is not cost-effective, such waste is acceptable if the applicant / discharger installs and properly operates and maintains the required pre-treatment equipment (refer to Table 1 of this policy and Table 7 on page 49, Table 8 on pages 51 to 55 and Table 9 on pages ~~58-56~~ to 58 and 1.0 General on page 37 of the Liquid Trade Waste Regulation Guidelines, DWE, 2009). Council however reserves the right to exclude specified substances / characteristics from waive of the requirement to comply with Council's Guideline Limits for Acceptance of Liquid Trade Waste into the Sewerage System.

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APPENDIX A

Exception from Installing Pre-treatment Equipment

CONDITIONS FOR AN EXCEPTION FROM INSTALLING PRESCRIBED LIQUID TRADE WASTE PRE-TREATMENT EQUIPMENT

1.0. REQUIREMENTS FOR AN EXCEPTION REQUEST

A request for an exception from installing the prescribed standard pre-treatment equipment will only be considered for an **existing** premises/discharger and must include:

- A letter from the applicant requesting an exception and on what grounds this exception is sought;
- A letter from a hydraulic consultant, plumber or the company that provides the pre-treatment equipment stating that the pre-treatment installation is not feasible and the reason(s) why;
- A report from the Council inspecting officer on the feasibility of installing the prescribed pre-treatment equipment. This inspection report is to be signed off by a senior Council officer;
- An assessment by Council that the sewerage system has the capacity to accept the proposed untreated/partially treated waste load and/or that the modifications, alterations or undersized pre-treatment equipment will not adversely impact on the sewage treatment processes, sewage transportation system, by-product management and the environment;
- Details of the proposed frequency of cleaning, maintenance and the nominated licensed contractor undertaking these functions; and
- A site plan.

2.0. INFORMATION RELATING TO EXCEPTIONS

- Council has already been granted assumed concurrence for classification **A**, **B** and **B S** liquid trade waste dischargers and for existing dischargers with undersize grease arrestors who meet the requirements listed in the concurrence notice. Applications not satisfying these requirements will need to be forwarded to the NSW Office of Water (NOW) for consideration and concurrence;
- Any exception granted only applies to the nominated existing applicant and is not transferable;
- In the event the business is sold (new documentation requirements supporting an exception may apply) or if renovations/refurbishments are carried out then Council will require the appropriate prescribed pre-treatment equipment to be installed;
- Where the prescribed liquid trade waste pre-treatment equipment (or alternative acceptable to Council and NOW) cannot be installed or the effluent quality is not improved to a standard satisfying Council and NOW the appropriate liquid trade waste usage charge will be applied (refer to Appendix E and Appendix G).

APPENDIX B Open Area Discharge

INFORMATION TO ACCOMPANY AN APPLICATION FOR OPEN AREA DISCHARGE TO THE SEWERAGE SYSTEM

Before stormwater from any open area generating liquid trade waste will be considered for disposal to the sewerage system, the applicant must provide the following information in a written format acceptable to Council:

- The reason(s) why the area cannot be fully or partially roofed and/or otherwise protected from the ingress of stormwater;
- Measures for diverting stormwater away from the liquid trade waste generating area;
- A plan and dimensions of the open area for which the consideration of first flush water discharge to the sewerage system is requested;
- The estimated volume of the first flush water that is proposed for discharge to the sewerage system. This volume is to be based on coverage of the total open area to a depth of 10 millimetres (include calculations);
- Information on any rain gauging equipment and details on how stormwater will be diverted to the stormwater drainage system after the first flush water is accepted for discharge to the sewerage system;
- Details of the proposed system/equipment to be used to treat any first flush water prior to discharge to the sewerage system; and
- Details on other stormwater management options considered and why they were not feasible.

APPENDIX C

Valid Applicants

COUNCIL PREFERENCES AS TO APPLICANT AND/OR CONSENT BY LANDOWNER

1.0. GENERAL

Where an application is made to discharge liquid trade waste to the sewerage system from particular land, Council will generally accept either the occupier of the land/operator conducting the activity generating liquid trade waste or the owner of the land (property owner), as an applicant. It is however required that where the applicant is not the owner of the land from which liquid trade waste will be discharged to the sewerage system, the landowner must also signify their consent by signing the application form.

2.0. SHARED PRE-TREATMENT EQUIPMENT

Where multiple occupiers of/operators at a property are to discharge their liquid trade waste to the sewerage system via shared pre-treatment equipment, or the existing drainage system could allow this to occur, Council prefers the owner of the land to make the application for a liquid trade waste approval.

3.0. STRATA TITLED PROPERTY

The registered owner of the strata title will generally be recognised as the owner of the land (property owner) for the purposes of signing a liquid trade waste application. In cases where multiple strata title units discharge their liquid trade waste to the sewerage system via shared pre-treatment equipment, or the existing drainage system could allow this to occur, Council prefers the responsible body corporate to make the application for a liquid trade waste approval. Where liquid trade waste pre-treatment equipment is located on common property the responsible body corporate may be required to signify consent for the application in addition to the strata title owner.

4.0. APPLICATION BY PROXY

Council will **not** accept applications for an approval to discharge liquid trade waste to the sewerage system signed by consultants, contractors, managing agents or other proxy acting on behalf of either the person making the application or owning the land subject to the application, unless a power of attorney exists which explicitly authorises the proxy to do so.

APPENDIX D

Application Information Required

INFORMATION TO ACCOMPANY AN APPLICATION TO DISCHARGE LIQUID TRADE WASTE TO THE SEWERAGE SYSTEM

The information required as part of an application for an approval to discharge liquid trade waste to Council's sewerage system should, where applicable to the type of activity proposed, include but not be limited to the following:

- Applicants full name, address and other contact details;
- Site owner's full name, address and other contact details;
- Address of the business/industry premises where the discharge to the sewerage system will occur;
- Name of contact person at the premises and telephone contact for the business/industry;
- Type of process/activity that will generate liquid trade waste;
- Proposed date of commencement of liquid trade waste discharge to the sewerage system;
- Rate of discharge, including
 - the average per day,
 - maximum per day and per hour;
- Characteristics of wastes, including
 - nature of source, and
 - 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.)
- Normal hours of business operation;
- Hours of the day, days of the week during which the liquid trade waste discharge will occur;
- Method proposed for flow measurement of liquid trade waste;
- Site plans including, premises layout, internal wastewater drainage plan, stormwater drainage plan, location of sampling and flow measurement points and proposed connection point to the sewerage system;
- 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; and
 - proposed connection point to the sewerage system;
- Maintenance schedule for pre-treatment equipment, including contractor's details;
- Flow diagram and hydraulic profile of proposed liquid trade waste pre-treatment facilities;
- Measures for prevention of stormwater ingress into the sewerage system;
- Manifest showing the location, nature and chemical composition of all substances stored/used on site;
- Relevant Material Safety Data Sheets (MSDS) in Australian Standards format for any substances stored/used on site;
- Justification in writing for disposing of liquid trade waste into the sewerage system over other possible options (if any);
- Methods for the disposal of other wastes that are not to be discharged to the sewerage system;
- Any relevant environmental impact assessments or consultant's reports, and
- Any additional information as requested.

Pan Waste

The following information needs to be provided in regard to the discharge of pan waste to the sewerage system:

- identification of the pump out service provider;
- proposed method of discharge including plans and drawings if appropriate;
- 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;
- security arrangements at the proposed disposal site (if applicable);
- the provision of freshwater for hosing down where needed;
- bunding and measures to prevent the ingress of stormwater at the proposed dump point, if applicable;
- the use of odour inhibiting or other chemicals, if any, and their dosage rates;
- statement that septic effluent will not be mixed with septage or grease trap pump out, ie. dedicated tankers will 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.

APPENDIX E

CLASSIFICATION OF LIQUID TRADE WASTE DISCHARGERS

Four classifications of liquid trade waste have been established for concurrence purposes, Classification A, B, C and S. For trade waste charging purposes there are seven charging categories, Category 1A, 1B, 2A, 2B, 2S, 3A and 3B.

There is a relationship between concurrence classifications and charging categories as the figure below shows. Classification A dischargers fall into Charging Category 1A, 1B or Category 2A, 2B. Classification B dischargers fall into Charging Category 2A, 2B, except for a few dischargers with low impact on the sewerage system which fall into Category 1A. Classification S dischargers fall into Charging Category 2S. Classification C dischargers fall into Charging Category 3A, 3B.

* Also includes fish shop (fresh fish for retail)

Except shopping complexes and institutions (hospital, educational facilities, etc.)

CATEGORY 1A DISCHARGER

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

Trade waste dischargers requiring nil or minimal pre-treatment include:

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

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

CATEGORY 1B DISCHARGER¹²

Category 1B liquid trade waste dischargers are those conducting an activity deemed by Council as requiring prescribed pre-treatment but having low impact on the sewerage system as their effluent is usually of low strength. If Council's inspection reveals that the pre-treatment equipment for such a discharger had not been properly maintained, a trade waste usage charge will be applied for the relevant billing period. This charge will also apply for any such dischargers who have not installed appropriate pre-treatment equipment.

Trade waste dischargers with prescribed pre-treatment but low impact on the sewerage system include:

Classification A or B activities: boiler blowdown, cooling tower, industrial boilers, laboratory (analytical/pathology/tertiary institution), laundry, primary and secondary school, vehicle washing.

CATEGORY 2A, 2B DISCHARGER

Category 2A, 2B 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: Premises that prepare and/or serve hot food or foods that generate an oily/greasy waste: bakery (pies, sausage rolls, quiches, cakes, pastries with creams or custards), bistro, boarding house/hostel kitchen, butcher, café/coffee shop/coffee lounge, cafeteria, canteen, fast food outlet, chicken/poultry shop, club,

¹² As indicated in Section 3.0 of Appendix G, the minimum recommended annual trade waste fee for these dischargers is \$103 (2009/10\$).

¹³ Excludes low impact activities, listed under category 1B.

community hall¹⁴, commercial kitchen/caterer, nursing home, patisserie, supermarket, doughnut shop, fish shop (cooking on-site), function centre, hotel, ice cream parlour, motel, nightclub, pizza cooking, restaurant, sandwich shop/salad bar, take away food outlet.

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

Classification B activities: auto dismantler, bus/coach depot, construction equipment maintenance & cleaning, equipment hire, maintenance & cleaning, glass cutting & grinding, graphic arts, hospital (with or without X-ray), medical centre (with X-ray), optical services (at medical or educational facilities, workshops), oyster processing – shucking, panel beating, photographic lab, radiator repairer, screen printing, service station forecourt, shopping complex, water wash mini-lab, X-ray radiologist.

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

Category 2 liquid trade waste dischargers are divided into two groups on the basis of the following criteria:

- **Category 2A** where the discharger has properly installed and commissioned the prescribed liquid trade waste pre-treatment equipment of a brand/model/capacity acceptable to Council, which is appropriately sized and both maintained and cleaned in accordance with Council's requirements, or for any other reason as deemed appropriate by Council and NOW.

Notwithstanding a discharger meeting the above requirements for classification into Category 2A, Council reserves the right to reclassify any such discharger to Category 2B on the basis of that discharger's inability to comply with either Council's guideline limits for liquid trade waste or the quantity or quality conditions of the discharger's liquid trade waste approval.

- **Category 2B** where the discharger has **not** properly installed and commissioned the prescribed liquid trade waste pre-treatment equipment of a brand/model/capacity acceptable to Council, or has properly installed and commissioned the prescribed liquid trade waste pre-treatment equipment but such equipment is of a brand/model/capacity **not** acceptable to Council, or is **not** appropriately sized, or is **not** maintained and/or cleaned in accordance with Council's requirements.

Where an **existing** discharger, classified into Category 2B because they lack the prescribed pre-treatment equipment for their activity, can satisfy Council and NOW that their liquid trade waste will comply with Council's guideline limits for liquid trade waste discharged into the sewerage system they may be reclassified as Category 2A.

Liquid Trade Waste Pre-treatment Equipment Acceptable to Council

Generally for liquid trade waste pre-treatment equipment to be acceptable to Council such equipment must be of a brand/model/capacity currently authorised by an appropriate

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

authority¹⁵. Council will, on request, provide a list of the brand/model/capacity details of liquid trade waste pre-treatment equipment currently authorised.

In the case of **existing** dischargers with already installed liquid trade waste pre-treatment equipment **not** of a brand/model/capacity currently authorised, Council may accept such equipment as qualifying the discharger for Category 2A status after an extended testing program or if it can otherwise be proven to satisfy Council's requirements.

The details relating to a testing program and the criteria for acceptance of non-authorised pre-treatment equipment will be considered by Council on an individual basis. All costs related to a testing program, including those incurred by Council for administration, are the responsibility of the applicant. If the liquid trade waste pre-treatment equipment fails the testing program then Council may require it to be removed and replaced with currently authorised equipment.

Council's acceptance of liquid trade waste pre-treatment equipment **not** currently authorised will only apply to an individual discharger and in **no** way constitutes a wider endorsement of such equipment.

CATEGORY 2S DISCHARGER

Category 2S dischargers are those conducting an activity of discharging chemical toilet waste into the sewerage system.

Trade waste dischargers include the following Classification S activities:

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

CATEGORY 3 DISCHARGER - (High Level Risk Activities)

CATEGORY 3 DISCHARGER (large or industrial waste dischargers)

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

Large trade waste dischargers and other Classification C activities include:

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

¹⁵ Council considers WSAA and Sydney Water to be appropriate authorities, but reserves the right to accept or reject pre-treatment equipment authorised by those bodies.

Dischargers of industrial waste include the following Classification C activities:

acid pickling, adhesive/latex manufacture, agricultural & veterinary drugs, anodising, bitumen & tar, bottle washing, cardboard & 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 & 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 1A & 2), liquid wastewater treatment facility (grease trap receival depot and other pump-out waste depot), metal finishing, metal processing (refining/rumbling/ non-cyanide heat treatment/phosphating/ photo engraving/printed circuit etching/sheet metal fabrication etc.), mirrors manufacture, oil recycling (petrochemical) and refinery, paint stripping, paint manufacture, paper manufacture, pharmaceuticals manufacture, plaster manufacture, powder coating, printing (newspaper, lithographic), sandblasting, slipway, tannery, timber processing (joinery & furniture/plywood/hardwood), textile manufacture (wool dyeing/ spinning/scouring), waxes & polishes.

Category 3 classification liquid trade waste dischargers are divided into two groups on the basis of the following criteria:

- **Category 3A** where in Council's opinion the discharger, requires only less sophisticated liquid trade waste pre-treatment equipment (eg. screens, balancing tank) and has no significant record of failure to comply with Council's requirements. Category 3A dischargers with what Council considers to be a poor history of compliance may be reclassified to Category 3B until satisfactory performance is achieved.
- **Category 3B** where by Council's assessment a Category 3 discharger is other than Category 3A or requires specialised/sophisticated liquid trade waste pre-treatment equipment (eg. Clarifier, bio-reactor). Those liquid trade waste dischargers conducting industrial activities will generally be classed as Category 3B. Abattoirs and chemical manufacturers are examples of Category 3B dischargers.

APPENDIX F DETERMINATION OF LIQUID TRADE WASTE DISCHARGE VOLUME

The following methods can, with the consent of Council, be used in the measurement/estimation of liquid trade waste discharge volumes. Council may at any time review and require modification to the method of volumetric measurement/estimation for liquid trade waste discharges.

Where the applicant/discharger proposes an alternate method for determining liquid trade waste discharge volumes, Council may require independent verification by persons Council considers qualified to undertake this work. Any cost incurred in the verification of liquid trade waste discharge volumes is the responsibility of the applicant/discharger.

1.1. Direct Measurement by a Permanent Discharge Flow Metering System

A permanent volumetric flow metering system may be employed to directly measure liquid trade waste discharges to the sewerage system. This flow metering system must be of a type/brand/model that is acceptable to Council for the application and shall be installed at a position/in a manner agreed to by Council. The flow metering system should incorporate an accurate and reliable means of recording and retaining the readings of both cumulative volume and instantaneous rate of discharge.

The accuracy of the flow metering system must be verified at least annually, or more frequently if so required by Council. The accuracy verification testing of the flow metering system is to be conducted by a Council approved facility. Arranging this testing and the payment of costs involved is the responsibility of the applicant/discharger, who must also provide to Council the certificate of verification for the flow metering system's accuracy within one (1) month of receiving it.

Should the volumetric flow metering system fail verification testing or in any other way cease to function as designed then the applicant/discharger must advise Council within seven (7) days and take such action, as is necessary and acceptable to Council, to provide the required flow measurements of liquid trade waste discharges within the timeframe advised by Council. The cost of any repairs to, or replacement of the volumetric flow metering system is the applicant's/discharger's responsibility.

1.2. Use of a Liquid Trade Waste Discharge Factor

A liquid trade waste discharge factor (LTWDF) is the ratio that exists between the volume of liquid trade waste discharged to Council's sewerage system and metered volumetric water consumption calculated as follows;

$$\frac{\text{Volume of liquid trade waste discharged to the sewerage system from premises}}{\text{Metered volumetric water consumption of premises}}$$

This ratio once determined can then be multiplied by the applicant's/discharger's future metered water consumption to provide an estimate of their liquid trade waste discharge volume over a given period of time.

Unless, in Council's opinion, the applicant/discharger can provide convincing argument to the contrary, such discharge factors will be taken from the list provided by the NSW Office of Water (Table 3).

Table 3 - Recommended NOW Liquid Trade Waste Discharge Factors

PREMISES / ACTIVITY GENERATING DISCHARGE	LTWDF
Bakery	0.25
Bakery (with attached residence)	0.18
Boarding House	0.20
Butcher	0.90
Butcher (with attached residence)	0.65
Cake Shop / Patisserie	0.50
Car Detailing	0.90
Car wash	0.70 ¹⁶
Caravan Park (with commercial kitchen)	0.15
Chicken / Poultry Shop (retail only, no cooking)	0.90
Charcoal Chicken	0.80
Club	0.30
Correctional Centre	0.15 ¹⁷
Craft / Stonemason	0.80
Dental Surgery	0.80
Dental surgery (with attached residence)	0.60
Fresh Fish Outlet	0.90
High School	0.25 ¹⁶
Hospital	0.30
Hostel	0.20
Hotel	0.25
Joinery	0.10
KFC, Red Rooster	0.80
Laundry	0.92 ¹⁶
Marina	0.70
McDonalds, Burger King, Pizza Hut	0.62
Mechanical Workshop (includes lawnmower repairer, equipment hire)	0.70
Medical Centre	0.25 ¹⁶
Motel (hot food prepared)	0.20
Nursing Home	0.30
Panel Beating / Spray Painting	0.70
Primary School	0.10 ¹⁶
Printer	0.85
Restaurant, café, canteen, bistro etc.	0.50
Service Station	0.70

¹⁶ A trade waste usage charge applies if appropriate pre-treatment equipment has not been installed or has not been properly operated or maintained.

¹⁷ A discharge factor to be applied on the basis of the relevant activity, eg food preparation/service, mechanical workshop, optical services, etc

Shoalhaven City Council – Liquid Trade Waste Discharge to the Sewerage System

Shopping Centre	0.30
Supermarket (with butcher, barbecue chicken etc)	0.70
Take Away Food Outlet (small)	0.50
Technical College or University	Note 17
Vehicle Wash (Robo, Clean and Go, Gerni Type)	0.90 ¹⁶

If no relevant LTWDF is referenced in the NOW list, Council has cause to believe the LTWDF from the NOW list is not applicable or the applicant/discharger contests a NOW listed LTWDF, Council may after investigation determine an LTWDF it considers appropriate.

Where at any time the applicant/discharger seeks to amend Council's assessed LTWDF independent verification by a qualified person acceptable to Council may be required. The cost of such services is the responsibility of the applicant/discharger. Council will genuinely consider but reserves the right not to adopt any LTWDF determined by this process.

Should, after negotiation, the applicant/discharger refuse to accept Council's assessed LTWDF then Council may require the installation of a flow measurement system to determine the volume of liquid trade waste discharges as outlined in Section 1.1. of this Appendix.

1.3. Other Methods

Council may, where it considers such measures practicable, allow alternate means for determining liquid trade waste discharge volumes. This may include but not be limited to:

- Installation of a permanent flowmeter(s) to measure water supplied only to liquid trade waste generating activities within the premises;
- Use of a permanent deduct flowmeter(s) to measure water supplied only to non-liquid trade waste generating activities;
- Consideration of the volume of liquid trade waste generated by like activities; and
- Indirect calculation by estimation of the liquid content of process inputs and products.

APPENDIX G

LIQUID TRADE WASTE FEES AND CHARGES

1.0. GENERAL

In addition to the liquid trade waste fees and charges described below, Council may elect to levy any liquid trade waste fees or charges, with indexation, identified in Appendix E of Water Supply, Sewerage and Trade Waste Pricing Guidelines, Department of Land and Water Conservation (2002) or Appendix I of the *Liquid Trade Waste Regulation Guidelines, 2009*, Department of Water and Energy.

The proposed amounts of Council's liquid trade waste fees and charges will be advertised annually in Council's Draft Management Plan for public comment.

2.0. LIQUID TRADE WASTE APPLICATION FEE

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

2.1. Initial Applications or Applications Requiring Significant Changes to the Conditions of a Current Liquid Trade Waste Approval.

In the case of an initial application to discharge liquid trade waste to the sewerage system or where an application made to renew a current liquid trade waste approval involves, in Council's opinion, a significant change(s) to existing approval conditions a fee will be applied to recover the costs of administration and technical services provided by Council in determining the application. Liquid trade waste application fees will be allocated on the basis of the category into which the discharger has been classified by Council and reflect the complexity involved in the processing of an application.

2.2. Renewal of a Liquid Trade Waste Approval Not Requiring Significant Changes.

Where an application is made to renew a liquid trade waste approval either prior to, or within three (3) months after the date of its expiration, Council may at its discretion waive the application fee if it considers that the work involved in processing the renewal is minimal. Otherwise the applicable application fee will be charged.

2.3. Change of Activity Operator/Property Owner

Where a new application is required for a current approval to discharge liquid trade waste to the sewerage system **only** because of a change to the operator conducting the activity and/or the owner of the land from which liquid trade waste is to be discharged, no fee shall be charged.

3.0. ANNUAL LIQUID TRADE WASTE FEE

The purpose of this fee is to recover the cost incurred by Council for administration and ~~the~~ scheduled inspection(s) 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 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.

In view of the adverse impact of wastes with a high concentration of oil and grease on Council's sewage transportation system, Council may carry out inspections of commercial premises preparing hot food up to 4 times per annum. The cost of these scheduled inspections is included in the annual trade waste fee for such premises, minimum \$128* (2009/10\$). Similarly, for Classification A or B activities with prescribed pre-treatment but low impact, the minimum recommended annual trade waste fee is \$103* (2009/10\$). These Classification A and B activities are shown as Category 1B Dischargers in Appendix E.

Fees for Category 3A (Industrial or large dischargers with less complex pre-treatment equipment) and Category 3B (Industrial or large dischargers with complex pre-treatment equipment) are listed in Council's Management Plan.

* *These charges will be indexed on the basis of the Consumer Price Index for Sydney.*

4.0. LIQUID TRADE WASTE 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.

5.0. LIQUID TRADE WASTE USAGE CHARGE

5.1. General

The liquid trade waste usage charge is imposed to recover the additional cost of treating non-domestic wastewater and will be levied on the basis of the volume of liquid trade waste discharged at the appropriate unit price. The unit prices used for calculating liquid trade waste usage charges will be indexed annually on the basis of the change in the All Groups Consumer Price Index (CPI) for Sydney in the preceding 12 months to December.

5.2. Category 1B Dischargers

Category 1B dischargers will be subject to a liquid trade waste usage charge where they do not have the prescribed pre-treatment equipment acceptable to Council installed or fail

to maintain /clean such equipment in accordance with their liquid trade waste approval or as otherwise notified in writing by Council. Should a liquid trade waste usage charge be applied to a Category 1B discharger then it will be calculated as follows:

$$\text{Liquid Trade Waste Usage Charge (\$)} = Q \times U_{1B}$$

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

U_{1B} = Unit price (\$/kL) applicable to Category 1B dischargers.

5.3. Category 2A and 2B Dischargers

$$\text{Liquid Trade Waste Usage Charge (\$)} = Q \times U_{2A \text{ or } 2B}$$

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

U_{2A} = Unit price (\$/kL) applicable to Category 2A dischargers.

U_{2B} = Unit price (\$/kL) applicable to Category 2B dischargers.

The U_{2A} or U_{2B} unit price shall be applied according to the classification of the discharger (Appendix E).

Note: As indicated on page 30 of the *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, **existing** Category 2A dischargers who have **not** installed and maintained **appropriate** pre-treatment facilities will be required to pay the non-compliance liquid trade waste usage charge of \$13.37/kL (2009/10\$).

Effluent from some undersized grease arrestors could be improved by increasing the pump out frequency, improving housekeeping practices and/or installing other suitable devices. Such devices and/or measures are deemed by Council to be **appropriate** pre-treatment (for that particular discharger only).

5.4. Category 2S Dischargers

This charge is imposed to recover the cost of accepting and treating chemical toilet waste.

$$\text{Chemical Toilet waste disposal charge (\$)} = Q \times S$$

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

S = Charging rate in \$/kL for chemical toilet waste as indicated in Council's Annual Management Plan.

6.0. LIQUID TRADE WASTE EXCESS MASS CHARGES

6.1. Category 3A and 3B Dischargers

Liquid trade waste excess mass charges will be calculated on the basis of the excess mass of specified substances at concentrations above those deemed to be present in domestic sewage (Table 4).

Table 4 - Deemed Concentration of Specified Substances in Domestic Sewage

SPECIFIED 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
Sulphate	50*
Total Phosphorus	10
Total Dissolved Solids	1,000

*The higher of 50 mg/L sulphate and that concentration of sulphate found in the potable water supply (LWU's historical average from source water treatment plant) shall apply as the deemed concentration of sulphate in domestic sewage.

For the purpose of calculating liquid trade waste excess mass charges, specified substances not listed in Table 4 will be deemed not to be contained in domestic sewage and thus should they be detected in a discharge to the sewerage system will be considered to be present in excess mass. For excess mass charge calculation, equation (1) will be applied.

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

- Where S = Concentration (mg/L) of specified substance in sample.
- D = Concentration (mg/L) of a specified substance deemed to exist in domestic strength sewage.
- Q = Volume (kL) of liquid trade waste discharged to sewerage system.
- U_E = Unit price (\$/kg) for disposal of excess mass of specified substance to the sewerage system, as shown in Council's Annual Management Plan.

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

6.2. Excess mass charges for BOD exceeding 600mg/L

If Council approves the acceptance limits for BOD higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate (\$/kg) as shown in equation (2) below. Equation (2) provides a strong incentive for dischargers to reduce the strength of waste. In addition, equation (5) in Section 9.3 of this Appendix will be used where the discharger has failed to meet their approved BOD limit on 2 or more instances in a financial year.

Excess mass charging rate for BOD (\$/kg) =

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

- 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 = \$0.64/kg, equation (2) would result in the following excess mass charging rates:

\$0.64/kg for BOD₅ 600mg/L

\$2.02/kg for BOD₅ 1200mg/L

\$5.19/kg for BOD₅ 2400mg/L

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

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

Where U is the excess mass charging rate calculated using equation (2).

7.0. FOOD WASTE DISPOSAL UNIT CHARGE¹⁸

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

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

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.

NB. This charge for food waste disposal units shall apply in addition to all other applicable charges.

8.0. PAN WASTE DISPOSAL CHARGE

The pan waste disposal charge is detailed in Council's Management Plan.

9.0. LIQUID TRADE WASTE NON-COMPLIANCE CHARGES

The non-compliance excess mass charges shown in this section are for Category 3A and 3B dischargers only and are in lieu of the excess mass charges in Section 6 of this Appendix.

NB. Council will continue applying non-compliance excess mass charges 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 Section 10 of this Appendix.

9.1. Non-compliance pH charge

Where the pH of wastewater discharged to the sewerage system is outside the range specified in the applicant's liquid trade waste approval, or if no such approval is in place

¹⁸ For existing installations only. New installations are not permitted.

the pH range specified in Council’s liquid trade waste policy, then the following equation shall apply:

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

$$K \times (\text{actual pH} - \text{approved pH})^* \times 2^{(\text{actual pH} - \text{approved pH})^*} \quad (3)$$

* absolute value to be used.

Where K = pH coefficient = 0.36 (2009/10\$) and needs to be adjusted in accordance with changes in the CPI.

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.

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

Case 1: pH measured 7.0

$$\text{Charging rate } (\$/\text{kL}) = 0.36 \times [7 - 8] \times 2^{[7 - 8]} = \$0.72/\text{kL}$$

Case 2: pH measured 11.0

$$\text{Charging rate } (\$/\text{kL}) = 0.36 \times [11 - 9] \times 2^{[11 - 9]} = \$2.88/\text{kL}$$

9.2. 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 biosolids management.

In order to recover Council’s costs, equation (4) shall apply for non-compliant excess mass charges, except for BOD where equation (5) in Section 9.3 shall apply.

$$\text{Non-compliance Excess Mass Charges } (\$) = \frac{(S - A) \times Q \times 2U_E}{1,000} + \frac{(S - D) \times Q \times U_E}{1,000} \quad (4)$$

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_E = 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.

9.3. Non-compliance Excess Mass Charges for BOD

If a discharger has failed to meet the approved maximum concentration of BOD on 2 or more instances in a financial year, the non-compliance excess mass charging rate for BOD will be levied on the basis of equation (5) below:

$$\text{BOD non-compliance excess mass charging rate (U}_B\text{)} = 2C \times \frac{(A - 300\text{mg/L})}{600\text{mg/L}} \times 1.05 \frac{(A - 600\text{mg/L})}{600\text{mg/L}} + 4C \times \frac{(\text{Actual BOD} - A)}{600\text{mg/L}} \times 1.05 \frac{(\text{Actual BOD} - A)}{600\text{mg/L}} \quad (5)$$

For example, if C = \$0.64/kg, BOD₅ actual (measured) level is 2400mg/L and the approved maximum concentration of BOD (A) is 1000mg/L, equation (5) would result in a non-compliance excess mass charging rate of \$8.24/kg.

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

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

Where U_B is the non-compliance excess mass charging rate calculated using equation (5).

10.0. LIQUID TRADE WASTE NON-COMPLIANCE PENALTY CHARGE

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.

11.0. DISCHARGE OF STORMWATER/GROUNDWATER TO THE SEWERAGE SYSTEM

The discharge of stormwater, surface and subsoil waters to the sewerage system is prohibited under this policy. As indicated in Section 2.5, the acceptance of first flush stormwater runoff may be permitted. A charge of \$13.37/kL (2009/10\$) 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 6 of this Appendix.

12.0. OTHER ASPECTS RELATING TO FEES AND CHARGES

12.1. Estimation of Missing or Erroneous Liquid Trade Waste Discharge Volumes

Where the discharger fails to submit, within the time-frame specified by Council, the volume of liquid trade waste discharged to the sewerage system or Council has a valid reason(s) to consider the data provided on the volume of liquid trade waste discharged to be erroneous, Council may estimate the discharge volume to be used for the calculation of applicable charges. Unless in Council's opinion a cogent argument can be made to the contrary, this estimation will be on the basis of the highest result submitted by the discharger for the volume of liquid trade waste discharged to the sewerage system over the previous twelve (12) months and calculated on a pro rata basis if necessary.

12.2. Unlisted Excess Mass Charges for Specified Substances

Where the discharge of specified substances, other than those given in the list of excess mass unit prices occurs, or is permitted by Council the default unit price for such specified substances will be those applied by the NSW Office of Water, Sydney Water or Hunter Water at the time of discharge. Should there be no applicable NSW Office of Water, Sydney Water or Hunter Water specified substance unit price then Council reserves the right to base its specified substance unit prices on those charged by another LWU or on advice obtained from qualified consultants.

12.3. Estimation of Missing or Erroneous Analytical Results

Where, for any reason, an applicant/discharger undertaking self-monitoring fails to submit, within the time-frame specified by Council, the analytical results required by the conditions of their liquid trade waste approval, liquid trade waste services agreement or as otherwise notified in writing by Council, or Council has a valid reason to consider the analytical results provided to be erroneous, then Council may estimate the analytical results to be used for the calculation of liquid trade waste usage and non-compliance usage charges. Unless, in Council's opinion, a cogent argument can be mounted to the contrary by the applicant/discharger, this estimation will be on the basis of the highest concentration result for the specified substance (or in the case of pH the most extreme result) obtained from samples of liquid trade waste discharged to the sewerage system over the previous twelve (12) months.

12.4. Sampling and Analysis by Council

Council may at any time take samples and conduct analysis on liquid trade waste discharged to the sewerage system. Where both Council and the applicant/discharger have conducted sampling and analysis of the applicant's/discharger's liquid trade waste discharges within the same billing period then Council reserves the right to use its results for the calculation of applicable liquid trade waste charges.

12.5. Change to Charging Category of the Discharger

Where the charging category of a liquid trade waste discharger changes within a financial year all applicable liquid trade waste charges (except for re-inspection charges) will be applied on a pro rata basis.

APPENDIX H MODIFICATION OR REVOCATION OF APPROVAL

BASIS FOR COUNCIL MODIFICATION OR REVOCATION OF A LIQUID TRADE WASTE APPROVAL

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 (or not have granted it in the same terms),
- For failure to comply with a requirement made by or under the Local Government Act, 1993 relating to a condition of the approval,
- For any failure to comply with a condition of the approval.

APPENDIX I

SAMPLE LIQUID TRADE WASTE SERVICES AGREEMENT

The following is a sample Liquid Trade Waste Services Agreement that Council may require an applicant to enter into before their approval to discharge liquid trade waste to the sewerage system becomes operative. The Liquid Trade Waste Services Agreement provided in this sample may be adapted as required by Council in the case of a particular discharger.

LIQUID TRADE WASTE SERVICES AGREEMENT

BETWEEN

THE SHOALHAVEN CITY COUNCIL

AND

[APPLICANT]

LIQUID TRADE WASTE SERVICES AGREEMENT

BETWEEN

1. The Council

AND

2. The Applicant

RECITALS

- A. The Council is the owner and operator of a sewerage system within the Shoalhaven City Council area.
- B. The Applicant has made application to the Council to discharge liquid trade waste from the Premises into the Council's sewerage system.
- C. The application has been approved by the Council on certain conditions ("the Approval"), including the condition that the Council and the Applicant enter into this Agreement.
- D. The Director-General, ~~Trade & Investment~~ [Department of Trade and Investment, Regional Infrastructure and Services \(DTIRIS\)](#), has concurred in the Approval in accordance with clause 28 of the *Local Government (General) Regulation 2005*.
- E. The Approval does not operate until this Agreement has been executed by both parties.
- F. The parties enter this Agreement in consideration of the mutual promises contained herein.

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OPERATIVE PART

1. DEFINITIONS AND INTERPRETATION

1.1 In this Agreement, unless the context otherwise requires:

"Act" means the *Local Government Act 1993* (NSW).

"Annexure" means the annexure to this Agreement.

"Annual Management Plan" means the annual management plan of the Council, as adopted by the Council from time to time.

"Applicant" means the entity named as such in the Annexure.

"Approval" means the approval described in Recital C.

"Council" means the council named as such in the Annexure.

“**Liquid Trade Waste Services**” mean the making available by the Council of its sewerage system for connection to the Premises, for the purpose of discharge by the Applicant of its liquid trade waste.

“**Premises**” means the premises described in the Annexure.

1.2 Unless the context otherwise requires:

- (a) A reference to this Agreement is a reference to this Agreement, including the Annexure, as amended from time to time in accordance with its terms.
- (b) A reference to the discharge of liquid trade waste means the discharge of liquid trade waste by the Applicant from the Premises to the Council’s sewerage system.
- (c) A reference to any legislation is a reference to such legislation as amended from time to time.
- (d) Where the Applicant is comprised of more than one person, each obligation of the Applicant will bind those persons jointly and severally and will be enforceable against them jointly and severally.

2. LIQUID TRADE WASTE SERVICES

The Council will provide the Liquid Trade Waste Services to the Applicant on the terms of this Agreement.

3. ADDITIONAL CONDITIONS FOR DISCHARGE OF LIQUID TRADE WASTE

- 3.1 The Applicant may discharge liquid trade waste to the Council’s sewerage system in accordance with the Approval and subject to this Agreement.
- 3.2 The Applicant must comply with all applicable Acts, regulations, by laws, proclamations and orders and with any lawful direction or order given by or for the Council or any other competent authority.
- 3.3 The Applicant must not discharge liquid trade waste contrary to this Agreement or the Approval or in any manner which may have an adverse effect on any person or property (including the sewerage system and the ecological system in the waters, land or area receiving sewage treatment works effluent or bio-solids), or which may cause the Council to be in breach of any applicable Act, regulation, by law, proclamation or order or of any lawful direction given by or for any competent authority.
- 3.4 The Applicant must at its own cost monitor its discharges in accordance with the requirements set out in the Approval and must maintain records of such monitoring for inspection by the Council for such period as may be specified in the Approval.
- 3.5 The Council will carry out routine sampling and testing of the waste stream.

- 3.6 Where any flow-metering device is installed, the Applicant must at its own cost cause the device to be calibrated at least annually by a person or company approved by the Council. The Applicant must obtain a calibration certificate and provide a copy of the certificate to the Council within one month of receiving it.
- 3.7 If the Applicant is required to cease discharging liquid trade waste for any period, then the Applicant must cease discharging such waste for the period specified.
- 3.8 Where the Applicant ceases to discharge waste in the circumstances prescribed in clause 3.7, the Council may, at its discretion, elect to refund part of the annual trade waste fee on a pro rata basis, calculated according to the period of suspension.
- 3.9 If this Agreement is terminated, the Applicant must immediately cease to discharge liquid trade waste.

4. FEES AND CHARGES

- 4.1 In accordance with the Section 560 of the Local Government Act, Council will levy all water supply, sewerage and liquid trade waste fees and charges on the owner of the property.
- 4.2 In consideration of provision of the Liquid Trade Waste Services, the fees and charges as specified in the Council's Annual Management Plan and notified by Council to the owner and the Applicant must be paid to the Council, including fees for sampling and testing by Council in accordance with the Approval.
- 4.3 Fees and charges payable will include both non-residential sewerage charges and liquid trade waste fees and charges.
- 4.4 All monies payable to the Council must be paid within the time specified in the notice of charge.

5. TERM

- 5.3. This Agreement will commence from the date it is signed on behalf of the Council, and will continue until the Applicant's Approval is revoked or the Applicant permanently ceases to discharge liquid trade waste pursuant to the Approval, whichever is the earlier. Upon such revocation or permanent cessation of the approved activity this Agreement shall automatically terminate by operation of this clause.
- 5.4. Termination of this Agreement is without prejudice to any accrued rights or obligations of either Party.

6. POWERS OF THE COUNCIL

- a) The Council may enter the Premises at a reasonable hour in the daytime or at any hour during which business is in progress or is usually carried on at the Premises for the purpose of conducting any inspection, examination, testing,

monitoring or sampling to determine whether the Applicant is complying with the conditions of this Agreement.

- 6.2 The Applicant acknowledges that the Council has statutory powers available to it under the Local Government Act 1993 and other Acts to issue orders and directions to the Applicant in relation to the discharge of liquid trade waste. The Applicant undertakes to comply with each such order or direction that may be notified by the Council to the Applicant within the time specified for compliance in that order or direction.
- 6.3 The Applicant releases the Council from any liability to the Applicant for any loss or damage due to the disruption of the Applicant's business arising out of the exercise of Council's rights pursuant to this clause.

8.7. INFORMATION SUPPLIED BY THE APPLICANT

- 78.1 The Applicant warrants that all information in its application for approval is true, complete and accurate to the best of its knowledge.
- 78.2 The Applicant must immediately notify the Council in writing of any error or omission in that information or any change to the information of which the Applicant becomes aware.
- 78.3 The Applicant must not provide any false or misleading information to the Council.

9.8. INDEMNITY

9.8.1 The Applicant indemnifies the Council from and against any claims, losses or expense (including legal costs on a solicitor and client basis) which the Council pays, suffers, incurs or is liable for as a result of:

- (a) any unlawful, negligent, reckless or deliberately wrongful act or omission of the Applicant or its personnel or agents in connection with the discharge of liquid trade waste, including (without limitation) such acts or omissions which cause damage to property, personal injury or death; and
- (b) a breach of this Agreement by the Applicant.

9.8.2 The Applicant's liability to indemnify the Council shall be reduced proportionally to the extent that any unlawful, negligent, reckless or deliberately wrongful act or omission of the Council caused or contributed to the liability or loss.

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10.9. INSURANCE

The Applicant must effect and maintain for the term of this Agreement a public risk policy of insurance in the minimum of the sum specified in the Annexure and must, upon request by the Council, produce evidence of such insurance to the Council.

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11.10. BOND

- 11.1 The Applicant must pay to the Council a bond in the sum specified in the Annexure.
- 11.2 The Council may at any time and without prior notice to the Applicant have recourse to the bond for the recovery of any sum due and owing by the Applicant to the Council.
- 11.3 Where the applicant fails to cease discharging trade waste as prescribed in clause 3.7, the Council may require the applicant to forfeit 50% of the bond.
- 11.4 The Council must return the bond to the Applicant, less any amount deducted by the Council under this clause, upon termination of this Agreement.

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12.11. NO ASSIGNMENT

The Applicant may not assign or otherwise transfer its rights and/or obligations under this Agreement.

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13.12. NOTICES

- 13.1 A notice under this Agreement must be:
 - (a) in writing, directed to the representative of the other party as specified in the Annexure; and
 - (b) forwarded to the address, facsimile number or the email address of that representative as specified in the Annexure or the address last notified by the intended recipient to the sender.
- 13.2 A notice under this Agreement will be deemed to be served:
 - (a) in the case of delivery in person - when delivered to the recipient's address for service and a signature received as evidence of delivery.
 - (b) in the case of delivery by post - within three business days of posting.
 - (c) in the case of delivery by facsimile – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient.
 - (d) in the case of delivery by email, on receipt of confirmation by the recipient that the recipient has received the email.

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13.3 Notwithstanding the preceding clause 13.2, if delivery or receipt of a communication is on a day which is not a business day in the place to which the communication is sent or is later than 5 pm (local time in that place) it will be deemed to have been duly given or made at 9 am (local time at that place) on the next business day in that place.

14.13. VARIATION

14.1 If the Applicant's Approval to discharge liquid trade waste from the Premises is varied, this Agreement shall be deemed to be varied in accordance with the variation made to that approval or to the fees, by operation of this clause.

14.2 In addition to automatic variation under clause 14.1, this Agreement may be varied by written agreement of the parties, provided that a variation to this Agreement that is inconsistent with:

- (a) the Approval, including rights granted under, and conditions attached to, the Approval;
- (b) any applicable legislation; or
- (c) Council's Annual Management Plan in respect of applicable fees and charges,

shall have no force or effect.

15.14. SEVERABILITY

If any part of this Agreement is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Agreement but without affecting the continued operation, so far as possible, of the remainder of this Agreement.

16.15. APPLICABLE LAW

~~16.15.1~~ This Agreement is governed by, and must be construed in accordance with, the laws in force in the State of New South Wales.

~~16.215.2~~ Each party submits to the exclusive jurisdiction of the courts exercising jurisdiction in the State of New South Wales and the courts of appeal there from.

17.16. RIGHTS CUMULATIVE

The rights and remedies provided under this Agreement are in addition to, and not exclusive of, any other rights or remedies provided by law.

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Executed as an agreement

Execution by the Council:

THE COMMON SEAL OF

(Corporate Seal)

..... was affixed this

.....day of 20.....

in the presence of:

.....

General Manager

.....

[signature of General Manager]

and

.....

[print name of witness]

.....

[signature of witness]

Executed by the Applicant (corporate entity):

The **COMMON SEAL** of

.....PTY LIMITED

was affixed thisday of

.....20.....

in the presence of:

.....

[name of Director]

.....

[signature of Director]

.....

[name of Director/Secretary]

.....

[signature of Director/Secretary]

Executed by the Applicant (individual):

Signed by:

.....

[name of Applicant]

.....

[signature of Applicant]

This.....day of.....20.....

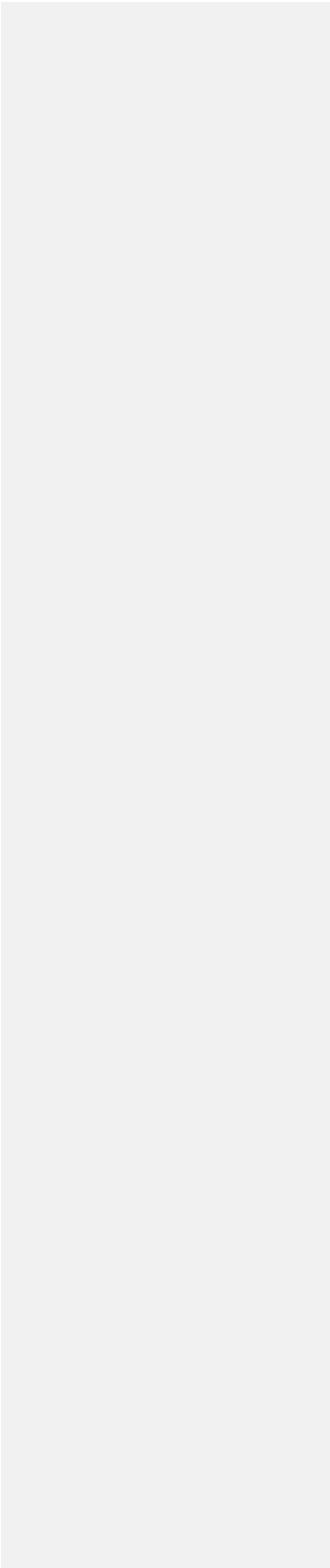
in the presence of:

.....

[print name of witness]

.....

[signature of witness]



ANNEXURE

A. THE COUNCIL

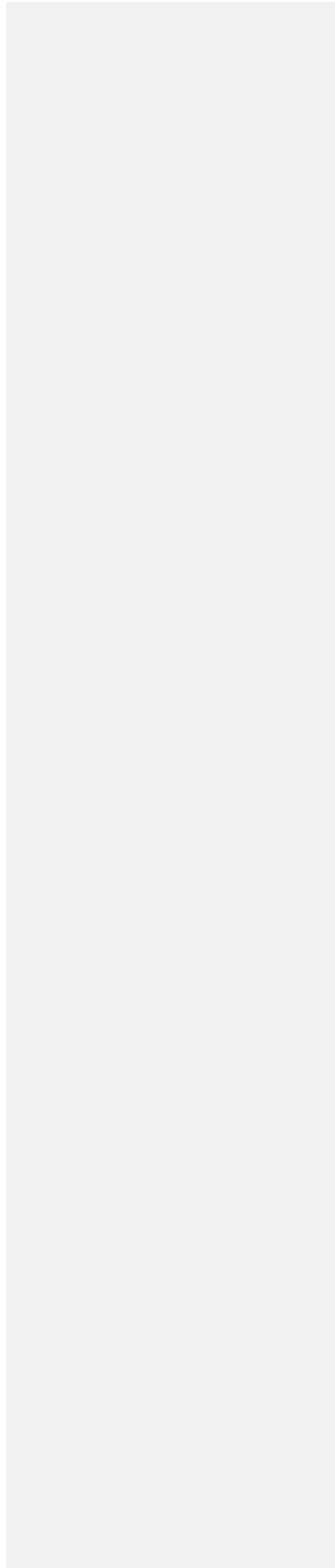
1. FULL NAME OF COUNCIL _____
2. ABN: _____
3. ADDRESS _____

4. TELEPHONE _____
5. EMERGENCY CONTACT _____
TELEPHONE _____

B. THE APPLICANT

1. FULL NAME OF APPLICANT _____
2. ABN: _____
3. BUSINESS OR TRADING NAME _____
4. ADDRESS _____

5. TELEPHONE _____
6. EMERGENCY CONTACT _____
TELEPHONE _____



C. _____ THE PREMISES

1. LOT & DP NUMBER: Lot(s) _____ DP _____

2. LOCATION _____

3. DESCRIPTION _____

4. NATURE OF BUSINESS _____

D. NOTICES

Applicant's Representative:

Postal address:

Facsimile:

Email:

Council's Representative:

Postal address:

Facsimile:

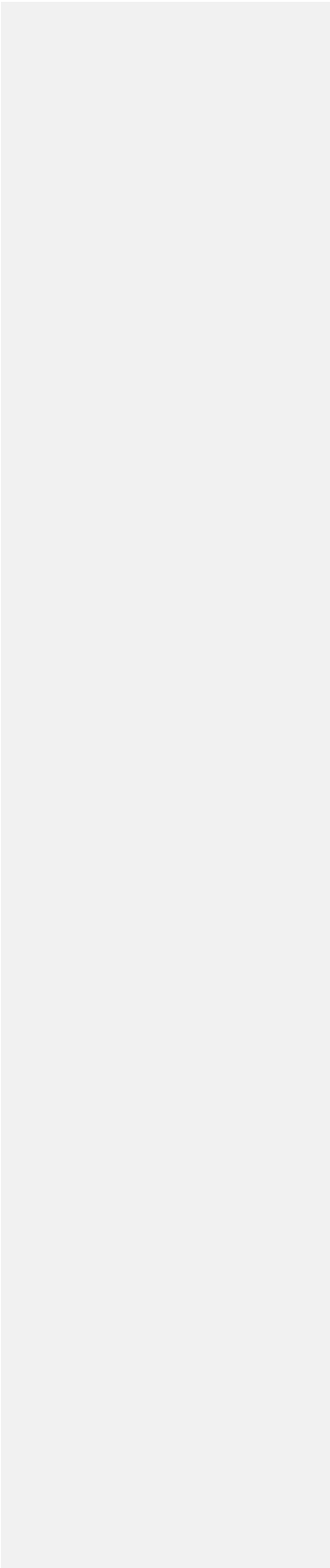
Email address:

E. PUBLIC LIABILITY INSURANCE

Minimum cover: \$

F. BOND

\$



APPENDIX J

LOCAL GOVERNMENT (GENERAL) REGULATION 2005 PROVISIONS

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, [Trade & Investment, of the Department of Energy, Utilities and Sustainability*](#), has concurred with the approval.

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

Clause 32 Disposal of trade waste

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

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, and
- (b) take any other action that is reasonable to prevent waste and misuse of water.

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

- [From 4 April 2011 a reference to the Director General of the Department of Energy, Utilities and Sustainability is to be construed as a reference to the Director General of the Department of Trade and Investment, Regional Infrastructure and Services.](#)

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APPENDIX K GLOSSARY OF TERMS, ABBREVIATIONS AND ACRONYMS

~~[ANZECC: Australian and New Zealand Environment and Conservation Council,](#)~~

~~[ARMCANZ: Agriculture and Resource Management Council of Australia and New Zealand.](#)~~

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Applicant: An entity being an individual(s)/company/partnership/trust etc which lodges an application for approval to discharge liquid trade waste to the Council sewerage system as required by Section 68 of the Local Government Act, 1993.

Assumed Concurrence: Council may apply to the [NSW Office of Water \(NOW\) Director-General of the Department of Trade and Investment, Regional Infrastructure and Services \(DTIRIS\)](#) for delegation to assume concurrence for Classification B or Classification S activities. If granted, Council will no longer need to forward such applications to NOW for concurrence. [Requests for assumed concurrence need to be forwarded to the NSW Office of Water.](#)

Automatic Assumed Concurrence: Councils have been authorised to assume NOW concurrence for Classification A activities. Such applications may be approved by Council without forwarding the application to NOW for concurrence.

Bilge Water: minor amounts of water collecting in the bilge of a vessel from spray, rain, seepage, spillage and boat movements. Bilge water may be contaminated with oil, grease, petroleum products and saltwater.

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.

Biosolids: 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: A commercial kitchen is regarded as 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 an airline company or similar.

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.

Council: In this document a reference to Council means the Shoalhaven City Council.

~~DECC: Department of Environment and Climate Change of New South Wales,~~

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~~DECCW: Department of Environment, Climate Change and Water,~~

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~~DECCW~~ **Concurrence** is required before a council may approve an application for the discharge 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 Director-General of the Department of ~~Environment, Climate Change and Water (DECCW)~~ ~~Trade and Investment, Regional Infrastructure and Services~~ prior to approving such waste to be discharged to the council's sewerage system.

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~~Department of Energy, Utilities and Sustainability (DEUS) and Department of Water and Energy (DWE): Previously the NSW State Government Department with the responsibility for liquid trade waste matters, now controlled by the DECCW,~~

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Director-General: Director-General means the Director-General of the Department of ~~Environment, Climate Change and Water (DECCW)~~ ~~Trade and Investment, Regional Infrastructure and Services (DTIRIS)~~.

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Discharger: The industrial, commercial, community and state or local government entity responsible for the discharge of liquid trade waste from any premises to Council's sewerage system.

Discrete Oil, Fat or Grease: Free oil, fat or grease which is not mixed or emulsified with wastewater.

Domestic Sewage: refer sewage of a domestic nature

Due Diligence Program: A plan that identifies potential health and safety, environmental or other hazards (eg. 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 is not meeting the acceptance limits for discharge waste quality set down in Council’s approval conditions and/or liquid trade waste agreement. The document sets out how the discharger will meet the acceptance limits for the discharge of liquid trade waste to the sewerage system within the agreed timeframe.

First Flush Water: Stormwater that has been isolated and collected from a segregated open area, and which is potentially contaminated.

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 Activity: Generally a larger scale manufacturing or service provision undertaking dealing predominantly, although not necessarily exclusively, with intermediate companies rather than directly with the general public.

Industrial Discharges: Industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes.

ISO: International Standards Organization.

Liquid Trade Waste: Liquid trade waste means all liquid waste other than sewage of a domestic nature.

Liquid Trade Waste Regulation Guidelines: [Department of Environment, Climate Change and Water](#); [NSW Office of Water](#) (previously the Department of Water and Energy) document that outlines the minimum standards and requirements for the discharge of liquid trade waste to the sewerage system. Council reserves the right to apply standards or conditions more rigorous than promulgated in this document.

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

Local Water Utility: (LWU): The agency responsible for managing the water supply and/or sewerage services in a region of non-metropolitan NSW. Shoalhaven City Council is the Local Water Utility for the City of Shoalhaven.

Mandatory Concurrence: For the liquid waste in Classification C, councils will need to obtain concurrence ~~from DECCW~~ for each discharger. [Such concurrence request is to be provided to the NSW Office of Water.](#)

Material Safety Data Sheets (MSDS): A document which provides pertinent information and profile of a particular compound or mixture. A MSDS is normally developed by the manufacturer or formulator of the product. Usually a MSDS will contain information on physical and chemical properties, health hazard information and advice on first aid, safe handling and disposal procedures. An Australian Standard specifies the appropriate standard format for the preparation of an MSDS.

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, waste arrestors for sink and floor waste, plaster arrestors and fixed or removable screens.

N/A: Not applicable.

NATA: National Association of Testing Authorities.

NSW Office of Water (NOW): In accordance with the Public Sector Employment and Management (Departmental Amalgamations) Order ~~2009~~2011, [from 4 April 2011](#) the NSW Office of Water ~~has been established as is~~ a separate office within the ~~Department of Environment, Climate Change and Water from July 27, 2009.~~ [DTIRIS. All trade waste matters/applications for concurrence and policies for consent need to be forwarded to NOW.](#)

Office of Environment & Heritage (OEH):

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

Pan: For the purpose of this Policy “pan” means any moveable receptacle kept in a closet and used for the reception of human waste.

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

(g) a van.

Prescribed Pre-treatment Equipment is defined as standard non-complex equipment used for pre-treatment of liquid trade waste, eg. a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit (refer to Table 7 of *Liquid Trade Waste Regulation Guidelines, 2009*).

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.

Residential/Domestic Discharger: Residential dischargers are described as private premises used solely for personal usage and not for the purposes of conducting a trade or business. Residential (or domestic) type liquid wastes can be described as liquid wastes generated from private premises and would include toilet, hand basin, shower, domestic (non-commercial) kitchen and laundry wastes. Domestic type liquid wastes may be generated at commercial and industrial premises but are not considered to be liquid trade waste.

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, flotation of oils and fats, and anaerobic digestion of sludge.

Septic Tank Effluent: The liquid discharged from a septic tank after treatment.

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 Domestic Nature: Includes human faecal matter and urine and waste water associated with ordinary kitchen, laundry and ablution activities of a household, but does not include waste in or from a sewage management facility.

Sewage Treatment Plant (STP): Council facility used for the treatment of domestic and liquid trade waste. The sewage treatment plant constitutes part of the sewerage system.

Sewerage System: The network of sewage collection, transportation, treatment and by-products (effluent and biosolids) management facilities.

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 waste from maintenance activities.

Stormwater Run-off: Run-off resulting from rainfall.

Sullage: Domestic wastewater excluding toilet waste.

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-filtrable residue (NFR).

Total Dissolved Solids (TDS): The total amount of dissolved material in the water.

Unit Price: Monetary value applied for the volume, excess mass of specified substances or other parameters of liquid trade waste discharged to the sewerage system (eg. \$/kL = Dollars per kilolitre, \$/kg = Dollars per kilogram).

Units of Measurement: °C = degrees Celsius, kg = kilogram, kL = kilolitres
g/d = grams per day, mg/L = milligrams per litre.

Waste Arrestor: Also referred to as basket waste arrestor, basket arrestor, dry basket arrestor, bucket trap

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.

WSAA: Water Services Association of Australia