



TITLE: MOUNT BARKER DISTRICT COUNCIL TRADE WASTE POLICY

1. PURPOSE

The Mount Barker District Council (**MBDC**) is a licensed water retailer and provides wastewater services (sewerage) to both residential and non-residential customers in Brukunga, Echunga, Littlehampton, Macclesfield, Meadows, Mount Barker, and Nairne.

This Trade Waste Policy (**the Policy**) applies to non-residential customers and seeks to ensure:

- The safety of MBDC employees and it's community,
- Protect our wastewater infrastructure against damage and other operational issues,
- Minimise environmental harm, and
- The application of a trade waste charging structure reflective of the cost of service delivery to these customers ('user pays' principle).

Under the provisions of the *Water Industry Act 2012* (**WI Act**), the Essential Services Commission of South Australia (**ESCOSA**) is responsible for the economic regulation of sewerage services.

ESCOSA requires water retailers to comply with the National Water Initiative Pricing Principles. The application of a trade waste charging structure reflective of the cost of service delivery to these customers ensures compliance with this regulatory obligation.

2. SCOPE

This Policy is applicable to all premises within the MBDC area from which trade waste is, or proposed to be, discharged into the MBDC's wastewater infrastructure.

3. POLICY PRINCIPLES – OUR COMMITMENT

MBDC is committed to protecting the safety of its employees, the community, its wastewater infrastructure, and the environment while also ensuring compliance with its financial regulatory obligations through the regulation of discharges of trade waste into its wastewater infrastructure.

The MBDC wastewater infrastructure is designed to receive and treat domestic wastewater and is susceptible to adverse impacts by the acceptance of unregulated trade wastes from non-residential premises.

Acceptance of trade waste presents significant risk to MBDC employees, its wastewater infrastructure, the environment, and the community.

The MBDC will manage the risks associated with the acceptance of trade waste through the administration of this policy. The relevant legislation applicable to the implementation and enforcement of this policy includes the:

- *South Australian Public Health Act 2011* (**SAPH Act**);
- South Australian Public Health (Wastewater) Regulations 2013 (**Wastewater Regulations**);
- *Water Industry Act 2012* (**WI Act**);
- Water Industry Regulations 2012 (**WI Regulations**), and
- *Expiation of Offences Act 1996*.

In particular:

1. Under the Wastewater Regulations, the connection of an onsite wastewater system to the wastewater infrastructure requires a wastewater works approval from the Relevant Authority.

Pursuant to regulation 25 of the Wastewater Regulations, where the MBDC is the Relevant Authority, it can impose conditions on a wastewater works approval.

A wastewater works approval can include a condition that specified material (i.e trade waste) must not be discharged into or from the on-site wastewater system into the wastewater infrastructure other than in accordance with an authorisation issued pursuant with section 56 of the WI Act.

2. Pursuant to section 56 of the WI Act a person must obtain authority from the relevant water industry entity to discharge into its wastewater infrastructure, any solid, liquid or gaseous material, or any other item or thing that is likely to damage the infrastructure (**section 56 authorisation**).

Trade waste discharges have the potential to cause damage to the wastewater infrastructure and, as such, a section 56 authorisation is required to discharge any trade waste to MBDC's wastewater infrastructure. The section 56 authorisation imposes relevant conditions to ensure the protection of the wastewater infrastructure based on the nature of trade waste generated on the premises.

3. Enforcement powers under the SAPH Act and the WI Act provide the MBDC with the regulatory mechanism to address trade waste discharges into its wastewater infrastructure that might occur contrary to a wastewater works approval and otherwise, without section 56 authorisation or contrary to that authorisation.

Trade Waste Management Plan

The MBDC Trade Waste Management Plan (**TWMP**) outlines the process for obtaining a section 56 authorisation from the MBDC to lawfully discharge trade waste into the wastewater infrastructure.

The TWMP also creates awareness and educates the business community on waste management, waste minimisation, water conservation and the use of appropriate technologies. In addition, the administration of the TWMP will ensure source management of trade waste discharges by MBDC.

The TWMP describes the procedures for trade waste discharge applications (i.e. applications for section 56 authorisation), approvals, local acceptance criteria (**LAC**), charging procedure, non-compliance procedure and trade waste management in general.

The key objectives of this Policy and supporting TWMP include:

- the administration of trade waste discharges to control the quality and quantity of non-domestic discharges into MBDC's wastewater infrastructure through the application of LAC;
- the application of a charging structure for trade waste services based upon the 'user pays' principle applicable to trade waste discharges (i.e. charges will be proportionate to the volume and load of trade waste);
- the protection of public and environmental health and our wastewater infrastructure by prohibiting or limiting the discharge of non-degradable, inhibitory or toxic substances;
- the promotion of awareness and adoption of concepts of environmental management, eco-efficiency and waste minimisation in the community;
- the identification and maximisation of opportunities for waste minimisation, reuse, recycling and water conservation within local industry;
- outlining MBDC's enforcement approach to preventing unauthorised trade waste discharges;
- increasing awareness and facilitating compliance with relevant environmental legislation affecting businesses; and
- continually reviewing and developing the trade waste program - including the LAC, fees and charges, and associated policy and supporting documents as required.

4. DEFINITIONS

Local Acceptance Criteria refers to the set limits for acceptable physical and chemical characteristics of trade waste disposed into the wastewater infrastructure. These limits are based on criteria developed by SA Water, Australian and New Zealand Environment and Conservation Council, and SA Health guidelines.

On-site wastewater system means (for the purposes of this Policy) a system used on a premises for the on-site collection and management of wastewater generated at the premises where:

- (a) the wastewater collected and managed is predominantly -
 - (i) human waste either alone or in combination with water; or
 - (ii) water that has been used in washing, laundering, bathing or showering; or
 - (iii) water containing food or beverage waste; or
 - (iv) water containing other trade waste; or
 - (v) a combination of the above, and
- is connected to a community wastewater management system (wastewater infrastructure).

Section 56 authorisation is an authorisation pursuant to section 56 of the *Water Industry Act 2012* issued by the MBDC in its capacity as a water industry entity under this Act, which authorises, on a conditional basis, the discharge of trade waste into the wastewater infrastructure. Refer to the Trade Waste Management Plan for discharge categories and conditions.

Trade waste refers to any liquid or solid waste conveyed as wastewater into the wastewater infrastructure from any non-residential premises, other than sewage or sullage wastewater.

Trade waste discharge application procedure refers to a procedure documented in the MBDC Trade Waste Management Plan by which a non-domestic wastewater customer can apply for a section 56 authorisation to discharge trade waste from its premises into MBDC's wastewater infrastructure.

Trade waste fees and charges refers to the fees and charges, applicable to trade waste, adopted by the MBDC each financial year for the provision of a prescribed service under section 155(1) of the *Local Government Act 1999* and published on its website.

Trade Waste Management Plan refers to a written and MBDC approved plan that provides the necessary information to existing and future non-domestic wastewater customers on trade waste management with respect to risk classification, local acceptance criteria, compliance obligations, and fees and charges.

Wastewater infrastructure means any MBDC infrastructure that is, or is to be, used for:

- (a) the collection or storage of sewage and includes the connection point; or
- (b) the conveyance or reticulation of sewage; or
- (c) the treatment of sewage, including any outfall pipe or other work that stores or conveys water leaving infrastructure used for the treatment of sewage.

It includes components such as vents, pumps, sewers, access chambers, engines and outfalls. (Note that the collection network does not provide treatment of wastewater).

Wastewater works means:

- (a) the installation of a wastewater system (including a temporary system) or part of a community wastewater management system; or
- (b) the alteration of a wastewater system involving –
 - (i) a change to the capacity of the system; or
 - (ii) a change in the type of system used for collecting or managing wastewater; or
- (c) the decommissioning of a wastewater system (excluding a temporary system); or
- (d) the connection of a wastewater system to a community wastewater management system or the disconnection of a wastewater system from a community wastewater management system; or
- (e) the connection of a community wastewater management system to SA Water sewerage infrastructure or the disconnection of a community wastewater management system from SA Water sewerage infrastructure.

Water industry entity means:

- (a) a person licensed under Part 4 of the *Water Industry Act 2012*, or
- (b) a person recognised by the Minister under subsection (4) of the *Water Industry Act 2012* for the purposes of that Act,

and includes (where the context requires) a person who has been licensed under Part 4 of the *Water Industry Act 2012* whose license has been suspended or cancelled or has expired or a person who is to be treated as a water industry entity under the Water Industry Regulations 2012.

The MBDC is a water industry entity.

5. ROLES & RESPONSIBILITIES

Council:

The Council is responsible for considering and adopting the Policy.

Chief Executive Officer:

The Chief Executive Office:

- ensures that there are appropriate resources to implement this Policy;
- delegates appropriate powers under the relevant legislation to Council staff who are responsible for administering this Policy; and
- approves administrative changes to this Policy from time to time.

Head of Wastewater:

The Head of Wastewater will:

- ensure that this Policy, and the supporting TWMP, are compliant with legislation and any regulatory approvals, authorisations and/or licenses conditions;
- ensures compliance with this Policy; and
- reviews the processes referred to in, and the value of, this Policy.

Manager Water Operations:

The Manager Water Operations:

- will implement this Policy;
- ensure that MBDC staff responsible for administering this Policy, and supporting documents are appropriately trained and resourced.

Trade Waste Team:

Trade Waste Team:

- will implement the day-to-day operational duties associated with this Policy and the supporting TWMP;
- communicate this Policy;
- ensure they are appropriately trained to administer this Policy and supporting TWMP; and
- conduct their duties safely, in accordance with Council policies and relevant legislation.

6. POLICY STATEMENT

The Policy and supporting TWMP provides the technical support to promote a safe, reliable and financially equitable service to non-domestic wastewater customers and to protect council staff, the community, the environment, and MBDC's wastewater infrastructure from adverse effects.

7. TRAINING / EDUCATION

Council will provide appropriate training to staff to ensure that Council meets its corporate commitment in relation to employee work, health and safety.

8. REVIEW

This Policy will be reviewed:

- every three years; or
- the frequency dictated in legislation; or
- earlier in the event of changes to legislation or related Policies and Procedures;
or
- if deemed necessary by the Chief Executive Office, Head of Wastewater, and/or
Manager Water Operations.

9. ACCESS TO THE POLICY

The Policy is available for public inspection at the Customer Service Centre, at the Local Government Centre, 6 Dutton Road, Mount Barker, South Australia and on the Council's website www.mountbarker.sa.gov.au

10. FURTHER INFORMATION

For further information on this Policy, please contact:

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Author	Luke Seidel	Team Leader Trade Waste	31/01/2024
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Responsible General Manager:	Helen Edmonds	Head of Wastewater	23/02/2024
Reviewed by CEO	Name		Date
REVIEWED BY CGG			Date of Meeting
APPROVED BY (DOCUMENT OWNER):	Council		
	12.8 REVISED TRADE WASTE POLICY	7 June 2021	
APPLICABLE LEGISLATION AND RELATED DOCUMENTS:	<p><i>Water Industry Act 2012</i> <i>Public Health Act 2011</i> <i>Local Government Act 1999</i> <i>Expiation of Offences Act 1996</i> Public Health (Wastewater) Regulations 2013 Water Industry Regulations 2012 Mount Barker District Council Trade Waste Management Plan Schedule of Fees and Charges as adopted by Council each financial year</p>		
COMMUNITY PLAN 2020-2035 REFERENCE:	<p>CW Objective 4.4 Provide wastewater treatment services to deliver public health, environmental and economic outcomes and climate change adaptation solutions ES Objective 5.1 Continue to build on MBDC's reputation as a leader in wastewater management and promote water recycling and reuse.</p>		
REVIEW CYCLE	<p>This Policy will be reviewed:</p> <ul style="list-style-type: none"> - every three years; or - the frequency dictated in legislation; or - earlier in the event of changes to legislation or related Policies and Procedures; or - if deemed necessary by the Head of Wastewater and/or Manager Water Operations; or - within 12 months of new Council term <p>It is recognised that from time to time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name or a State or Federal Department, and a minor update to legislation which does not have a material impact. However, any</p>		

	change or update which materially alters this document must be by resolution of Council (if statutory) or the Chief Executive Officer (if administrative).		
NEXT REVIEW DATE			
DOCUMENT HISTORY:			
DOCUMENT VERSION	DATE	AUTHOR (PERSON TO WHOM CHANGES ARE TO BE RECOMMENDED)	NATURE OF CHANGE
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VERSION 2.0			
VERSION 3.0			
DOCUMENT LOCATION:	Council website 11 April 2024 Available for inspection, downloading or printing from our website www.mountbarker.sa.gov.au		
	This Policy is available for inspection, during business hours at: Mount Barker District Council, Level 1, 6 Dutton Road, Mount Barker		