

CODE OF PRACTICE

Code name	Liquid Trade Waste
Responsible manager(s)	Director, Planning and Sustainability Services
Contact officer(s)	Divisional Manager, Environmental Services
Directorate	Planning and Sustainability Services
Approval date	9 August 2022
Community Strategic Plan Objective	2.4 Foster a safe community
Delivery Program link	2.4.2 Deliver legislated health protection and regulatory programs
Operational Plan link	2.4.2.3 Undertake liquid trade waste inspections and/or audits

Summary

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1 INTRODUCTION

1.1 Purpose

The purpose of the Liquid Trade Waste Code of Practice (the Code) is to ensure that all discharges into the sewerage system are properly controlled and regulated to reduce the demands on sewerage systems. It also sets out how Council will regulate sewage and trade waste discharges to its sewerage system in accordance with the NSW framework for the regulation of sewage and trade waste.

The Code is concerned with the approval, monitoring and enforcement process for liquid trade wastes discharged to Council's sewerage system, and the levying of commercial sewage and liquid trade waste fees and charges. It has been developed to ensure the proper control of liquid trade waste and hence protection of public health, worker safety, the environment and Council's sewerage system.

1.2 Scope

The Code applies to:

The Eurobodalla Shire is known as the 'land of many waters' and indicates the importance that water plays in the area for recreation, industry, tourism, as well as for basic needs. Residents of the Eurobodalla enjoy a healthy lifestyle and environment, and a desire to retain that amenity.

Eurobodalla Shire Council may accept liquid trade waste into its sewerage system as a service to businesses and industry. However, liquid trade wastes may exert much greater demands on sewerage systems as they are generally designed to cater for domestic sources and, if uncontrolled, can pose serious problems to public health, worker safety, Council's sewerage system and the environment. Impacts of poor liquid trade waste regulation include:

- grease, oil, solid material, hydrocarbons, and other compounds, if not removed onsite, can cause sewerage chokes and blockages and the discharge of untreated sewage to the environment
- strong waste may cause sewage odour problems, explosive atmospheres, and corrosion of sewer mains, pumping stations and sewage treatment works.

1.3 Land to which this Code applies

This Code of Practice applies to all land within the Eurobodalla Shire Council Local Government Area (LGA), with the exception of National Parks, as outlined in the 'Department of Local Government Circular 99/59'.

1.4 Objectives

The objectives of this Code are to:

- promote waste minimisation, water conservation, water recycling and bio-solids reuse
- protect public health and the health and safety of Council employees
- protect the environment from discharge of waste that may have a detrimental effect
- protect Council assets from damage
- assist Council to meet its statutory obligations
- provide environmentally responsible liquid trade waste service to non-residential sectors
- encourage waste minimisation and cleaner production in commercial and industrial sectors
- ensure compliance of liquid trade waste discharges with Council's approved conditions
- 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
- ensure commercial provision of services and full cost recovery through appropriate sewage and liquid trade waste fees and charges.

1.5 Relationship to legislation/ policy/ plan

The Code should be read in conjunction with the following legislation, policy, plans or orders, standards, or guidelines.

A person wishing to discharge liquid trade waste to the sewerage system must, under section 68 of the *Local Government Act 1993* (the Act), obtain prior approval from Council. The procedure for approval is governed by Chapter 7 of the Act and is subject to the *Local Government Regulation 2021*. Discharging liquid trade waste without an approval is an offence under section 626 of the Act.

Under clause 28 of the Regulation, a council must not grant an approval under section 68 of the Act to discharge trade waste (whether treated or not) into a sewer of the council unless the Secretary (or the Secretary's nominee) has concurred with the approval.

1.5.1 Legislation

[*Environmental Planning and Assessment Act 1979*](#)

[*Environmental Planning and Assessment Regulation 2021*](#)

[*Protection of the Environment Operations Act 1997*](#)

[*Privacy and Personal Information Protection Act 1998*](#)

[*Local Government Act 1993*](#)

[*Local Government \(General\) Regulation 2021*](#)

[*Australian Sewage Quality Management Guidelines \(2012\)*](#)

[*Liquid Trade Waste Management Guidelines \(2021\)*](#)

[*Water Management Act 2000*](#)

[*Environmentally Hazardous Chemicals Act 1985*](#)

[*Plumbing Code of Australia*](#)

1.5.2 Policy

[Liquid Trade Waste Regulation Policy.](#)

1.5.3 Application

Liquid trade waste is defined in the *Local Government (General) Regulation 2021* as:
'all liquid waste other than sewage of a domestic nature.'

Liquid trade waste discharges to the sewerage system include liquid wastes 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 that are not associated with domestic households
- septic tank waste, chemical toilet waste, waste from marine pump-out facilities, and established sites for the discharge of pan content from mobile homes/caravans to the sewerage system.

The definition of liquid trade waste applies to 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, and this Code applies to the management of such wastes. Accordingly, specific references to these wastes are provided in this Code, where necessary.

Liquid trade waste excludes:

- toilet, hand wash basin*, shower and bath wastes derived from all the premises and activities mentioned above (*used for personal hygiene only)
- 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.

1.6 Dischargers deemed to be approved

The Secretary has consented to an exemption from the requirement to apply for approval for liquid trade waste discharge to the sewerage system for certain commercial business activities considered to have minimal impact on the sewerage system (see

[Appendix 1](#)). Each such business must meet the standard requirements specified. An annual trade waste fee applies to each such discharger.

Further information can be found in the [Liquid Trade Waste Management Guidelines 2021](#) ('the Guidelines').

1.7 Approvals

Council's decision to accept liquid trade waste into its sewerage system is on the basis of a preventive risk management framework for managing risks to the sewerage system within an integrated water cycle management context. It will be based on the discharge meeting Council's requirements.

When determining an application to discharge liquid trade waste to the sewerage system, Council will consider a number of criteria (see [Appendix 2](#)), including:

- factors for consideration
- discharge quality
- prohibited substances
- stormwater discharges from open areas
- food waste disposal units
- devices that macerate or pulverise water
- use of additives in pre-treatment systems.

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

Liquid trade waste application forms can be found on Council's website: [Liquid Trade Waste Application Form](#).

1.8 Liquid trade waste site inspections

Inspection process

Council implements a regular inspection of commercial and industrial premises as part of the due diligence responsibility to monitor and audit the liquid trade waste pre-treatment system for confirmation that the discharger follows the terms and conditions of an approval. All trade waste discharges need to be inspected at least annually. Some require more frequent site inspections, particularly where non-compliance is evident.

Fees are charged for inspections and are available from [Council's fees and charges](#).

Re-inspections

A re-inspection is required where incidents or breaches have occurred on a previous inspection or notification. A re-inspection fee should apply. The re-inspection may ascertain that:

- the non-compliance has been rectified
- procedures have been initiated to prevent re-occurrence
- steps have been taken to modify the pre-treatment
- steps in an Effluent Improvement Plan have been completed
- a discharge may or may not be from the premises as the result of a pollution inquiry investigation such as a dumping incident.

1.9 NSW framework for regulation of sewage and trade waste

The NSW framework for regulation of sewage and trade waste involves a preventative risk management approach. This has been developed to address the use of common pool resources by providing economic incentives for dischargers to minimise their waste to consistently comply with their conditions of approval.

The framework outlines the following (see [Appendix 3](#)):

- NSW framework for regulation of sewage 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 and misuse of water
- contaminated stormwater discharges from open areas.

2 RESPONSIBILITIES

2.1 Staff

Under supervision, applicable Council staff will be responsible for ensuring that this Code is implemented appropriately within their work area, after they have received relevant training to do so.

2.2 Requests and concerns

Requests and concerns received from the community regarding this Code will be recorded on Council's records system and handled in accordance with Council's Customer Service Policy. They will be used to help determine follow-up actions and to analyse the history of requests and concerns.

2.3 Complaints

Complaints received regarding this Code will be lodged with the Public Officer and handled in accordance with Council's Complaints Policy.

2.4 Consultation

Any necessary consultation will occur when, and if required, with key stakeholders and may include the community, legislative bodies, other relevant legislation, and industry guidelines.

3 MONITORING AND REVIEW

This Code may be reviewed and updated as necessary when:

- legislation or policy requires it
or
- Council's functions, structure or activities change
or
- when technological advances or new systems change the way that Council manages liquid trade waste.

Reviews of the effectiveness of this Code could include the following:

- review of the Code will be conducted when there are amendments to legislation.

4 SUPPORTING DOCUMENTS

The following documents support this Code of Practice:

Name	Link
Appendix 1: Exemptions	Appendix 1
Appendix 2: Criteria for approval to discharge liquid trade waste into Council's sewerage system	Appendix 2
Appendix 3: Framework for regulation of liquid trade waste	Appendix 3

5 GOVERNANCE

Related legislation and policies

Name	Link
Related Council policy or Code	Liquid Trade Waste Regulation Policy (nsw.gov.au)

Name	Link
<i>Local Government Act 1993</i>	Local Government Act 1993 No 30 Local Government Bill 1993 - NSW Legislation
<i>Local Government (General) Regulation 2021</i>	Local Government (General) Regulation 2021 - NSW Legislation
<i>Environmental Planning and Assessment Act 1979</i>	Environmental Planning and Assessment Act 1979 No 203 - NSW Legislation
<i>Environmental Planning and Assessment Regulation 2021</i>	Environmental Planning and Assessment Regulation 2021 - NSW Legislation
<i>Protection of the Environment Operations Act 1997</i>	Protection of the Environment Operations Act 1997 No 156 - NSW Legislation
<i>Privacy and Personal Information Protection Act 1998</i>	Privacy and Personal Information Protection Act 1998 No 133 - NSW Legislation
<i>Australian Sewage Quality Management Guidelines (2012)</i>	https://www.wsaas.asn.au/shop/product/5696
<i>Liquid Trade Waste Management Guidelines 2021</i>	Liquid Trade Waste Management Guidelines (nsw.gov.au)
<i>Water Management Act 2000</i>	Water Management Act 2000 No 92 - NSW Legislation
<i>Environmentally Hazardous Chemicals Act 1985</i>	Environmentally Hazardous Chemicals Act 1985 No 14 - NSW Legislation
<i>Plumbing Code of Australia</i>	https://ablis.business.gov.au/service/ag/the-plumbing-code-of-australia-pca/31066
<i>Australian/New Zealand Standard AS3500, Part 2, Sanitary Plumbing and Sanitary Drainage</i>	Australian/New Zealand Standard™: Plumbing and drainage Part 2: Sanitary plumbing and drainage (archive.org)

Related external references (optional – delete if not used)

Name	Link
Office of Local Government	https://www.olg.nsw.gov.au/

APPENDIX – 1

Part 1 – Exemptions for obtaining approval of liquid trade waste discharge

Table 1: Deemed to be approved dischargers

This table lists commercial business activities that the Director-General has consented to an exemption from the requirement to apply for approval for liquid trade waste discharge to the sewerage system. Each business must meet the standard requirements specified below.

An annual trade waste fee applies to each such discharger.

Activity	Requirements
Beautician	Solvents not to be discharged to sewer.
Bed and breakfast (not more than ten persons including proprietor)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Cooling tower <500 L/hr	No chromium-based products to be discharged to the sewer.
Crafts ceramic, pottery, etc, (including hobby clubs) – flows <200 L/d	Nil.
Crafts ceramic, pottery, etc. (including hobby clubs) – flows 200 – 1000 L/d	Plaster arrestor required.
Daycare centre (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4). Nappies are not to be flushed into the toilet.
Delicatessen (no hot food prepared)	Sink strainers in food preparation areas. Housekeeping practices (see Note 4).
Dental technical	Plaster arrestor required.
Doctor's surgery (no amalgam waste)	Nil.
Dog/cat groomer/animal wash only	Dry basket arrestor for floor waste outlet and sink strainer/hair trap required (see Note 3). Animal litter and any disposable waste products must not be discharged to sewer. Organophosphorus pesticides are prohibited to be discharged to sewer.
Florist	Dry basket arrestor for floor waste outlet and sink strainer required. Herbicides/pesticides are not permitted to be discharged to sewer.
Fruit and vegetable - retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3).

Activity	Requirements
Hairdressing	Dry basket arrestor for floor waste outlet and sink strainer/hair trap.
Jewellery shop: a. Miniplate b. Ultrasonic washing c. Precious stone cutting	a. Miniplate vessel to contain no more than 1.5 L of precious metal solution. b. Nil. c. If: < 1000 L/d plaster arrestor required. If: > 1000 L/d general purpose pit required.
Medical centre/doctor's surgery/physiotherapy (plaster casts only)	Plaster arrestor required if plaster-of-paris casts are used.
Mixed business (minimal hot food)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3). Housekeeping practices (see Note 4).
Mobile cleaning units: a. Carpet cleaning b. Garbage bin washing	a. 20-micron filtration system fitted to a mobile unit. b. Dry basket arrestor for floor waste outlet is required. Discharge via grease arrestor (if available).
Motel (no hot food prepared and no laundry facility)	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3). Housekeeping practices (see Note 4).
Nut shop	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 3).
Optical service – retail	Solids settlement tank/pit required.
Pet shop – retail	Dry basket arrestor for floor waste outlet and sink strainer required (see Note 2). Animal litter and any disposable waste products must not be discharged to the sewer. Organophosphorus pesticides are prohibited to be discharged to the sewer.
Pizza reheating for home delivery	Housekeeping practices (see Note 4).
Venetian blind cleaning	Nil (see Note 2).
Notes: <ol style="list-style-type: none"> 1. Where 'required' is used, it means as required by Council. 2. If activity is conducted outdoors, the work area is to be roofed and bunded to prevent stormwater ingress into the sewerage system. 3. Dry basket arrestors must be provided for all floor waste outlets. 4. Use of a food waste disposal unit (garbage grinders) and/or a food waste processing unit (food digesters, composters, etc,) is not permitted. Food preparation activities need to comply with sound housekeeping practices, including: <ol style="list-style-type: none"> a. dry sweeping floors before washing b. scraping all utensils, plates, bowls etc, into a waste bin before washing up. 	

APPENDIX – 2

Part 2 – Criteria for approval to discharge liquid trade waste into Council’s sewerage system

2.1 Factors for consideration

Council’s decision to accept liquid trade waste into its sewerage system is on the basis of a preventive risk management framework for managing risks to the sewerage system within an integrated water cycle management 1. context. It will be based on the discharge meeting Council’s requirements 2.

When determining an application to discharge liquid trade waste to the sewerage system, Council will consider the following factors:

- the potential for 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 Council’s employees
- the possible impact of the discharge on Council’s sewerage infrastructure or sewage treatment process
- the capability of the sewerage system (both transportation and treatment components) to accept the quality and quantity of the proposed liquid trade waste discharge
- the impacts the liquid trade waste will have on the ability of the sewerage scheme to meet its Environmental Protection Authority licence requirements
- compliance of the proposed liquid trade waste discharge with guideline limits in this Code
- the potential impacts of the discharge on the quality of, and management practices for, effluent and bio-solids produced from the sewage treatment process
- the adequacy of the pre-treatment process(es) to treat the liquid trade waste to a level acceptable for discharge to the sewerage system, including proposed safeguards if the pre-treatment system fails
- whether appropriate safeguards are proposed to avoid the discharge of other, non-approved wastes to the sewerage system
- 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.

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 80 of the *Australian Sewage Quality Management Guidelines*, June 2012, Water Services Association of Australia (WSAA) will be adopted:

1. avoidance
2. minimisation
3. re-use
4. recovery of energy
5. treatment
6. disposal.

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. Similarly, septic and pan waste may exceed some guideline limits.

2.2 Discharge quality

Council has guideline limits for the acceptance of discharges, as set out in Tables 2, 3 and 4 on pages 15 to 16. Council may vary the guideline limits for particular sewage treatment works. Where the guideline limits cannot be met, applicants are required to provide justification for exceeding the limits. Based on the type and the proposed contaminant levels, Council may refuse the application or approve it, subject to an Effluent Improvement Program or other conditions being implemented.

2.3 Prohibited substances

Some substances are not suitable for discharge to the sewerage system. Table 5 sets out those substances which must not be discharged to the sewerage system. Council may not grant approval for the discharge of these substances to the sewerage system unless it is specifically approved under section 68 of the *Local Government Act 1993*.

2.4 Stormwater discharges from open areas

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

However, it is recognised that it may not always be possible or practical to prevent all stormwater entering the sewerage system at some liquid trade waste premises. The discharge of limited quantities of first flush stormwater from sealed areas 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
- measures proposed for diverting stormwater away from the liquid trade waste-generating area
- 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 the first 10mm of storm runoff)
- report on other stormwater management options considered and why they are not feasible.

Note:

Trade waste charges for the acceptance of stormwater to the sewerage system are indicated in section 3.7.8.

2.5 Food waste disposal units

The use of food waste disposal units (also known as in-sinkerators, in-sink food waste disposers, or garbage grinders) is not permitted.

2.6 Devices that macerate or pulverise waste

Macerators and any other similar devices that are used for pulverising of solid waste are not authorised to connect to Council's sewerage system. Solid waste includes, but is not limited to: sanitary napkin; placenta; surgical waste; disposable nappy; Mache bedpan, and urine containers.

2.7 Use of additives in pre-treatment systems

Council does not allow solvents, enzymes, bio-additives, and odour control agents to be used in pre-treatment systems (except neutralising chemicals).

General acceptance guideline limits	
Parameter*	Limits#
Flow rate	The maximum daily and instantaneous rate of discharge (kL/h or L/s) is set on the available capacity of the sewer. Large dischargers are required to provide a balancing tank to even out the load on the sewage treatment works.
BOD5 and suspended solids	Normally, approved at 300 mg/L each. Concentrations up to 600mg/L and in some cases higher for low mass loadings may be acceptable if the treatment works has sufficient capacity and odour will not be a problem.

General acceptance guideline limits	
Parameter*	Limits#
COD	Normally, not to exceed BOD5 by more than three times. This ratio is given as a guide only to prevent the discharge of nonbiodegradable waste.
Total dissolved solids	Up to 4000 mg/L may be accepted. However, the acceptance limit may be reduced depending on available effluent disposal options, and will be subject to a mass load limit.
Temperature	Less than 38°C.
pH	Within the range 7.0 to 9.0.
Oil and grease	100 mg/L if the volume of the discharge does not exceed 10% of the design capacity of the treatment works, and 50 mg/L if the volume is greater than 10%.
Detergents	All industrial detergents are to be biodegradable. A limit on the concentration of 50 mg/L (as MBAS) may be imposed on large liquid trade wastes.

* See [glossary](#) for explanation of terms

Refer to *Australian Sewage Quality Management Guidelines*, June 2012, WSAA for recommended analytical methods.

Table 2: Guideline limits for acceptance of liquid trade wastes into sewerage system

Colour	No visible colour when the waste is diluted to the equivalent dilution afforded by domestic sewage flow.
Radioactive substances	The discharge must comply with the Radiation Control Act 1990 .

Table 3: Guideline limits for acceptance of inorganic and organic liquid trade waste compounds into sewerage system

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

Acceptance guideline limits for organic compounds	
Benzene	<0.001
Toluene	0.05
Ethylbenzene	1
Xylene	1
Formaldehyde	30
Phenolic compounds (except pentachlorophenol)	5
Total recoverable hydrocarbons C6–C9 (flammable)	5
Total	30
Pesticides	
General	0.1
Organochlorine	Nil
Organophosphorus	Nil
Polynuclear aromatic hydrocarbons (PAHs)	5

Table 4: Guideline limits for acceptance of liquid trade wastes containing metals into sewerage system

Parameter	Maximum concentration (mg/L)	Allowed daily mass limit (g/d)
Acceptance guideline limits for metals		
Aluminium	100	-
Arsenic	0.5	2
Cadmium	1	5
Chromium*	3	10
Cobalt	5	15
Copper	5	15
Iron	100	-
Lead	1	5
Manganese	10	30
Mercury	0.01	0.05
Molybdenum	5	30
Nickel	1	5
Selenium	1	5
Silver	2	5
Tin	5	15
Zinc	1	15
Total heavy metals excluding aluminium, iron, and manganese	Less than 30mg/L and subject to total mass loading requirements	

Note:

* Where hexavalent chromium (Cr6+) is present in the process water, pre-treatment will be required to reduce it to the trivalent state (Cr3+) prior to discharge into the sewer. Discharge of hexavalent chromium (Cr6+) from chromate compounds used as corrosion inhibitors in cooling towers is not permitted.

Table 5: Substances prohibited from being discharged into the sewerage system

1.	Organochlorine weedicides, fungicides, pesticides, herbicides, and substances of a similar nature and/or wastes arising from the preparation of these substances.
2.	Organophosphorus pesticides and/or waste arising from the preparation of these substances.
3.	Per- and poly-fluoroalkyl substances (PFAS).
4.	Any substances liable to produce noxious or poisonous vapours in the sewerage system.
5.	Organic solvents and mineral oil.
6.	Any flammable or explosive substance.
7.	Discharges from chemicals and/or oil storage areas and 'bulk fuel depots'.
8.	Natural or synthetic resins, plastic monomers, synthetic adhesives, rubber, and plastic Emulsions.
9.	Roof, rain, surface, seepage, or ground water, unless specifically permitted (clause 137A of the <i>Local Government (General) Regulation 2021</i>).
10.	Solid matter.
11.	Disposable products including wet wipes, cleaning wipes, colostomy bags, cat litter and other products marketed as flushable.
12.	Any substance assessed as not suitable to be discharged into the sewerage system.
13.	Liquid waste that contains pollutants at concentrations which inhibit the sewage treatment process – refer to <i>Australian Sewage Quality Management Guidelines</i> , June 2012, WSAA.
14.	Any other substance(s) listed in a relevant Regulation.

APPENDIX – 3

Part 3 – Framework for regulation of liquid trade waste

3.1 The NSW framework for regulation of sewage and trade waste

Due to the Tragedy of the Commons¹ in the use of common pool resources, sound regulation of sewage and trade waste require implementation of all the following integrated measures:

- preparation and implementation of a sound Liquid Trade Waste Regulation Policy, assessment of each liquid trade waste application, and determination of appropriate conditions of approval (refer to chapter 2). Conditions must be consistent with Council's Integrated Water Cycle Management Strategy and Demand Management Plan
- preparation and implementation of a sound Development Servicing Plan, with commercial sewerage developer charges to ensure new development pays a fair share of the cost of the required infrastructure
- full cost recovery with appropriate sewer usage charges and liquid trade waste fees and charges 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
- monitoring, mentoring, and coaching of dischargers in order to achieve cleaner production and assist them to comply with their conditions of approval
- enforcement, including appropriate use of penalty notices in the NSW legislation. Orders may also be issued under the *Local Government Act 1993* (see section 2.8.3 of these Guidelines)
- disconnection of a liquid trade waste service in the event of persistent failure to comply with Council's conditions of approval (see section 2.8.5 of these Guidelines).

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

Notes:

1. 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 minimise 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.

3.2 Alignment with the national framework for wastewater source management

The NSW framework for regulation of sewage and trade waste is outlined in section 3.1.

The 12 elements of the national framework for sewage quality management are set out in the *Australian Sewage Quality Management Guidelines*, June 2012, WSAA2. Under the 'Best Practice Management of Water Supply and Sewerage Guidelines', each council must achieve the following outcomes, which are matched against the elements indicated in the *Australian Sewage Quality Management Guidelines* as listed below:

- 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 performance report and action plan that identifies and addresses any areas of under-performance (elements 5, 6, 9, 10, 11, 12)
- full cost recovery for water supply, sewage and liquid trade waste services and apply an appropriate non-residential sewer usage charge (elements 3, 8)
- prepare and implement a sound Liquid Trade Waste Regulation Policy and issue an appropriate approval to each liquid trade waste discharge, including waste minimisation and cleaner production (elements 1, 2, 3, 4, 7, 8)
- appropriate liquid trade waste fees and charges, including incentives to comply with Council's approval conditions through non-compliance trade waste usage charges and non-compliance excess mass charges (elements 3, 8)
- Liquid Trade Waste Services Agreement for large discharges to assure compliance (elements 3, 8)
- appropriate training of Council staff and monitoring, mentoring, and coaching of liquid trade waste dischargers (elements 1, 4, 5, 7, 8)
- enforcement, including appropriate use of Penalty Notices or Orders (elements 3, 8)
- disconnection of a liquid trade waste service in the event of persistent failure to comply with Council's conditions of approval (element 8).

Note:

2 The following 12 elements of the national framework for sewage quality management are set out on page 18 of the *Australian Sewage Quality Management Guidelines*, June 2012, WSAA:

Commitment

1. Commitment to wastewater source management (system analysis and management).
2. Assessment of the wastewater system.
3. Preventive measures for wastewater input quality management.
4. Operational procedures and process control.
5. Verification of wastewater inputs quality.
6. Management of incidents/complaints and emergencies.

Supporting requirements

7. Employee awareness and training.
8. Customer and stakeholder involvement and awareness.
9. System validation and research and development.
10. Documentation and reporting.

Review

11. Evaluation and audit.
12. Review and continual improvement.

3.3 Application procedures

To obtain Council's approval to discharge liquid trade waste to Council's sewerage system, a discharger must lodge an application in writing. Application forms are available from Council.

If a person wishes to discharge liquid trade waste to the sewerage system but is not the owner of the premises, the person must obtain the owner's consent to the application. The applicant must provide the following information:

- applicant's full name, address, and contact details
- site owner's full name, address, and contact details, if different to the applicant
- address of the business/industry where discharge to sewerage system will occur
- contact person and contact details for the premises
- proposed date of commencement of discharge to the sewerage system
- type of process/activity generating liquid waste
- hours of business operation
- proposed rate of discharge, including:
 - maximum per day and per hour (if applicable)
 - hours of the day during which discharge takes place.

- proposed pre-treatment equipment including:
 - type and details (eg, model)
 - size
 - operational procedures
 - details on equipment maintenance.
- site plan, including:
 - liquid waste pre-treatment facilities
 - internal wastewater drainage
 - location of sampling points
 - proposed connection point to the sewerage system
 - stormwater drainage plan - additional information required for applications in Concurrence Classification B or C.
- flow diagram and hydraulic profile of any proposed pre-treatment facilities
- physical and chemical characteristics of the proposed discharge, including:
 - nature of source
 - expected maximum and average concentrations of pollutants
 - temperature and pH.
- nature and chemical composition of all substances stored/used onsite
- details of storage facilities
- relevant safety data sheets
- location of flow measurement point and proposed methods
- proposed arrangements for the disposal of other wastes not discharged to the sewerage system
- any relevant environmental impact assessments
- consultant report (if applicable)
- any additional details as requested by Council.

Additional information required for applications in Concurrence Classification S is shown in section 7.4.2 of the *Liquid Trade Waste Management Guidelines (2021)* and includes:

- name, address, and telephone number of business/industry responsible and the contact person
- type of waste
- other waste collected by the applicant, but not proposed to be discharged to the sewerage system, including evidence to support appropriate disposal (details of disposal location, logbooks, receipts etc,)
- volume of waste proposed to be discharged (daily, weekly, one-off, etc,)—applies only to tank waste
- details of any odour-inhibiting or other chemicals used, including dosage rates
- proposed method of discharge including plans and drawings, if applicable
- proposed method of flow measurement, where required
- security arrangement at the proposed disposal site, if applicable
- measures to prevent stormwater ingress to the sewerage system (for the proposed dump point)

- any additional information requested by Council.

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

3.4 Approval of applications

Where an application is approved, Council will notify the applicant as soon as practical of the approval and any conditions of the approval. Where a lawful business activity operates with development consent, an approval issued under section 68 of the *Local Government Act 1993* (to dispose of waste to Council's sewer) remains in effect until such time as the character of the waste or scale of the activity alters from that approved.

In cases where Council requires a discharger to enter into a Liquid Trade Waste Services Agreement (refer to section 3.9 on page 36), Council will issue a deferred commencement approval under section 95 of the *Local Government Act 1993* requesting the discharger to do so within the time specified in Council's letter. In such cases, the approval will not be operative until the agreement has been executed by the discharger.

An applicant may make a minor amendment or withdraw an application before it is approved by Council. An applicant may also apply to Council to renew or extend an approval in accordance with section 107 of the *Local Government Act 1993*.

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

3.5 Concurrence

If Council supports an application and has a notice stating that concurrence of the Director-General, of the Trade and Investment, Regional Infrastructure and Services (DTIRIS) can be assumed for the waste relevant to the application, Council will approve the application. Otherwise, Council will seek concurrence in accordance with the requirements of section 90(1) of the *Local Government Act 1993*. All such concurrence requests will be provided to the NSW Office of Water.

Liquid trade waste discharges are divided into four Concurrence Classifications for the purpose of the concurrence process:

<p>Concurrence Classification A</p>	<p>Liquid trade waste has 'automatic assumed concurrence'. This means that for waste in this classification, councils can assume concurrence to the approval without forwarding individual applications to the Department, if it complies with requirements outlined in chapter 4 of the Guidelines. Council must submit a report annually on approved discharges in this classification.</p>
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Concurrence Classification B	Liquid trade waste has 'assumed concurrence on application'. For waste in this classification, Council may apply to the Department for authorisation to assume concurrence. The Department will grant concurrence, including approval of liquid trade waste discharges with undersized grease arrestors, if the requirements outlined in chapter 5 of the Guidelines are satisfied. Council must submit an annual report on approved discharges.
Concurrence Classification C	Liquid trade waste requires 'mandatory concurrence' for dischargers that do not fall within Concurrence Classification A, B or S. Council will need to obtain concurrence from the Department for each application.
Concurrence Classification S	Involves human waste from on-site sewerage management facilities. For waste in this classification, Council may apply to the Department for authorisation to assume concurrence. Assumed concurrence will be granted for some liquid wastes if Council satisfies the requirements outlined in section 7.3 of the Guidelines. Concurrence to approval is required for each application where the waste is not nominated in the notice of assumed concurrence, or Council has not been granted such notice. Again, Council must submit an annual report on approved discharges.

All councils have been authorised to assume concurrence for Concurrence Classification A liquid trade waste discharges. These are listed in Table 6 and Council will not need to seek concurrence for approval of trade waste applications for these activities.

Table 6: Liquid trade waste discharges with automatic assumed concurrence

Commercial retail food preparation activities	Other commercial activities
Boarding house/hostel kitchen	Animal wash activities
Butcher	Boiler blowdown/condensing boiler
Bistro	Car detailing
Café/coffee shop/bistro	Cooling towers
Canteen/cafeteria	Craft activities
Chicken/poultry shop—retail barbeque/charcoal chicken (barbeque not connected to sewer)	Dental surgery/dental specialist/dental technician
Chicken/poultry shop—retail roast chicken with oven connected to sewer	Dry-cleaning
Chicken/poultry shop (only fresh chickens/game sold)	Dental technician
Chicken/poultry shop—fresh chicken only for retail with cutting and preparation of meat onsite	Florist
Club	Funeral parlour/morgue
Club (kitchen wastes)	Hairdressing, beauticians, and tanning booths
Commercial kitchen/caterer	Jewellery shop

Commercial retail food preparation activities	Other commercial activities
Community hall/civic centre	Laboratory
Daycare centre	Laundry or laundromat
Delicatessen	Lawnmower repairs
Fast food outlet (McDonalds, KFC, Burger King, Pizza Hut, Red Rooster, etc.)	Mechanical workshops/lawnmower repairs
Fish shop (retail – fresh and/or cooked)	Medical centre/doctor's surgery/ physiotherapy (plaster-of-paris casts, laboratory)
Fruit and vegetable shop	Mobile cleaning units
Function centre with hot food prepared and/ or served onsite	Nursing homes Optical service and glass cutting/grinding activities
Hotel	Pet shop (retail)
Ice cream parlour	Photographic (non-digital)
Juice bar—no hot food	Plants (retail)
Mixed business—with hot food	School
Mobile food van	Stone working
Motel	Surfboard manufacturing (wet process only)
Nightclub	Swimming pool/ spa/ hydrotherapy
Nursing home kitchen	Vehicle washing/detailing—commercial and small non-commercial
Nut shop	Veterinary surgery
Patisserie	
Pie shop	
Pizza shop	
Restaurant	
Salad bar/sandwich shop/snack bar	
School—canteen or home science with cooking	
Supermarket, with butcher/ delicatessen/ seafood/bakery - retail roast chicken (oven connected to sewer)	
Take-away food outlet	

Note:

- If there are more than four dischargers (excluding those 'deemed to be approved'), the application must be treated as Concurrence Classification B.
- The volume of liquid trade waste must not exceed 5 kL/d, except in the case of commercial retail food preparation activities, where up to 16 kL/d is included in this category. If the waste discharged to the sewer exceeds these volumes, the application must be treated as Concurrence Classification B.
- Discharges over 20 kL/d must be treated as Concurrence Classification C.

3.6 Liquid trade waste charging categories

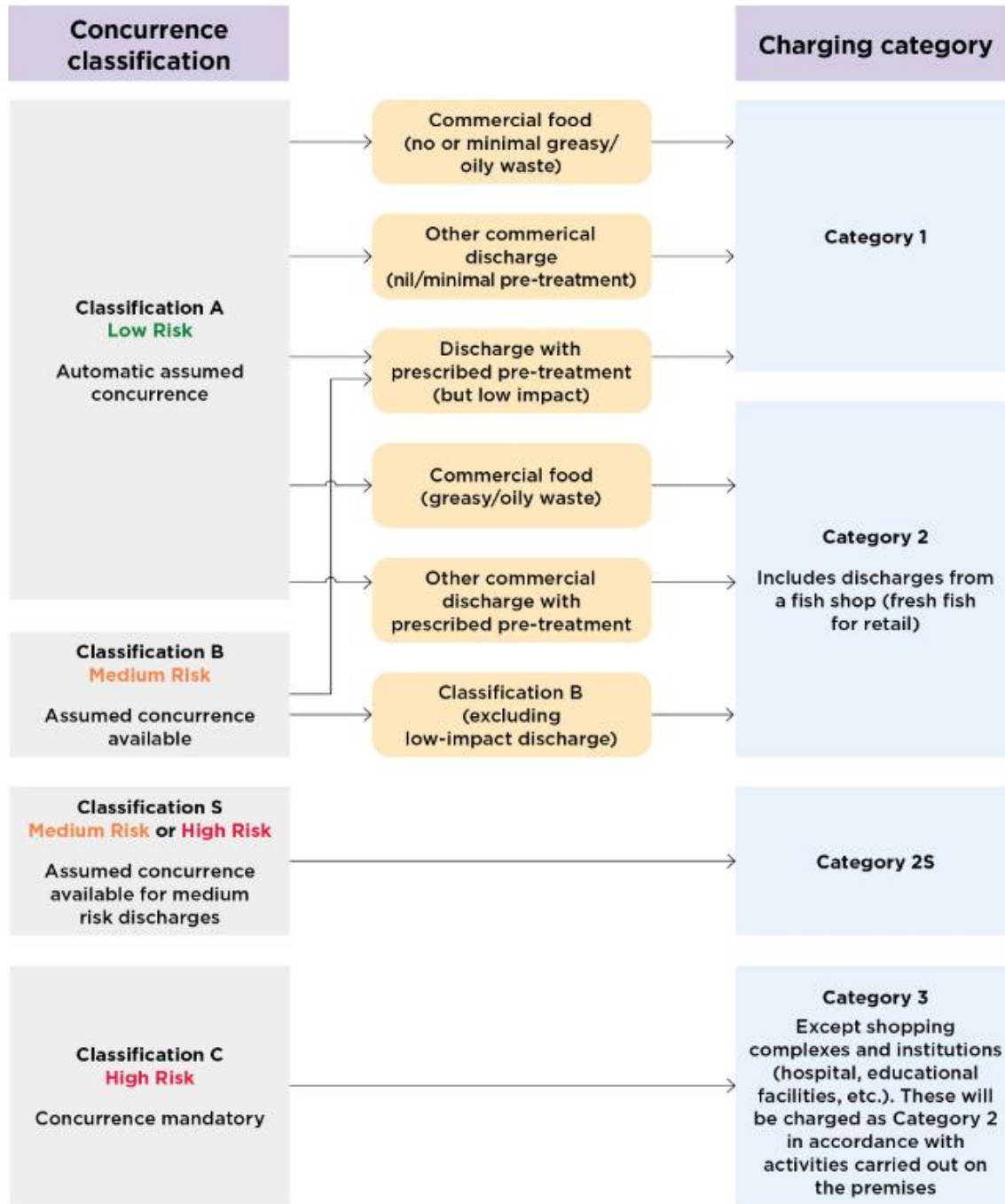
Four classifications of liquid trade waste have been established for concurrence purposes: Classification A, B, C and S (refer to section 3.5).

For trade waste charging purposes there are also four charging categories: Category 1, 2, 2S and 3 (refer to section 3.7).

Figure 1 (next page) shows that:

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

Figure 1: Charging categories for trade waste



Category 1 discharger

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

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

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

Classification A or B activities – dischargers with prescribed pre-treatment with low impact on the sewerage system: boiler blowdown; cooling tower; industrial boilers; laboratory (analytical/pathology/tertiary institution); laundry; primary and secondary school ⁶; vehicle washing.

Notes:

³ Excludes low impact activities, listed under Category 1.

Category 2 discharger

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

Trade waste dischargers with prescribed pre-treatment ⁴ include:

Classification A discharges—commercial retail food preparation/serving activities that generate oily/greasy waste: bakery (pies, sausage rolls; quiches; cakes; pastries with creams or custards); bistro; boarding house/hostel kitchen (exceeding ten persons); butcher; café/coffee shop/coffee lounge; cafeteria; canteen; chicken/poultry shop; daycare centre with hot food; club; community hall ⁵; commercial kitchen/caterer; delicatessen with hot food; fast food outlet; fish shop (retail and cooking onsite); function centre; hotel; ice cream parlour; motel; nightclub; nursing home; patisserie; pizza cooking; restaurant; supermarket; takeaway food outlet with hot food; school canteen with hot food.

Notes:

⁴ Excludes low impact activities, listed under Category 1.

⁵ If the type and size of kitchen fixtures installed enable catering for large functions.

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

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

Category 2S discharger

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

Trade waste dischargers include the following Classification S activities:

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

Category 3 discharger (large or industrial waste dischargers)

Category 3 liquid trade waste dischargers are those conducting an activity that is of an industrial nature and/or results in the discharge of large volumes of liquid trade waste to the sewerage system.

Concurrence Classification A or B discharger (ie, in Category 1 or 2) whose volume exceeds the limits indicated in chapters 4 and 5 (and indicated below), becomes a Category 3 discharger (excluding shopping centres and institutions):

- Classification A—discharge volume > 20 kL/d
- Classification B—greater than the volumes shown in Table 13.

All Classification C dischargers belong to charging Category 3.

Classification C discharges include: abattoir; acid pickling; adhesive/latex manufacture; agricultural and veterinary drugs; anodising; bitumen and tar; bottle washing; brewery; cardboard and carton manufacture; carpet manufacture; caustic degreasing; chemicals manufacture and repackaging; contaminated site treatment; cooling towers; cosmetics/

perfumes manufacture; cyanide hardening; dairy processing (milk/cheese/yoghurt/ice cream etc.); detergent/soaps manufacture; drum washing; egg processing; electroplating; extrusion and moulding (plastic/metal); feather washing; fellmonger; felt manufacture; fertilisers manufacture; fibreglass manufacture; filter cleaning; foundry; food processing (cereals/ cannery/ condiments/ confectionary/ edible oils/ fats/ essence/ flavours /fish/ fruit juice/ gelatine/ honey/ meat/ pickles/ smallgoods/ tea and coffee/ vinegar/ yeast manufacture, etc.); food waste processing unit (digester/composter); fruit and vegetable processing; flour milling; galvanising; glass manufacture; glue manufacturer; ink manufacture; laboratories (excluding those in Categories 1 and 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; pet food processing; plants nursery (open areas); pharmaceuticals manufacture; plaster manufacture; powder coating; potato processing; poultry processing; printing (newspaper, lithographic); saleyards; sandblasting; seafood processing; slipway; soft drink/ cordial manufacture; starch manufacture; sugar refinery; tanker washing; tannery; timber processing (joinery and furniture/plywood/hardwood); textile manufacture (wool dyeing/ spinning/ scouring); tip leachate; transport depot/terminal; truck washing (internal); waxes and polishes; water treatment backwash; wholesale meat processing; winery; distillery; wine/spirit bottling.

3.7 Liquid trade waste fees and charges

Council provides sewage and liquid trade waste services on a commercial basis, with full cost recovery through sewage 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 described in Section 8 of the *Liquid Trade Waste Management Guidelines (2021)*.

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 sewage, appropriate fees and charges are levied for liquid trade waste.

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

- general fees and charges:
 - application fee
 - renewal fee
 - annual liquid trade waste fee
 - inspection and/or re-inspection fees
 - annual and re-inspection fees for premises with multiple activities (refer to section 8.3.9)
- category-specific charges:
 - trade waste usage charges applicable to Category 2 discharges

- excess mass charges applicable to Category 3 discharges
- charges applicable to Classification S discharges
- non-compliance charges
- other charges related to the nature of the waste:
 - charges for the discharge of large quantities of stormwater, groundwater, or high-quality water to the sewerage system
 - food waste disposal charges, etc.

3.7.1 Application fee

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

3.7.2 Annual trade waste fee

The purpose of this fee is to recover the cost incurred by Council for administration and the scheduled inspections each year to ensure a liquid trade waste discharger's ongoing compliance with the conditions of their approval. Annual liquid trade waste fees are determined on the basis of the category of the discharger and are proportionate to the complexity of their inspection and administration requirements. Annual trade waste fees will be set by Council. Where the discharger is required to pay for monitoring this will be charged on the basis of full cost recovery.

3.7.3 Re-inspection fee

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

3.7.4 Trade waste usage charge

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

Trade waste usage charge (\$) = Q x C

Where:

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

C = Charging rate (\$/kL)*

Note:

*Rate is based on the current fees and charges and is subject to change in the annual review of fees and charges.

3.7.5 Excess mass charges

Excess mass charges will apply for substances discharged in excess of the deemed concentrations in domestic sewage shown in Table 7 below. For excess mass charge calculation, equation (1) below will be applied.

Table 7: Deemed concentration of substances in domestic sewage

Substance	Concentration (mg/L)
Biochemical oxygen demand (BOD5)	300
Suspended solids	300
Total oil and grease	50
Ammonia (as nitrogen)	35
Total kjeldahl nitrogen	50
Total phosphorus	10
Total dissolved solids	1000
Sulphate (SO4)	50#

Note:

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

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

Equation (1)

$$EMC (\$) = \frac{(S - D) \times Q_{TW} \times U}{1,000}$$

Where:

EMC = Excess mass charge

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

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

Q_{TW} = Volume (kL) of liquid trade waste discharged to the sewerage system.

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

Charging rates (U) used in equation (1) are as shown in Council's Annual Management Plan.

Equation (1) applies for all parameters including BOD5 up to 600 mg/L (excluding COD and pH)

Excess mass charges for BOD exceeding 600mg/L

If Council approves the acceptance limits for BOD5 higher than 600mg/L, an exponential type equation will be used for calculation of the charging rate U_e (\$/kg) as shown in equation (2).

Equation (2) provides a strong incentive for dischargers to reduce the strength of waste. In

addition, equation (5) on page 34 will be used where the discharger has failed to meet their approved BOD limit on two or more instances in a financial year.

Equation (2)

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

Where:

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

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

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

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

$\$0.623/\text{kg}$ for BOD5 600mg/L

$\$1.96/\text{kg}$ for BOD5 1200mg/L

$\$5.05/\text{kg}$ for BOD5 2400mg/L

3.7.6 Non-compliance charges

Category 1 and 2 dischargers

If the discharger has not installed or maintained appropriate pre-treatment equipment, a non-compliant trade waste usage charge will be applied for the relevant billing period. Current charges can be found in Council's latest [Delivery Program and Operational Plan \(DPOP\)](#).

Category 3 discharger

Non-compliance pH charge

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

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

Equation (3)

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

Where:

K = pH coefficient (refer to Council's latest [Delivery Program and Operational Plan \(DPOP\)](#)).

Absolute value to be used.

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

Charging rate (\$/kL) = $0.38 \times [7 - 8] \times 2^{(7-8)} = \$0.76/\text{kL}$

Case 2: pH measured 11.0

Charging rate (\$/kL) = $0.38 \times [11-9] \times 2^{(11-9)} = \$3.04/\text{kL}$

Non-compliance excess mass charge

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-compliance excess mass charges, except for BOD where equation (5) shall apply.

$$\text{Non-compliance excess mass charges (\$)} = \frac{(S - A) \times Q \times 2U}{1,000} + \frac{(S - D) \times Q \times U}{1,000}$$

Where:

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

A = Approved maximum concentration (mg/L) of pollutant as specified in Council’s approval (or Liquid Trade Waste Policy).

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

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

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

Non-compliance excess mass charges for BOD

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

Equation (5)

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

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

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

A = BOD5 approved limit.

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

For example, if $C = \$0.623/\text{kg}$, BOD5 actual (measured) level is 2400mg/L and the approved maximum concentration of BOD5 (A) is 1000mg/L, equation (5) would result in a non-compliance excess mass charging rate of \$8.02/kg.

Non-compliance excess mass charge for BOD is calculated using equation (1):

$$\text{EMC (\$)} = \frac{(S - D) \times Q_{\text{TW}} \times U_n}{1,000}$$

Where U_n = the non-compliance excess mass charging rate:

The non-compliance excess mass charges shown above are in lieu of the excess mass charges in section 3.7.5.

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

3.7.7 Non-compliance penalty

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

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

3.7.8 Discharge of stormwater to the sewerage system

The discharge of stormwater, surface and subsoil waters to the sewerage system is prohibited under clause 137A of the *Local Government (General) Regulation 2021* and this Code. As indicated in section 2.4, the acceptance of first flush stormwater runoff may be permitted. A charge based on the current fees and charges will be applied to Category 3 dischargers in accordance with the non-compliance trade waste usage charge if approval is granted to accept the above waters. Excess mass charges may also be applied in accordance with section 3.7.5.

3.7.9 Septic and pan waste disposal charge

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

$$\text{Septic tank and pan waste disposal charge (\$)} = Q \times S$$

Where:

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

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

3.7.10 Responsibility for payment of fees and charges

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

Where another party (lessee) leases premises, any reimbursement of the lessor (property owner) for such fees and charges is a matter for the lessor and the lessee.

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

Table 8: Summary of trade waste fees and charges

Fee/charge	Category 1	Category 2	Category 3	Category 2S
Application fee	Yes ⁶	Yes	Yes	Yes
Annual non-residential sewage bill with appropriate sewer usage charge per kL	Yes	Yes	Yes	No
Annual liquid trade waste fee	Yes	Yes	Yes	Variable ⁷
Re-inspection fee (when required)	Yes	Yes	Yes	Optional ⁷
Trade waste usage charge per kL	No	Yes	No	No
Human waste disposal charge per kL	No	No	No	Yes
Excess mass charges per kg	No	No	Yes	No
Non-compliance trade waste usage charge per kL	Yes ⁸	Yes ⁸	No	No
Non-compliance excess mass per kg and pH charges per kL (if required)	No	No	Yes	No

Notes:

⁶ Not applicable for discharges exempted in Table 1 (deemed to be approved).

⁷ Only applicable if the discharger has a dump point located at their premises which is connected to the sewerage system.

⁸ Non-compliance trade waste usage charge, if the discharger fails to install or properly maintain appropriate pre-treatment equipment.

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.

Council may carry out inspections of the premises of all liquid trade waste dischargers and their treatment facilities at least once per annum. Monitoring of the large and industrial dischargers is to be carried out as specified in the approval conditions.

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

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

Council may require the discharger to:

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

Testing of samples is to be undertaken by a NATA-registered or other laboratory recognised by 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.

3.9 Liquid Trade Waste Services Agreement

In addition to its approval under the *Local Government Act 1993*, Council may require certain dischargers, including those who wish to discharge liquid trade waste in large volumes (discharge > 20 kL/d) or industrial waste (Concurrence Classification C discharges) or Classification S into its sewerage system to execute a liquid trade waste services agreement.

The agreement will set out the conditions associated with the discharge and execution of the agreement will be a condition of the approval issued by Council (refer to section 3.4). The

conditions will be binding on the applicant and 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. Provision can be made in the agreement for (in addition to Council's approval conditions):

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

3.10 Enforcement of approvals and agreements

Any person who discharges liquid waste to the sewerage system without obtaining Council's approval as required under section 68 of the *Local Government Act 1993* is guilty of an offence under section 626 of the Act. Failing to comply with an approval is an offence under section 627 of the Act.

Depending on the severity of the situation, Council may consider:

- issuing a penalty infringement notice (PIN) as outlined in Schedule 12 of the *Local Government (General) Regulation 2021*
- issuing orders under section 124 of the Act requiring or prohibiting activities on the premises
- prosecution under the Act (section 626 and 627 specifies the maximum penalty units that can be imposed, if successfully prosecuted)
- using provisions in 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
- disconnecting the discharge from the sewerage system.

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 Council against any resulting claims, losses, or expenses in accordance with Section 8 of the agreement. Suspensions may also apply and may include a notice to cease the discharge.

3.11 Modification and revocation of approvals

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

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

3.12 Prevention of waste of water

Water must be used efficiently and must be recycled where practicable. It is an offence under section 637 of the *Local Government Act 1993* and its Regulation to waste or misuse water. Dilution of trade waste with water from any non-process source including Council's water supply, bore water, groundwater and/or stormwater as a means of reducing pollutant concentration is therefore, strictly prohibited.

3.13 Effluent Improvement Plan

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

3.14 Due Diligence Programs and Contingency Plans

For Concurrence Classification A, a discharger is not required to submit either a Due Diligence Program or a Contingency Plan.

A discharger may be required to submit a Due Diligence Program and a Contingency Plan for Concurrence Classification B or Classification S where it is considered that the discharge may pose a potential threat to the sewerage system. If required, a Due Diligence Program and Contingency Plan must be submitted to Council within six 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. The Environmental Management Plan (EMP) may not include all necessary provisions in regard to trade waste. In such cases, Council may require that a suitable Due Diligence Program and Contingency Plan be developed and submitted to Council.

2. Where Council considers there is potential risk to the sewerage system from a discharge, it may request a Due Diligence Program and Contingency Plan to be submitted prior to commencing the discharge.

GLOSSARY

Definitions of terms used, for the purposes of this Code and related policy.

Word/term	Definition
Assumed concurrence	Council may apply to the Director-General of Trade and Investment, Regional Infrastructure and Services (DTIRIS) for authorisation to assume concurrence for Classification B or Classification S activities. If granted, Council will no longer need to forward such applications for concurrence.
Automatic assumed concurrence	Councils have been authorised to assume concurrence for Classification A activities. Such applications may be approved by Council without forwarding the application to 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, and petroleum products and saltwater.
Biochemical oxygen demand (BOD ₅)	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 caterer	A commercial caterer is typically a stand-alone operation and prepares food for consumption offsite. These types of businesses typically cater to wedding functions, conferences, parties, etc. This definition does not apply to a food processing factory supplying pre-prepared meals to a third party.
Composting toilet	A type of toilet that treats human excreta by a biological process (composting). The process leads to the decomposition of organic matter and turns human

Word/term	Definition
	excreta into compost. Unlike flush toilets, composting toilets do not require a connection to septic tanks or sewer systems.
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 <i>Local Government Act 1993</i> and clause 28 of the <i>Local Government (General) Regulation 2021</i> , that a council obtain the written concurrence of the Secretary of the NSW Department of Planning and Environment prior to approving such waste to be discharged to the council's sewerage system. Such concurrence request is to be provided to the NSW Office of Water. The Department's Water Utilities branch provides concurrence on behalf of the Secretary.
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.
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.
Galley waste	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, 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.

Word/term	Definition
Industrial discharges	Industrial liquid trade waste is defined as liquid waste generated by industrial or manufacturing processes.
ISO 14001	An international standard that specifies a management system to control the environmental issues surrounding a business. The system requires the organisation to produce a series of environmental objectives and targets, and a management program for achieving these.
Local Government Regulation	<i>Local Government (General) Regulation 2021</i> under the <i>Local Government Act 1993</i> .
Liquid trade waste	Liquid trade waste means all liquid waste other than sewage of a domestic nature.
Mandatory concurrence	For the liquid waste in Classification C, councils will need to obtain concurrence for each discharger. Such concurrence request is to be provided to the NSW Office of Water.
Methylene blue active substances (MBAS)	These are anionic surfactants (see surfactant's 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	Includes sink strainers, basket arrestors for sink and floor waste, plaster arrestors and fixed or removable screens.
National framework for regulation of sewage and trade waste	Refer to section 3.1.
National framework for wastewater source management	Refer to section 3.2.
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	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.
Pit latrine/long-drop toilet/pit toilet	A type of toilet that collects faeces and urine directly into a tank or a hole in the ground.
Portable toilet	A toilet in which wastes are deposited into a holding tank. These types of toilets are typically used on construction sites, caravans, motor homes, boats, trains and at outdoor gatherings. If chemicals are used to control odours, it is referred to as a chemical toilet.

Word/term	Definition
Premises	Has the same meaning as defined in the <i>Local Government Act Dictionary</i> 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) (g) a van.
Prescribed pre-treatment equipment	Standard non-complex equipment used for pre-treatment of liquid trade waste, eg, a grease arrestor, an oil arrestor/separator, solids arrestor, cooling pit (refer to Table 8 of <i>Liquid Trade Waste Management Guidelines (2021)</i>).
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.
Secretary	The head of the NSW Department of Planning and Environment.
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 wastewater associated with ordinary kitchen, laundry, and ablution activities of a household, but does not include waste in or from a sewage management facility.
Sewerage system	The network of sewage collection, transportation, treatment, and by-products (effluent and bio-solids) management facilities.
Ship-to-shore pump-out	Liquid waste from a vessel that may be considered for disposal to the sewerage system. This includes on-board toilet wastes; galley wastes and dry dock cleaning wastes from maintenance activities.

Word/term	Definition
Sludge	The solids that are removed from wastewater by treatment.
Sludge lagoon	A basin for receiving and stabilising sludge from a sewage treatment process.
Sullage	Domestic wastewater excluding toilet waste.
Surfactants	A basin for receiving and stabilising sludge from a sewage treatment process.
Suspended solids (SS)	The insoluble solid matter suspended in wastewater that can be separated by laboratory filtration and is retained on a filter.
Total dissolved solids (TDS)	The total amount of dissolved material in the water.
Total recoverable hydrocarbons (TRH)	Both biological and petroleum hydrocarbons which have been extracted (recovered) from a sample. TRH are equivalent to the previously reported total petroleum hydrocarbons (TPH). TRH is reported in fractions with carbon chain (C6 – C40). TRH with carbon chain C6 – C10 are flammable.
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.