

# GUTHRIE LEGAL

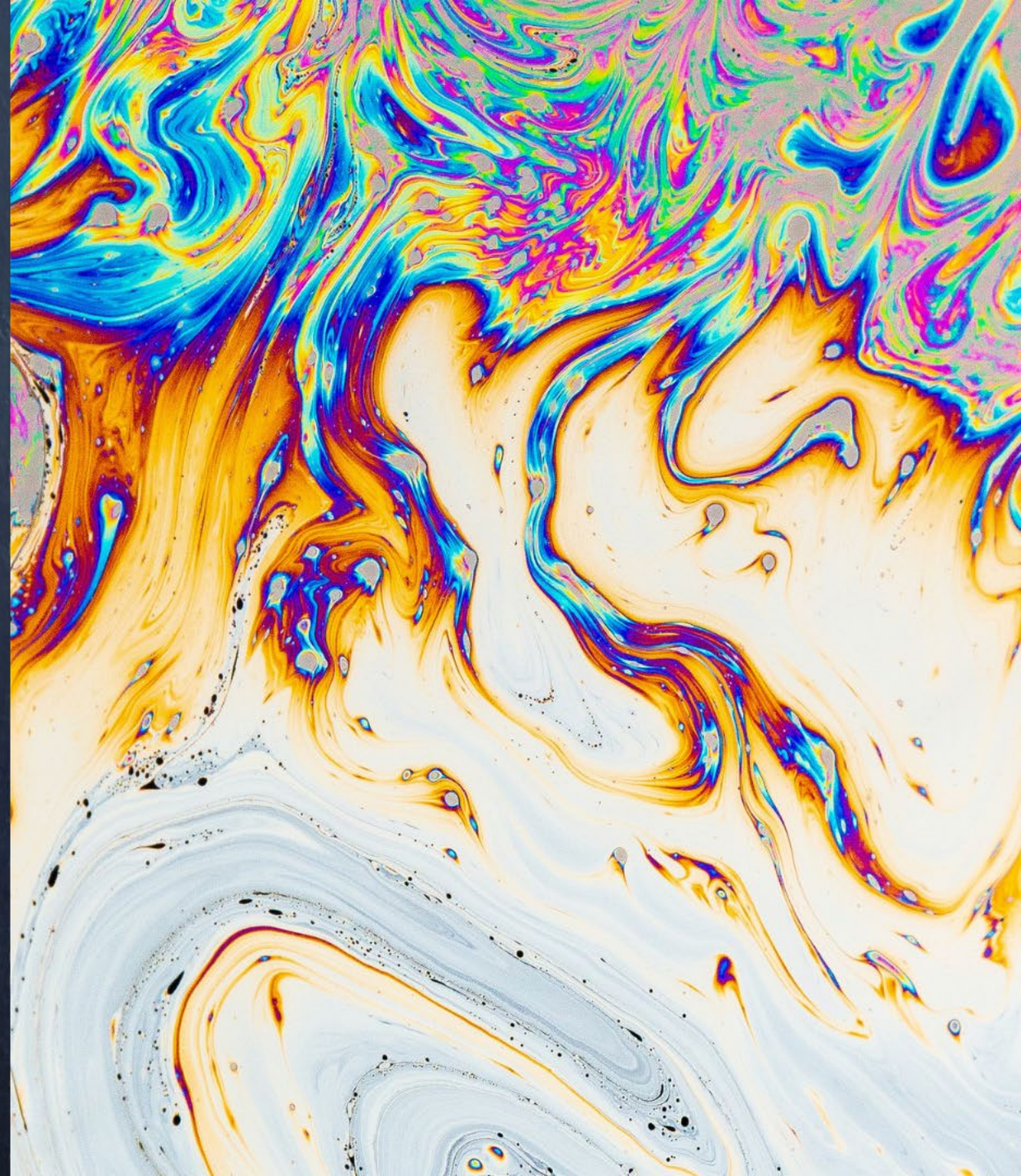
ENVIRONMENT & PLANNING LAW



## Trade waste & the law ~ Demystifying a complex regime

Australian Environment Business Network  
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# What is trade waste?

- Trade waste refers to wastewater discharged from commercial or industrial premises into the sewer system. Trade waste contains a wide range of contaminants that can vary depending on the industry. These contaminants often include oils, grease, chemicals, heavy metals, and detergents, which if untreated can cause significant harm to the environment and damage sewer infrastructure.
- *Legally* (depending on State/ Territory waste laws)
  - are a form of liquid waste
  - are a form of industrial (or commercial) waste





# Legal implications

- liquid and industrial waste requires management
- trade waste approval (agreement or permit) required prior to discharge to sewer
- failure to manage liquid waste can attract criminal penalties - e.g. may be a breach of the general environmental duty in Victoria
- can have impact on liability (including personal liability of directors), reputational impact and overall impression of compliance, as well as transactional and commercial impacts
- interplay with other waste waster (e.g. stormwater)





# Challenges

1

Impacts a lot of businesses but is poorly understood.

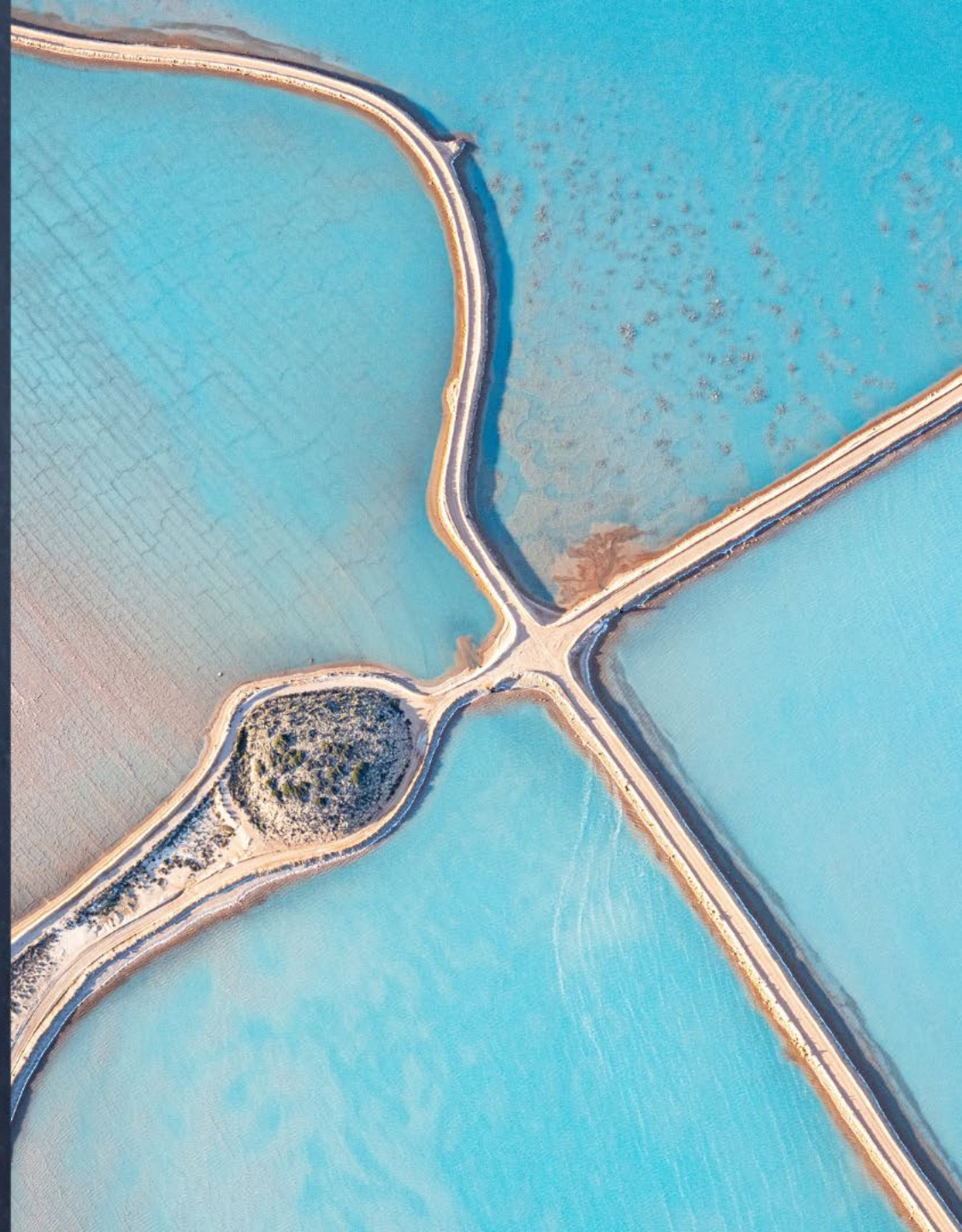
2

Regulation is highly fragmented - with different regulatory agencies in each jurisdiction and within each jurisdiction

3

Some commonality between typical approval requirements (but can be quite different):

- (a) discharge limits
- (b) acceptance criteria for discharges
- (c) pre-treatment requirements





# Regulatory arrangements

## VIC

- Managed by retail water/sewerage corporations
- Trade waste agreement

## NSW

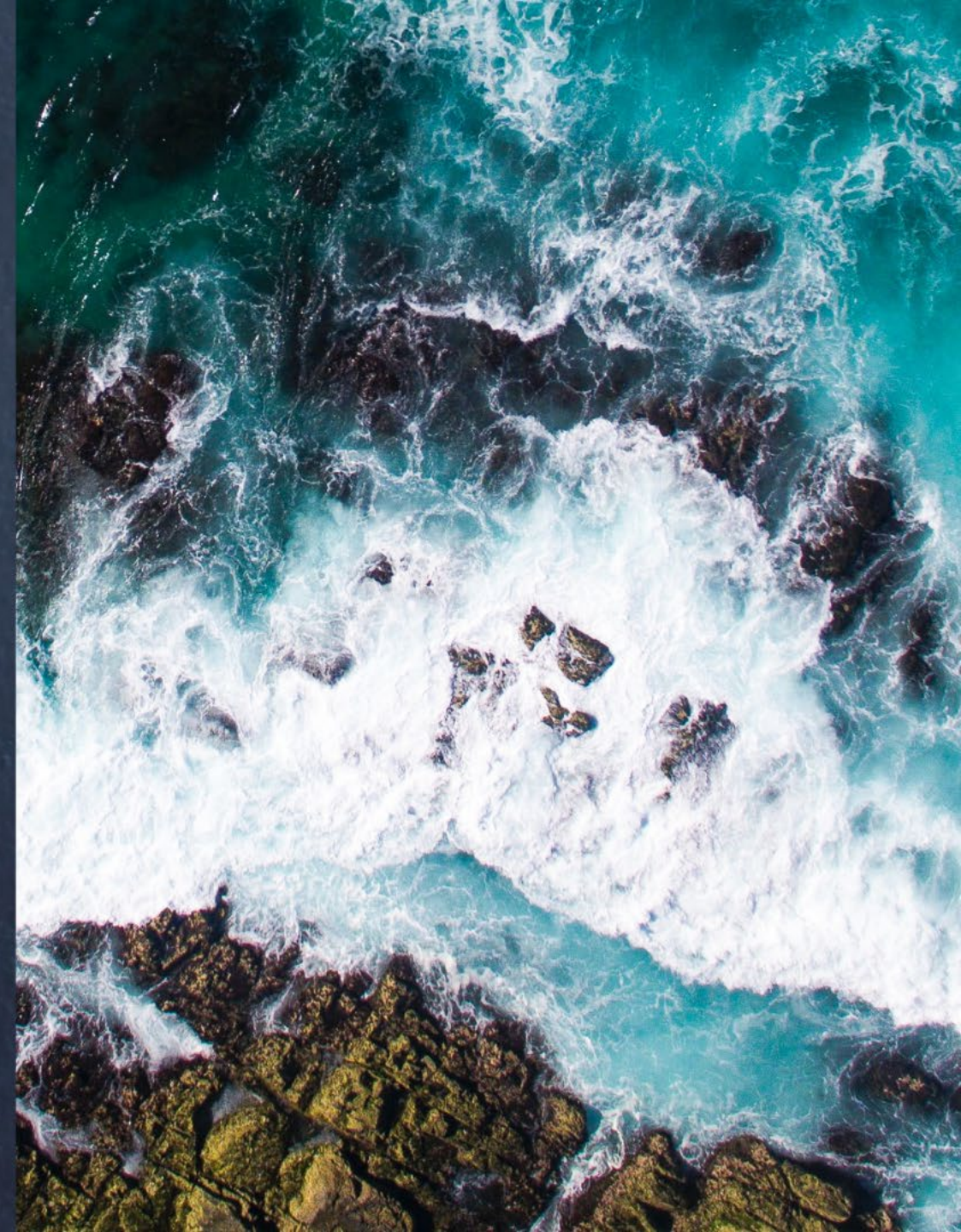
- Metropolitan areas - water corporations (e.g. Sydney Water) and Regional NSW - Councils
- Approval to discharge

## QLD

- Water corporations (owned by councils) or Regional Councils
- Trade waste permit (or approval)

## SA

- SA Water
- Trade waste authorisation





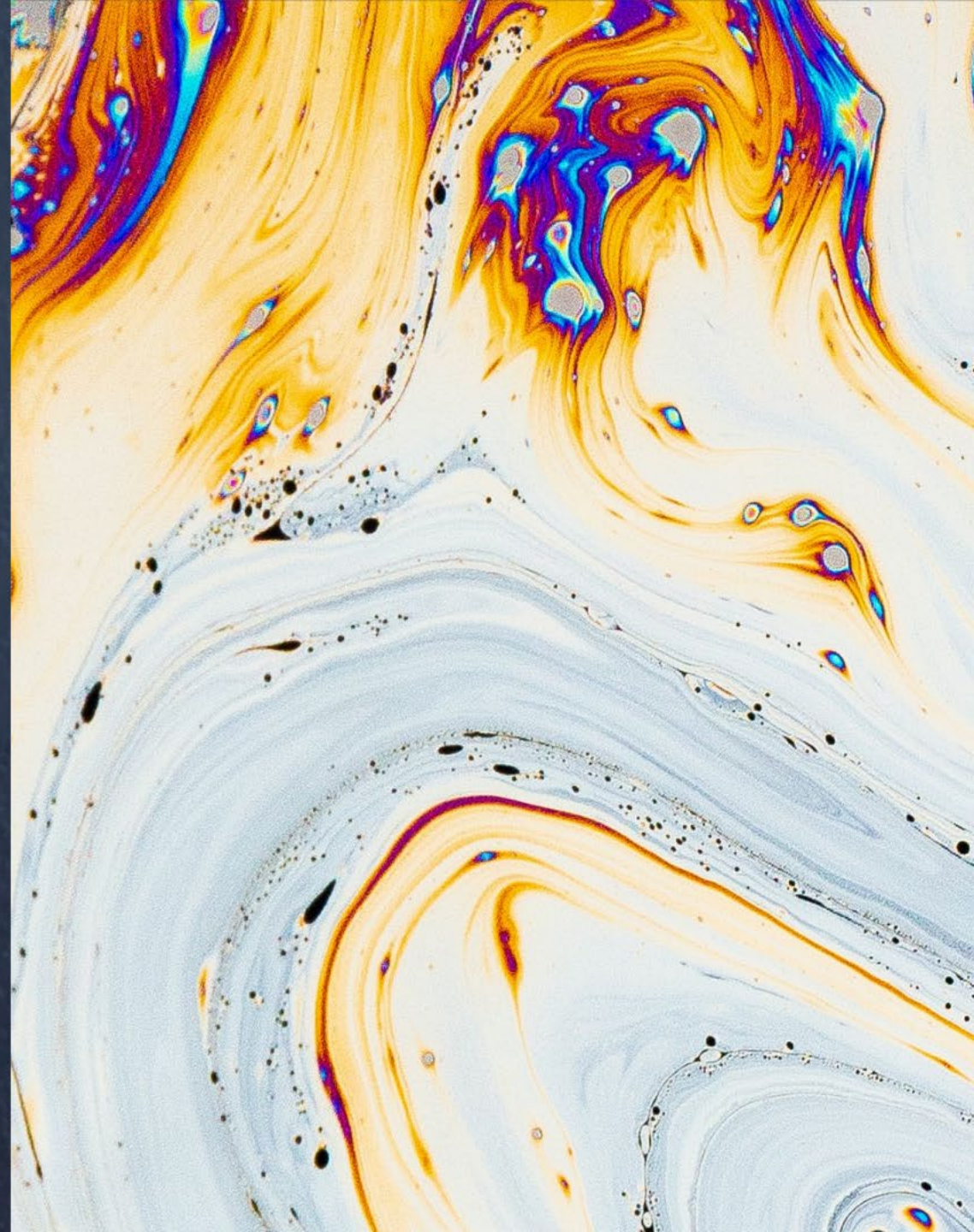
# Case studies

## QLD

- food manufacturing facility
- pre-treatment infrastructure
- trade waste approval held
- due diligence assessment
- implications for liability and terms of proposed deal

## NSW

- transport facility
- vehicle wash down, repair and maintenance
- due diligence assessment
- pump and dispose privately to liquid waste contractor



# Thank you

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