

A photograph of an industrial facility, likely a water treatment plant, featuring large blue pipes and machinery. The pipes are painted a vibrant blue and have yellow arrows indicating flow direction. The machinery includes large blue pumps and motors. The background shows a concrete structure with a curved roof. The entire image is overlaid with a semi-transparent blue filter and several thin, curved lines in blue, orange, and yellow.

# Port of Brisbane

## Trade Waste Environmental Management Plan

REPORT

05 August 2024

Rev	Date	Description	Author	Reviewer	Project Mgr.	Approver
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1	05/08/2024	Trade waste Charges 2024-2025	Simin Sabah			Michael Martin
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# 1 INTRODUCTION

Port of Brisbane is managed and developed by the Port of Brisbane Pty Ltd (PBPL) under a 99-year lease from the Queensland Government, effectively the land owner of the Port of Brisbane, including:

- Fisherman's Island.
- Port Gate.
- Port North.
- Port West.
- Brisbane International Cruise Terminal (BICT).

PBPL leases out land to its tenant under lease agreements allowing them to use their land and infrastructure to conduct business. In addition to the use of their land, PBPL also provides water supply and sewerage services to its customers. Given the nature of the business conducted on their property, PBPL has historically arranged for trade waste services on their property to be provided by Urban Utilities. This fulfils their obligations under the *Environmental Protection Act* (EP Act); as Urban Utilities carries a valid environmental authority to treat and dispose of trade wastes.

PBPL and Urban Utilities have an existing Trade Waste Approval (TWA) for each site on their land which allows PBPL to discharge trade waste into the Urban Utilities sewerage network for treatment. A trade waste producing tenant is required to request amendment to the existing TWA from Urban Utilities prior to the production of trade waste.

The TWA outlines the obligations and responsibilities of PBPL and the tenant, as the Approval Holders, to Urban Utilities. This includes their requirement for appropriate pre-treatment, discharge compliance and ongoing monitoring. Urban Utilities is responsible for setting the conditions and monitoring and enforcing tenant compliance. PBPL allows a tenant to use their TWA, provided the tenant complies with the conditions of the TWA.

This document outlines the obligations of a trade waste producing tenant to PBPL and Urban Utilities.

The PBPL arrangement with Urban Utilities allows for the tenant to remain informed of any changes or notifications, such planned and unplanned outages.

## 2 CONDITIONS OF APPROVAL

A tenant wishing to begin discharge of trade waste or change the characteristics of trade waste discharge from a PBPL site must seek written approval from PBPL to act as a Representative. An approved Representative may then seek amendment of the TWA from Urban Utilities. The approval to act as a Representative does not grant permission for the tenant to begin discharging trade waste, nor does it guarantee that the amendment to the TWA will be granted by Urban Utilities.

The process for seeking amendment is outlined in Section 3 of the Urban Utilities' Trade Waste Environmental Management Plan (TWEMP) (<https://urbanutilities.com.au/-/media/quu/pdfs/business/trade-waste/tradewasteenvironmentalmanagementplan.pdf>). The application form can be found at

<https://www.urbanutilities.com.au/business/business-services/trade-waste/trade-waste-approval>

The general conditions for trade waste discharge approval are outlined in the Urban Utilities TWEMP and Urban Utilities Sewerage Acceptance Criteria ([Schedule 2 Trade Waste Sewer Acceptance Criteria](#))

Tenants agree to comply with any conditions imposed by Urban Utilities on PBPL (as the Approval Holder) in the amended TWA, including those outlined in the Urban Utilities TWEMP, as though the tenant were the Approval Holder. This includes (but is not limited to):

- Compliance with the Sewerage Acceptance Criteria.
- Payment of fees and charges associated with non-compliance.
- Access requirements for Urban Utilities trade waste officers.
- Installation of appropriate pre-treatment processes.
- Self-monitoring and notification requirements.

The sole exception to the tenants required compliance is with regards to the billing obligations outlined in Section 13 of the Urban Utilities TWEMP. Billing obligations are to be fulfilled by PBPL as the Approval holder. PBPL may, at their discretion, charge trade waste producing tenants for trade waste discharge in accordance with Section 4 of the PBPL TWEMP (this document).

This does not supersede the legal protections afforded between a tenant and the landowner, or other conditions outlined in the lease agreement.

In addition to the conditions outlined above, PBPL is required to be included in all correspondence between a tenant and Urban Utilities, including (but not limited to):

- Trade Waste Approval and amendment requests
- Test results
- Self-monitoring requirements
- Compliance enforcement actions.
- Trade waste improvement plans
- Failure, spill, and breach notifications
- Change of discharge characteristics.

Where a tenant wishes to cancel trade waste access, written notification must be sent to both PBPL and Urban Utilities. The tenant and PBPL will be informed of Urban Utilities's acceptance and consequential removal of the tenant from the TWA. PBPL may continue to bill the tenant for any charges incurred during the period between submission of notice and receipt of Urban Utilities's acceptance notification.

As the Approval Holder, PBPL may cancel an existing TWA at their discretion. Where PBPL undertakes cancellation of an existing TWA PBPL will provide 14 business days' notice to the tenant prior to the cancellation of their TWA; with the exception of non-conformance based cancellations.

Trade waste approvals cannot be transferred between tenants.

Urban Utilities may request the installation of pre-treatment as part of the conditions of approval. The tenant is required to comply with installation and maintenance requirements in accordance with the Urban Utilities TWEMP.

### 3 MONITORING, INSPECTIONS AND REPORTING

The tenant is to comply with the monitoring, inspection and reporting requirements as outlined in Section 9 of the Urban Utilities TWEMP. This section is summarised below for ease of reference.

PBPL must be included on any correspondence between the tenant and Urban Utilities for self-monitoring, reporting or notification purposes.

#### 3.1 SELF MONITORING AND REPORTING

A tenant may be required to undertake ongoing self-monitoring where;

- The TWA is category 3.
- It is a condition of the TWA.
- They are under a Trade Waste Improvement Program (TWIP) (see Section 16.2.3 of the Urban Utilities TWEMP).

If ongoing self-monitoring is required, the parameters and frequency shall be included in the TWA.

The tenant may be required to undertake initial discharge self-monitoring once a week for a 6-week period if they are discharging for the first time or have significantly altered their trade waste processes. This initial data may be used to establish billing data.

The tenant shall forward self-monitoring reports to Urban Utilities and PBPL within 7 days of receipt of the laboratory results and shall include:

- Results of sampling and analysis identifying time, date and concentration and or mass load of contaminants as required by the TWA
- Record of all water meter or trade waste meter readings at the time of grab sample collection or for composite samples at the time of sample commencement and sample finishing.
- A statement of compliance or noncompliance with the TWA with associated comments.
- Analysis shall be conducted by a National Association of Testing Authorities (NATA) accredited laboratory.
- Where a trade waste meter is installed, calibration certificates should be attached to the relevant laboratory reports.

In general, all trade waste self-monitoring data shall be included in the calculation of quality charges for the assessment period. Specific monitoring data may be excluded at the request of the tenant at the sole discretion of Urban Utilities. Justification for the exclusion of specific self-monitoring data will require evidence of a process aberration or other interference at the time of sampling.

Monitoring data may be rejected or excluded as per Table 3.1.

Table 3.1: Monitoring Data Exclusions

	Condition	Used for Quality Charges	Used for future mean and Standard Deviations
Rejected	>1.5 Standard deviations above mean of the prior 4 Billing periods	No	Yes
Exclusion	>3 Standard deviations above mean of the prior 4 Billing periods	No	No

## 3.2 SAMPLING PROCEDURES

Table 3.2: Sampling Procedures by Sample Type

Sample For	Grab Sample	Composite Sample
Non-Compliance with TWA Concentration, Temperature, or instantaneous discharge limits	Yes	Yes
Non-compliance with TWA mass load limits	No	Yes
Trade waste charges (e.g. Quality or volume)	Yes	Yes

- Wastewater and trade waste samples must be representative of the tenants discharge.
- If monitoring is undertaken more frequently than required by the TWA conditions, the results of additional monitoring should be included in the self-monitoring results.

## 3.3 NOTIFICATION REQUIREMENTS

The tenant must notify Urban Utilities and PBPL of any change which might alter the volume or quality of their TW discharge within 30 days. Urban Utilities may request a Services Advice Notice (SAN) for the changed conditions. The tenant is responsible for any costs incurred.

Urban Utilities may amend or issue a new TWA for the new conditions. Approval may also be refused pending improved pre-treatment or infrastructure charges contributions where system capacity is insufficient.

The tenant must immediately notify Urban Utilities and PBPL of any event which results in a non-compliance with the TWA because of:

- Equipment failure
- Accident
- Human Error
- Network Contamination
- There is reasonable likelihood of the above.

Notification should be given by phone as soon as practically possible and in writing as requested. Written notice shall:

- Be provided within 7 days
- Set out:
  - Nature/cause of failure, incident, or breach
  - Trade waste analysis results or flow measurements (where relevant)
  - Corrective actions; and
  - Preventative actions.

### **Urban Utilities Contacts:**

***The Urban Utilities telephone number for providing notice is:***

(07) 3432 2160 (Trade Waste Advisory Service)

***The Urban Utilities email address for providing notice is:***

[trade.waste@urbanutilities.com.au](mailto:trade.waste@urbanutilities.com.au) (title email with "Notice of Breach - Company Name")

### **PBPL Contacts:**

***The tenant shall contact their PBPL Property Manager if the breach occurs within working hours or PBPL Security if the breach occurs outside working hours.***

***The PBPL email address for providing notice is:***

[water.enquiry@portbris.com.au](mailto:water.enquiry@portbris.com.au) (title email with "Notice of Breach - Company Name")

## 4 FEES AND CHARGES

### 4.1 TRADE WASTE VOLUME

Trade waste volume is calculated either as a percentage of sewerage produced or via direct trade waste metering. Were a percentage calculation is used, the trade waste percentage will be determined through monitoring (typically during the initial monitoring period).

Urban Utilities may require the installation of a trade waste sub-meter as part of the conditions of approval. PBPL will approve the installation of any Urban Utilities required trade waste meter. A tenant may request permission from PBPL to install a trade waste sub-meter in compliance with the other terms of their lease agreement.

Any installed trade waste meter must be compliant with the Urban Utilities TWEMP. If a trade waste meter is installed, PBPL will use the read outs of the provided sub-meter for billing purposes, instead of the formulas presented above.

### 4.2 TRADE WASTE QUALITY (STRENGTH)

Trade waste production is categorised into 3 categories depending on the criteria outlined below in Table 4.1. These categories are determined by Urban Utilities during the initial monitoring period as outlined in Section 12 of the Urban Utilities TWEMP.

Table 4.1: Trade Waste Categories and Criteria

Category	Criteria
Category 1	Below domestic strength
Category 2	Above domestic strength
Category 3	Above domestic strength; or discharging more than 25 kL/day or more than 25 kg/day BOD.

Category allocation will be undertaken by Urban Utilities during the application process, in accordance with Sections 9 and 12 of the Urban Utilities TWEMP. Category allocation will be based on the business type and estimated discharge strength and volume. Urban Utilities may require monitoring and sampling to be undertaken to add greater certainty to the estimate.

All PBPL's TWA's are currently classified as category 1 or category 2 in accordance with estimated trade waste quality and volume, requiring pre-treatment and incurring additional costs accordingly. A TWA may be re-categorised by Urban Utilities through monitoring actions in accordance with Section 11 and 12 of the Urban Utilities TWEMP. Any additional costs incurred due to reclassification will be directly charged to the producer.

### 4.3 BILLING

Trade waste discharge and treatment costs are charged to PBPL by Urban Utilities. PBPL may charge their tenants for trade waste access and use of their approvals. Trade waste charges are staged based on the quality category assigned to the tenanted lot and are implemented based on discharged volume. Costs are summarised below.

- PBPL are responsible for trade waste billing of all tenants.
- Costs incurred are in addition to sewerage charges leveraged by PBPL.
- PBPL may at their discretion change the costs associated with trade waste services. Modified costs will be presented in the customer charter.
- Trade waste fees are subject to the same terms and conditions as other charges outlined in the customer charter.

#### 4.3.1 Category 1 Fees and Charges

At present no additional costs are associated with Category 1 trade waste.

4.3.2    **Category 2 Fees and Charges**

Category 2 customers are required to pay a volumetric charge on their estimated trade waste volume. Table 4.2 contains the volumetric charge. (Rates are subject to change)

**Table 4.2: Trade Waste Category 2 Charges**

Item	FY25 Rate (\$/kL)
Volume Charge	1.110

4.3.3    **Category 3 Fees and Charges**

Category 3 customers are required to pay a volumetric charge on their estimated trade waste volume. In addition, Category 3 customers are required to pay a quality charge on their estimated trade waste volume. Quality data will be determined through the initial monitoring periods of the approval and will be updated based on regular self-reporting outcomes.

Table 4.3 contains the volumetric charge and quality charges (These charges are cumulative and subject to change).

**Table 4.3: Trade Waste Category 3 Charges**

Item	FY25 Rate
Suspended Solids (\$/kg)	2.057
BOD (\$/kg)	1.224
Nitrogen (\$/kg)	3.101
Phosphorus (\$/kg)	5.5876

## 5 ENFORCEMENT PROCESSES

The tenant accepts all liability and is responsible to all payment of fees and charges associated with any enforcement actions undertaken in accordance with Section 16 of the Urban Utilities TWEMP.

In the event that a tenant fails to comply with the provisions within the Urban Utilities TWEMP or Trade Waste Approval conditions, Urban Utilities may take enforcement actions against the tenant as outlined in Section 16 of the Urban Utilities TWEMP.

### 5.1 INFORMAL ACTIONS

The informal actions available to Urban Utilities are outlined below:

- Urban Utilities's policy position is to take an educational approach as a first step unless the seriousness of the non-compliance indicates that formal action is required. PBPL supports this approach.
- Self-monitoring requirements may be implemented in the event that any sample fails to meet any imposed discharge limits (in the Urban Utilities TWEMP, Urban Utilities Sewerage Acceptance Criteria or TWA). This monitoring is to be undertaken as directed by Urban Utilities and analysis is to be conducted by a NATA accredited laboratory.
- The tenant is responsible for any costs associated with self-monitoring actions.
- Urban Utilities may require the tenant to enter into a Trade Waste Improvement Program (TWIP). The tenant shall comply with this plan and undertake all actions necessary to remedy the non-compliance. PBPL will provide necessary approvals to enable these actions to be undertaken.

Failure to comply with the TWIP may result in the removal of the tenant from the TWA, or cancellation of the TWA.

### 5.2 FORMAL ACTIONS

Where formal enforcement is required, Urban Utilities may:

- Cancel or suspend a trade waste approval
- If only the approval has been contravened, compel the tenant to remedy contraventions of the approval
- Issue a penalty infringement notice (fine).

The tenant is responsible for all costs associated with any enforcement actions taken by Urban Utilities which may be levied on the approval holder.

#### 5.2.1 Suspension or Cancellation

Where a suspension or cancellation action is undertaken

- A Urban Utilities Trade Waste Officer will issue a show cause notice on the tenant.
  - Where urgent action is necessary in the interests of public health or safety, to prevent environmental damage, or prevent damage to the sewerage system, the suspension or cancellation may be enacted immediately through an Information Notice.
- The tenant may make written submissions to show cause as to why Urban Utilities should not proceed with the suspension or cancellation action.
- Written submissions shall be made within 15 business days of the date on the notice.
- Urban Utilities will consider any properly made submission made by the tenant and, having considered the submissions and other relevant material, shall either:
  - Provide notice that the proposed action (cancellation or suspension) shall not be taken.
  - Provide an Information Notice that the proposed action will be taken within 30 days of making its decision.

### 5.2.2 Remedial Actions

Where Urban Utilities proposes remedial works:

- A Urban Utilities Trade Waste Officer may issue a Discharge Compliance Notice if they gather evidence which supports a reasonable belief that:
  - A tenant is contravening their TWA or has contravened their TWA and is likely to continue or repeat contravention; and
  - The matter can reasonably be rectified; and
  - It is appropriate to give the tenant an opportunity to rectify the matter.
- The Discharge compliance notice will detail the activities required to remedy the non-compliance and timeframes to undertake remedial actions.
- If the tenant fails to comply with the Discharge compliance notice, Urban Utilities may:
  - Take any action necessary to prevent or minimise the impact of the contravention.
  - Refer the matter to legal services so that court proceedings can be commenced against the tenant to prosecute or obtain enforcement orders requiring the tenant to remedy or restrain the offence.
- Urban Utilities may recover the costs of taking discharge compliance actions from the tenant by sending a notice.

### 5.2.3 Penalty Infringement Notice

A penalty infringement notice may be issued as an alternative to the formal compliance actions documented in Section 5.2.1 and 5.2.2 of this document or clause 16.3.1 and 16.3.2 of the Urban Utilities TWEMP.

- A penalty infringement notice may be issued to the tenant where:
  - A tenant continues to discharge Trade Waste after their approval is cancelled or suspended; or
  - A tenant discharges trade waste but refuses to apply for a trade waste approval; or
  - The trade waste being discharged is not the type authorized under the trade waste approval.
- If these conditions are met, a Urban Utilities trade waste officer may:
  - Issue the tenant a penalty infringement notice, following the process outlined in Urban Utilities' Trade Waste Compliance Enforcement Manual
  - Refer the matter to Legal services for the commencement enforcement procedures or prosecution.

## 5.3 PBPL ENFORCEMENT ACTIONS

In addition to the charges and enforcement actions levied by Urban Utilities, PBPL may levy their own enforcement actions for a breach of trade waste compliance. These may include the following:

- Suspension of access to trade waste services
- Recover costs and damages associated with the non-compliance actions
- Recover costs associated with returning the impacted asset(s) to a compliant state
- Cancellation of the lease agreement between PBPL and the tenant.

## 6 QUALIFICATIONS

- a) In preparing this document, including all relevant calculation and modelling, Engeny Water Management (Engeny) has exercised the degree of skill, care and diligence normally exercised by members of the engineering profession and has acted in accordance with accepted practices of engineering principles.
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