5/2014 – Amending no release condition for sewage pumping stations

This information is to be considered by Environmental Services staff as a priority when considering amendments or variation applications for ERA 63 (2) sewage pumping stations.

Following on from Practice alert 5/2013 – Sewage pumping station overflows, condition 10 of the standard conditions in the code of environmental compliance does not permit sewage pumping stations to have a release to land or waters under any circumstances. This condition has been shown to be inflexible as it does not take into consideration pumping stations are often designed to release during heavy rainfall. Proponents may apply for an amendment to vary this condition on existing approvals, or make a variation application when applying for a new approval, where they cannot reasonably comply with the condition.

The amended condition recommended for use is set out below and acknowledges that there may be circumstances where a pumping station will release despite reasonable and practical measures being taken. In the longer term, the department is considering deleting the ERA for pumping stations and replacing it with a code of practice.

**Condition**

*The operator must ensure that contaminants are not released to land or waters (including the bed and banks of any waters) as a result of the activity unless all reasonable and practicable measures have been taken to prevent the release.*

To avoid doubt, in most cases releases from pumping stations during dry weather will not be consistent with taking reasonable and practicable measures and enforcement action should be considered in accordance with the enforcement guidelines.

**Omar Ameer**
Director Environmental Regulatory Practice and Support
Environmental Performance and Coordination Branch