



21 May 2019

**POLICY & SERVICES COMMITTEE MEETING**

Notice is hereby given that the **Policy & Services Committee Meeting of Council** will be held in the **Function Facility, War Memorial Centre, Miranda Street, Stratford** on **Tuesday 26 May 2020** at **1pm** to hear and consider submissions to the Trade Waste Bylaw.

**Timetable for 26 May 2020 as follows:**

1pm	Policy & Services Committee - Hearing - Trade Waste Bylaw
2pm	Workshop for Councillors - Roading
3.00pm	Policy & Services Committee

Yours faithfully



Sven Hanne  
**CHIEF EXECUTIVE**

# Policy & Services Committee - Hearing (26/05/2020)

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**POLICY & SERVICES COMMITTEE MEETING**  
**TUESDAY 26 MAY 2020 AT 1.00PM**

**TO HEAR AND CONSIDER SUBMISSIONS TO THE**  
**TRADE WASTE BYLAW**

**A G E N D A**

1. **WELCOME**
2. **APOLOGIES**
3. **ANNOUNCEMENTS**

The Chairman notes that this meeting of the Policy & Services Committee had originally been scheduled to hear and consider submissions to the Dog Control Bylaw and Policy as well as the Trade Waste Bylaw. Due to an extension being given for submissions to the Dog Control Bylaw and Policy this has now been postponed to a later date. In accordance with Standing Order 8.1 sufficient notice will be given to Councillors, the public and those who have submitted when a new hearing date is set.

4. **DECLARATION OF MEMBERS INTEREST**

(No report)

Elected members to declare any real or perceived conflicts of interest relating to items on this agenda.

5. **ACKNOWLEDGEMENT OF SUBMISSIONS**

Submissions pages 5-13

Attached are the four (4) submissions received.

**RECOMMENDATIONS**

1. THAT each of the four (4) submissions to the Trade Waste Bylaw be received.
2. THAT each submitter be individually thanked for their submission, and a copy of the minutes of this Policy & Services Committee Meeting and subsequent meetings be provided to each submitter.

**Recommended Reason**

Each submission is formally received and the submitter provided with information on decisions made.

\_\_\_\_\_  
Moved/Seconded

**6. TRADE WASTE BYLAW– DELIBERATION AND ADOPTION**  
D20/2087 (Pages 14-124)

Discussion

Council needs to consider submissions to the Trade Waste Bylaw as part of the consultation process.

**RECOMMENDATIONS**

1. THAT the report be received.
2. THAT subject to any new information from submissions highlighted at the Hearing, the Trade Waste Bylaw 2020 be adopted.
3. THAT the commencement date of the Trade Waste Bylaw be 1 June 2020.

**Recommended Reason**

*Section 146 (b)(ii)* of the Local Government Act (LGA) 2002 allows the Stratford District Council ('Council') to make and revise its Trade Waste Bylaw for the purposes of managing, regulating and protecting the Trade Waste activities, assets and services in an efficient, safe, reliable and sustainable manner in the Stratford District. The adoption of this Bylaw will allow the fulfilment of these purposes.

\_\_\_\_\_  
Moved/Seconded

\* \* \* \* \*



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**Louise Campbell**

**From:** Graham Young <Graham.Young@ruanui.co.nz>  
**Sent:** Wednesday, 6 November 2019 3:51 p.m.  
**To:** Victoria Araba  
**Subject:** Trade Waste and Waste water Bylaws

Kia ora Victoria,

Following our meeting today with our cultural advisors; I can confirm that Ngati Ruanui endorses the Council's proposed Trade Waste and Waste Water Bylaws as discussed and in particular the proposed bylaw that restricts phosphorus material being deposited into the Stratford Waste Water Plant. The Bylaws are further endorsed to be released for public consultation.

Nga mihi

Graham

**Graham Young**

**Strategy and Policy Team**

**Te Runanga o Ngaati Ruanui Trust**

**Ph 06 278 0148 / Fax 06 278 1358**

**74 Princes Street / PO Box 594 / Hawera 4640**



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 Please consider the environment – Do you need to print this email?

**From:** Victoria Araba

**Sent:** Wednesday, 6 November 2019 1:18 PM

**To:** Graham Young

**Cc:** Mike Oien ; Paul Jacobs ; 'Tara Okan'

**Subject:** Ngati Ruanui Oxidation Pond Meeting - 6 November 2019

Good afternoon Graham,

Many thanks for your attendance at this meeting today and for the positive outcome on this matter.

1. I am in the process of compiling and sending through the minutes of today's meeting - would you please confirm the names of all in attendance from Ngati Ruanui?
2. Also, would you please confirm in writing to TRC Ngati Ruanui's position on the matter;
3. Also, please confirm in writing that you are happy with the Trade Waste and Waste water Bylaws, so we take them to the Council to adopt and release for public consultation?

Many thanks

**Victoria Araba | Director - Assets**

Stratford District Council | 61 – 63 Miranda Street | PO Box 320 | Stratford 4352

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**Stratford District** in the heart of Taranaki



Victoria Araba  
Director - Assets  
Stratford District Council

Via email: [submissions@stratford.govt.nz](mailto:submissions@stratford.govt.nz)

Rāapa, 20 Whiringa ā nuku, 2019

#### Trade Waste & Wastewater Bylaws Review

Tēnā koe Victoria,

1. On behalf of Te Korowai o Ngāruahine Trust (Te Korowai) thank you for the opportunity to provide comment on the review of the trade waste and wastewater bylaws. Te Korowai would first like to acknowledge the Council for a thorough and comprehensive review. We have reviewed the document have set out a number of comments for your consideration.
2. Te Korowai's interest in these bylaws stems from Ngāruahine iwi having a special cultural, spiritual, historical and traditional association with the awa upon which the wastewater system discharges to. Te Korowai, as the post-settlement governance entity for Ngāruahine has a responsibility to ensure that the interests of Ngāruahine are safeguarded. This includes considering the extent to which the proposed activities, may impact (potential or actual) on the environmental, cultural and spiritual interests of Ngāruahine within its rohe (tribal area); and those areas under statutory acknowledgement and/or Deed of Recognition (Ngāruahine Claims Settlement Act 2016); and the potential or actual risks to the physical, psychological, cultural and spiritual wellness of Ngāruahine (Te Korowai o Ngāruahine Trust Deed). Therefore, Te Korowai makes submissions to any relevant policy matters within its rohe. This does not



prevent the Ngāruahine hapū submitting on their behalf, nor should it be in any way viewed as compromising the mana motuhake of the hapū.

#### Wastewater Bylaw

3. We note that the wastewater bylaw appears to consider discharges from marae as a wastewater discharge, as opposed to a tradewaste discharge. However, it may be useful for the sake of clarity to state which premises are included within the wastewater bylaw.
4. We note that customers are required to prevent the ingress of stormwater into the system. It is important that Council are held to the same standard, to reduce the risk of system overflows during severe weather events.
5. Te Korowai would also advocate that any properties that have the wastewater system running past their property are required to connect to it. This is to minimise the risk of poorly maintained septic tank systems contaminating ground and surface water.
6. We would also advocate that the bylaw be supportive of sustainable uses for greywater, such as garden watering or toilet flushing. It is likely this will apply mainly to new builds but would aid with management of the wastewater system by reducing the volume of wastewater that needs to be treated.
7. Finally, Council should consider including section 7.1 from the tradewaste bylaw in the wastewater bylaw.

#### Trade Waste Bylaw

8. There is a minor typo in heading 7.2.
9. We note that there are some inconsistencies in the definitions included in both bylaws, for example the definition for stormwater. Both bylaws should have identical definitions.





10. When a premise is required to gain a consent for a tradewaste discharge, Te Korowai would like to see iwi consultation incorporated into the process. This is especially important for any discharges from premises that deal with the deceased, such as cremation or embalming. There are also new technologies being developed which may one day be available in the Stratford region e.g. Alkaline hydrolysis.
11. We trust that these comments are helpful. Should you require any further information or clarification about these comments, please contact me at [policy@ngaruahine-iwi.nz](mailto:policy@ngaruahine-iwi.nz).

Nāku iti noa, nā

Bart Jansma

**Poutātari Kaupapa Taiao**



**SUBMISSION ON BEHALF OF Z ENERGY LIMITED  
TO STRATFORD DISTRICT COUNCIL'S  
DRAFT TRADE WASTE BYLAW 2020**

**To:** Stratford District Council  
PO Box 320  
STRATFORD 4352

Via email: [submissions@stratford.govt.nz](mailto:submissions@stratford.govt.nz)

**Submitter:** Z Energy Limited<sup>1</sup>  
PO Box 2091  
WELLINGTON 6140

**Date:** 21 February 2020

**Address for Service:** 4Sight Consulting Limited  
PO Box 911 310  
Victoria Street West  
Auckland Central 1142

Attention: Kahlia Thomas  
Phone: 021 064 7242  
Email: [kahliat@4sight.co.nz](mailto:kahliat@4sight.co.nz)  
File ref: AA6723



LAND. PEOPLE. WATER.

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<sup>1</sup> On behalf of the wider Z Group, including the Z and Caltex operations in New Zealand



## 1. INTRODUCTION

- 1.1. Stratford District Council (*Council*) is seeking feedback on its review of the Stratford Trade Waste Bylaw (*the Bylaw*).
- 1.2. Z Energy Limited (*Z Energy*) receives, stores and distributes refined petroleum products around New Zealand. Of most relevance to this submission, Z Energy owns and operates the Z Stratford service station (which includes a car wash facility).
- 1.3. Z Energy's interests in trade waste bylaws typically relate to how they address discharges from car washes. These discharges generally comply with permitted discharge provisions in trade waste bylaws around the country and this is confirmed by comprehensive monitoring data.

## 2. COMMENTS

- 2.1. Z Energy generally supports the permitted discharge characteristics set out in Schedule 1. Past monitoring has demonstrated that the modern car wash discharges are consistently of a high quality and able to meet these standards. Z Energy would be pleased to provide Council with further information in this regard if it would be of assistance.
- 2.2. However, Z Energy has found that daily discharge volume from car wash facilities around the country typically fall between 3m<sup>3</sup> and 10m<sup>3</sup>. There is therefore potential for the discharge from the facility to exceed the 6m<sup>3</sup> limit set out in Section 25.2.1(a). Z Energy requests that the Council increases the volume limit for car washes to 10m<sup>3</sup>, noting that compliance with the balance of Schedule 1 characteristics is anticipated irrespective of the increase in the volume limit.
- 1.4. Z Energy also seeks that the Bylaw recognises that car wash discharges need not be regularly monitored, subject to appropriate operation and maintenance procedures. Z Energy's Trade Waste Management Procedure is one such procedure and is attached at **Attachment A** to provide the Council with certainty regarding the robustness of the operation and maintenance measures undertaken by Z Energy. In conjunction with historic monitoring data, further monitoring is not considered necessary.
- 1.5. Section 17.1.1 provides that permitted discharges shall remain in force indefinitely until specific circumstances arise. Z Energy supports the intent of Section 17.1.1, but considers that clauses (b) and (e) need to be qualified to provide greater certainty. Z Energy requests the following amendments:
 

*17.1.1 Permitted Discharges shall remain in force indefinitely until:*

...

b) *The quantity and nature of the discharge changes beyond the scope of the approved permitted discharge;*

...

e) *The condition on resource consents for the wastewater system and the residuals from it change such that the Council cannot accept the previously approved discharge.*
- 1.6. On a similar note, section 19.1.1 lists the circumstances under which the Council may suspend or cancel any discharge consent. Z Energy considers that an amendment is required to clause (f) to ensure it is appropriately tied to the approved discharge. An amendment along the following lines is requested:



3.

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*19.1.1 The Council may suspend or cancel any consent or right to discharge at any time following 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:*

...  
f) *In the event of any breach of a resource consent relating to the approved discharge, held by the Council issued under the Resource Management Act 1991;*

1.7. Finally, Z Energy notes there is a typographical error at section 13.1 where it refers to 'dicharge' not discharge. Z Energy draws this to Council's attention in case it is not picked up in a final proof.

### 3. CONCLUSION

3.1. Thank you for considering the above comments. Z Energy has experience across the country under a number of trade waste bylaws and would be pleased to discuss these matters further if that would assist.

Signed on behalf of Z Energy Limited

A handwritten signature in black ink that reads 'KThomas'.

**Kahlia Thomas**  
Planning and Policy Consultant  
**4Sight Consulting Limited**

**Attachment A: Z Energy Trade Waste Discharge Management Procedure**

# Hon Julie Anne Genter

Minister for Women  
Associate Minister of Transport  
Associate Minister of Health

Minita mō ngā Wāhine  
Minita Tuarua mō ngā Take Waka  
Minita Tuarua mō te Manatū Hauora



5

Ms Victoria Araba  
Director – Assets  
Stratford District Council  
varaba@stratford.govt.nz

Ref. C19241-5

Tēnā koe Victoria

Thank you for your email of 27 February 2020 to the Minister of Health, Hon Dr David Clark, regarding Stratford District Council's new Trade Waste Disposal Bylaw proposal. I am responding to you as the matters you raise fall within my responsibilities as Associate Minister of Health.

I agree that the use of trade waste bylaws is a means of reducing waste to councils' sewage treatment plans. These bylaws also protect the sewerage system, sewerage workers and the environment. I am advised that Stratford District Council's proposed new Bylaw is comprehensive and largely follows the requirements set by the New Zealand Standard (NZS) Model Bylaw for Trade Waste and exceeds them in places. However, Ministry officials also recommend that in the relevant sections of your Bylaw, cytotoxic waste is prohibited, and controls are placed on the disposal of liquid antibiotics

On the disposal of liquid waste from pharmacies, these are generally products that have been returned by customers in accordance with the Health and Disability Services Standards—Pharmacy Services Standard NZS 8134.7:2010. Schedule 2 of the Bylaw prohibits discharge of any health care waste prohibited under NZS 4304:2002 Management of Healthcare Waste, which currently states that cytotoxic waste can be discharged to a sewer with the local authority's permission. This is no longer considered appropriate. When this Standard comes up for review, the Ministry will seek to have this advice amended.

In addition, I note that the Trade Waste Bylaw does not place specific limits on the discharge of liquid pharmaceutical waste. The Ministry supports the advice of the Pharmacy Guild of New Zealand that, if Stratford DC wish to allow the discharge of liquid pharmaceutical waste the amount discharged monthly not exceed the following volumes and concentrations of active ingredients:

Volume Limit	Active Concentration
10 Litres	125mg / 5 ml
5 Litres	250mg / 5 ml
3 Litres	Above 250mg / 5ml

Any discharge above these limits should then be a controlled discharge and require a trade waste agreement.

Finally, I am advised that the radiation regulatory body has changed from the National Radiation Laboratory to the Office of Radiation Safety. Therefore, the text and schedules of

the Bylaw should refer to the Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

I do not have any representatives of the owners or occupiers of trade waste premises that I require you to consult under section 148(4) of the Local Government Act 2002, as you advised in your letter that you have already consulted with these groups.

Thank you again for writing and inviting feedback on Stratford District Council's Trade Waste Disposal Bylaw. I wish you well.

Nāku noa, nā



Hon Julie Anne Genter  
**Associate Minister of Health**

# DECISION REPORT



F19/13/04- D20/2087

6

**TO:** Policy and Services Committee

**FROM:** Director – Assets

**DATE:** 26 May 2020

**SUBJECT: TRADE WASTE BYLAW – DELIBERATION AND ADOPTION**

## **RECOMMENDATIONS**

1. THAT the report be received.
2. THAT subject to any new information from submissions highlighted at the Hearing, the Trade Waste Bylaw 2020 be adopted.
3. THAT the commencement date of the Trade Waste Bylaw be 1 June 2020.

## **Recommended Reason**

*Section 146 (b)(ii)* of the Local Government Act (LGA) 2002 allows the Stratford District Council ('Council') to make and revise its Trade Waste Bylaw for the purposes of managing, regulating and protecting the Trade Waste activities, assets and services in an efficient, safe, reliable and sustainable manner in the Stratford District. The adoption of this Bylaw will allow the fulfilment of these purposes.

\_\_\_\_\_  
Moved/Seconded

## 1. **PURPOSE OF REPORT**

- 1.1 The purpose of the report is to seek the Committee's approval for the adoption of the *draft* Trade Waste Bylaw 2020, which is developed for the regulation of trade waste activity in the Stratford District.
- 1.2 The Stratford District Council ("Council") approved the release of the *draft* Trade Waste Bylaw 2020 for consultation on 10 December 2019.
- 1.3 Public consultation commenced on 16 December 2019 and closed on 21 February 2020. A copy of the *draft* Trade Waste Bylaw 2020 was sent to the Minister of Health on 27 February and feedback was received on Monday 11 May 2020.
- 1.4 A total of four (4) submissions were received, with none requesting to be heard.
- 1.5 Council officers have made a number of changes to the *draft* Trade Waste Bylaw 2020, these are noted in Section 4.

## 2. EXECUTIVE SUMMARY

- 2.1 The recommendation is to adopt the *draft* Trade Waste Bylaw 2020.
- 2.2 The purpose of the *draft* Trade Waste Bylaw 2020 is to regulate trade waste in the Stratford District by:
- protecting the health and safety of all people from potential adverse effects of harmful substances discharged to the public wastewater system;
  - protecting the environment from adverse effects of harmful substances discharged to the public wastewater system;
  - protecting the public wastewater system from damage and provide for its efficient operation;
  - encouraging waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises;
  - ensuring fairness and equitable cost recovery from conveying, treating and disposing of trade waste through the Council's sewerage infrastructure;
  - protecting the ratepayers connected to Council's sewerage system from carrying the burden of trade waste generated outside the district.
- 2.3 As a result of the review, the *draft* Trade Waste Bylaw 2020 now becomes a stand-alone document, as opposed to its consolidation with other council Bylaws and includes proposed provisions that:
- defines the purpose of the Trade Waste Bylaw; and
  - outlines instances when the Council will not accept trade waste.
- 2.4 During the public consultation period, Council received four submissions from Ngāti Ruanui, Te Korowai O Ngāruahine Trust, Z Energy Limited and the Minister of Health.
- 2.5 Council officers have provided a summary of the submissions and management response in **Appendix A** and proposed changes to the Bylaw as appropriate.
- 2.6 Therefore, officers have made recommendation that the *updated* Trade Waste Bylaw 2020 be adopted with the suggested changes.
- 2.7 The current Bylaw is provided in **Appendix B**; the *draft* Bylaw consulted on in **Appendix C**; and the *updated* Bylaw in **Appendix D**.



3. **LOCAL GOVERNMENT ACT 2002 - SECTION 10**

How is this proposal applicable to the purpose of the Act?

- Is it for the provision of good quality local infrastructure? If so, why?; **OR**
- Is it for the performance of a good quality regulatory function? If so, why?

**OR**

- Is it for the performance of a good quality local public service?

**AND**

- Is it in a way that is most cost-effective to businesses and households? If so, why?

**Good quality** means, infrastructure, services, and performance that are efficient and effective, and appropriate to present and anticipated future circumstances.

**Local public service** means, a service provided for the community which is for the benefit of the District.

This Bylaw is for the *performance of a good quality local public service*.

4. **BACKGROUND**

- 4.1 Pursuant to *Section 146 (b)(ii)* of the Local Government Act (2002), the Council has made its *draft Trade Waste Bylaw 2020* for the purposes of managing, regulating trade waste and for managing, regulating against, or protecting from damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with the Trade Waste function in the Stratford District.
- 4.2 The Stratford District Council’s Trade Waste Bylaw 2008 (“the current Bylaw”) lapsed on 1 July 2018. The Local Government Act (2002) in Section 159 requires that the Council review its bylaw no later than 10 years after it was last reviewed. Notwithstanding *Section 159*, *Section 160A* allows a Bylaw to continue in its effect, no more than 2 years since the after the date on which the bylaw should have been reviewed, in this case 2020. Therefore, the review of this current Bylaw to be replaced with the *draft Trade Waste Bylaw 2020*, is within the legislative timeframe.
- 4.3 During the public consultation period, Stratford District Council received four submissions from Ngāti Ruanui, Te Korowai O Ngaruahine Trust, Z Energy Limited and the Minister of Health:
- Ngāti Ruanui endorsed the Council’s proposed Trade Waste Bylaw;
  - Ngāruahine suggested that Council implement a few initiatives as summarised in **Appendix A**;
  - Z Energy Limited sought that the Council amend *Clause 17.1.1. (b) & (e)*, *Clause 19.1.1. (f)* and *Clause 25.2.1(a)* for a number of reasons as described in **Appendix A**; and
  - The Minister of Health’s key submission was for the Council to impose limits on liquid pharmaceutical waste and essentially prohibit the discharge of cytotoxic<sup>1</sup> wastes into Council’s sewer.

<sup>1</sup> Cytotoxic wastes are associated with cytotoxic drugs which contain chemicals that are toxic to the cells. They include materials, equipment, and residue that are contaminated by cytotoxic drugs.

- 4.4 Council officers have assessed the implications of the relief sought by the submitters and consider that:
- Ngāruahine’s suggestion for iwi consultation for any consent application for trade waste discharge is already covered in the wastewater resource consent issued by the Taranaki Regional Council in April 2020 (Condition 16);
  - Z Energy Limited’s suggestion have been largely accepted with the exception of the change sought to Clause 17.1.1. (e); and
  - The Minister of Health’s feedback is accepted in its entirety and changes made to the Bylaw in *Schedule 1 (new Table 1.4)* and *Schedule 2, Clause 26.2.3(g)*.
- 4.5 Council officers have noted and incorporated into the Bylaw, much of the relief sought by the submitters.
- 4.6 Council officers have made a number of amendments to the *draft* Bylaw, subject to approval of this committee, as per the *updated* Bylaw in **Appendix D**. Amendments made are:
- Change ‘*Date in Force*’ of the Bylaw from 1 June 2020 to 1 July 2020;
  - *Section 7: Definitions* - Updated for completeness, relevance and consistency with the Wastewater Bylaw 2020;
  - *Clause 17.1.1. (b)* - Amended to qualify the quantity and nature of discharge;
  - *Clause 19.1.1(f)* - Amended to further qualify the breach in question;
  - *Clause 25.2.1(a)* - Amended to permit a maximum 24 hour flow volume of 10m<sup>3</sup> at car wash facilities;
  - *New Table 1.4 in Schedule 1*; Included as limits to liquid pharmaceutical waste;
  - *Schedule 2, Clause 26.2.3 (g)* - Amended to include Cytotoxic wastes in the list of prohibited discharge wastes;
  - Update references in the Bylaw from the ‘*National Radiation Laboratory*’ to the ‘*Office of Radiation Safety*’; and
  - Other minor typographical errors.
- 4.7 Therefore, Council officers’ recommendation is for Council to adopt the *updated* Trade Waste Bylaw in **Appendix D** with the changes described above.
- 4.8 Council staff have considered the requirements of Section 155 of the Local Government Act which lists what the Council must consider when making a Bylaw. Council staff consider that this *draft* Trade Waste Bylaw 2020 is:
- The most appropriate way of dealing with the matters identified therein;
  - In the most appropriate form of bylaw; and
  - Not inconsistent nor raises any implications with the New Zealand Bill of Rights Act 1990.
- 4.9 The purposes of this Bylaw are as described in Section 2.2 above.

## 5. CONSULTATIVE PROCESS

### 5.1 Public Consultation - Section 82

The public consultation process which commenced on 16 December 2019, closed on 21 February 2020. Three submissions were received, with none requesting to be heard.

Pursuant to Section 148 of the Local Government Act, the Council also sought the opinion of the Minister of Health (MOH) on 27 February 2020. The Minister's submission was received on 1 May 2020 and all feedback has been accepted in its entirety and incorporated in the Bylaw.

### 5.2 Māori Consultation - Section 81

Pre-consultation was undertaken with Māori – Ngāruahine, Ngāti Ruanui and Ngāti Maru - given their *Kaitiakitanga* over the water and given that they may be affected by or have an interest in the receiving water for the ultimate discharge of treated trade waste.

Comments received from Ngāti Ruanui and Ngāruahine are summarised in Section 4 and **Appendix A** of this report. Where applicable, these comments have been taken into account in the *updated* Trade Waste Bylaw 2020 in **Appendix D**.

## 6. RISK ANALYSIS

Please refer to the Consequence and Impact Guidelines at the front of the reports in this agenda.

- Is there a:
  - financial risk;
  - human resources risk;
  - political risks; or
  - other potential risk?
- If there is a risk, consider the probability/likelihood of it occurring.
- Is there a legal opinion needed?

6.1 There is no perceived risk associated with the Trade Waste Bylaw 2020.

6.2 The adoption of the Trade Waste Bylaw 2020 is expected to mitigate potential public health and safety, environmental, financial and political risks.

7. **DECISION MAKING PROCESS - SECTION 79**

7.1 **Direction**

	<b>Explain</b>
Is there a strong link to Council’s strategic direction, Long Term Plan/District Plan?	Yes, there is a strong link to many of Council’s Strategies, Policies and Plans including the Council’s Long Term Plan (LTP); Annual Plan (AP); Infrastructure Strategy (IS); Wastewater Asset Management Plans (WAMP); Resource Consents (RC) other operational documents which are driven by the Local Government Act (LGA), Health Act (HA), the Resource Management Act (RMA) and other key legislation.
What relationship does it have to the communities’ current and future needs for infrastructure, regulatory functions, or local public services?	It specifically helps to ensure that the Council can continue to provide the wastewater service and ensure that the burden of wastewater treatment falls where it lies. Also, by refusing certain trade wastes as now specified in the bylaw, this bylaw promotes not only fairness in associated cost recovery, but also a reduction in nutrient loading, and hence improved quality of discharge, in the wastewater.

7.2 **Data**

This *draft* Trade Waste Bylaw 2020 is based on data which shows the need to:

- Regulate the receiving of trade waste in the district;
- Provide an instrument that enables a fair and consistent approach to the receiving and management of trade waste in the district;
- To clarify circumstances under which the Council will receive trade waste from its producers/transporters to, in particular, ensure compliance with Resource Consent Conditions and meet its obligations under the relevant legislation and environmental compliance requirements.

This Bylaw will enable the Council to achieve compliance of the conditions of the Wastewater Discharge Consent issued in April 2020.

7.3 **Significance**

	Yes/No	Explain
Is the proposal significant according to the Significance Policy in the Long Term Plan?		
Is it: • considered a strategic asset; or	No	
• above the financial thresholds in the Significance Policy; or	No	
• impacting on a CCO stakeholding; or	No	
• a change in level of service; or	Yes	The Council now can refuse certain wastes as provided in the Bylaw, therefore, reducing the scope and extent of service delivered to the general public.
• creating a high level of controversy; or	No	
• possible that it could have a high impact on the community?	No	
In terms of the Council's Significance Policy, is this proposal of high, medium, or low significance?		
<b>HIGH</b>	<b>MEDIUM</b>	<b>LOW</b>
		✓

7.4 **Options**

<p>An assessment of costs and benefits for each option must be completed. Use the criteria below in your assessment.</p> <ol style="list-style-type: none"> <li>1. What options are available?</li> <li>2. For <b>each</b> option: <ul style="list-style-type: none"> <li>• explain what the costs and benefits of each option are in terms of the present and future needs of the district;</li> <li>• outline if there are any sustainability issues; and</li> <li>• explain if the outcomes meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions?</li> </ul> </li> <li>3. After completing these, consider which option you wish to recommend to Council, and explain: <ul style="list-style-type: none"> <li>• how this option is the most cost effective option for households and businesses;</li> <li>• if there are any trade-offs; and</li> <li>• what interdependencies exist.</li> </ul> </li> </ol>
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**Option 1**

The Council *adopts* the Trade Waste Bylaw 2020, in which case, the Council will enable the achievement of its purposes as described in Section 2.2 of this report.

**Option 2**

The Council *Declines to adopt* the Trade Waste Bylaw 2020.

This will be inconsistent with the requirements of the Local Government Act (2002) pursuant to Sections 145 and 146. In addition, there will remain the question of how the Council will achieve the purposes of the *draft* Trade Waste Bylaw 2020, as per Section 2.2 of this report.

Officer’s preferred option is Option 1.

7.5 **Financial**

- |  |
|--|
| <ul style="list-style-type: none"> <li>• Is there an impact on funding and debt levels?</li> <li>• Will work be undertaken within the current budget?</li> <li>• What budget has expenditure come from?</li> <li>• How will the proposal be funded? e.g. rates, reserves, grants etc.</li> </ul> |
|--|

The adoption and subsequent implementation of the Trade Waste Bylaw 2020 will have no impact on funding and debt levels and can be implemented within the current budget.

On the contrary, there may be financial implications if the *draft* Trade Waste Bylaw 2020 is not adopted.

7.6 **Prioritisation & Trade-off**

- |   |
|---|
| <p>Have you taken into consideration the:</p> <ul style="list-style-type: none"> <li>• Council’s capacity to deliver;</li> <li>• contractor’s capacity to deliver; and</li> <li>• consequence of deferral?</li> </ul> |
|---|

- The Council and its Contractors are able to deliver on the requirements of this Bylaw.
- The Bylaw must be adopted before July 2020 pursuant to Section 160A of the Local Government Act, as described in Section 4.2 of this report.
- There is no value in deferring the adoption.
- Adopting this Trade Waste Bylaw 2020 will provide the regulatory tool for the management of all Trade Waste and associated infrastructure.

7.7 **Legal Issues**

- Is there a legal opinion needed?
- Are there legal issues?

No legal opinion was obtained in the preparation of the bylaw instruments given that the Bylaw has been written to align with the relevant legislations.

7.8 **Policy Issues - Section 80**

- Are there any policy issues?
- Does your recommendation conflict with Council Policies?

There are no policy issues.

On the contrary, the Bylaw is consistent with the requirements of the relevant legislations.

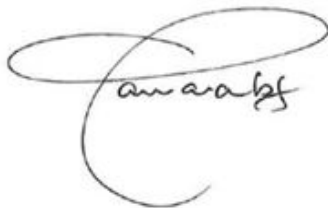
**Attachments:**

**Appendix A** – Summary of Submissions and Management Responses (D20/580)

**Appendix B** – The *current* Trade Waste Bylaw 2008

**Appendix C** – The *draft* Trade Waste Bylaw 2020 consulted on (D19/30859)

**Appendix D** – The *updated* Trade Waste Bylaw 2020 (D20/3179)



Victoria Araba  
**DIRECTOR - ASSETS**



[Approved by]  
Sven Hanne

**CHIEF EXECUTIVE**

**DATE** 19 May 2020

**MANAGEMENT RESPONSES ON THE DRAFT TRADE WASTE BYLAW 2020**

Sub No#	Submitter	Date Received	Submission Summary	SDC Response
1.	Ngiti Ruanui Trust Graham Young	6 November 2019	Endorses the Council's proposed Trade Waste Bylaw.	Thank you!
2.	Te Korowai O Ngāruahine Trust (TKONT) Bart Jansma	20 November 2019	1 There is a minor typo in heading 7.2.	Noted and effected. Thank you.
			2 We note that there are some inconsistencies in the definitions included in both Trade Waste and Wastewater Bylaws, for example the definition for stormwater. Both bylaws should have identical definitions	Noted and effected. Thank you.
			3 TKONT would like to see iwi consultation for any consent applications for trade waste discharge, especially for premises that deal with the deceased such as cremation or embalming.	Council's resource consent already requires that lwi be notified/consulted on new trade waste applications. Thank you
3.	Z Energy Kahlia Thomas 4Sight Consulting Limited	21 February 2020	1. Z Energy generally supports the permitted discharge characteristics set out in Schedule 1. Past monitoring has demonstrated that the modern car wash discharges are consistently of a high quality and able to meet these standards. Z Energy would be pleased to provide Council with further information in this regard if it would be of assistance.  However, Z Energy has found that daily discharge volume from car wash facilities around the country typically fall between 3m3 and 10m3. There is therefore potential for the discharge from the facility to exceed the 6m3 limit set out in Section 25.2.1(a). Z Energy requests that the Council increases the volume limit for car washes to 10m <sup>3</sup> ,	Council staff is not opposed to this increase – only for car wash facilities in the district. It is important that any new laws are not perceived to be limiting growth of businesses in the district.  Changes made to 25.2.1 (a) to allow a maximum volume of 10 m <sup>3</sup> at car wash facilities.  Reason - The compliance requirements are the same, irrespective of the increase in the volume limit, as per Schedule 1 of the Bylaw.
			2. Z Energy also seeks that the Bylaw recognises that car wash discharges need not be regularly monitored, subject to appropriate operation and maintenance procedures.	The relief sought seems reasonable.



Sub No#	Submitter	Date Received	Submission Summary	SDC Response
			<p>Section 17.1.1 provides that permitted discharges shall remain in force indefinitely until specific circumstances arise. Z Energy supports the intent of Section 17.1.1, but considers that clauses (b) and (e) need to be qualified to provide greater certainty. Z Energy requests the following amendments:</p> <p><i>17.1.1 Permitted Discharges shall remain in force indefinitely until:</i></p> <p><i>b) The quantity and nature of the discharge changes <u>beyond the scope of the approved permitted discharge</u>;</i></p> <p><i>e) The condition on resource consents for the wastewater system and the residuals from it change <u>such that the Council cannot accept the previously approved discharge</u>.</i></p>	<p>The suggested qualification of 17.1.1. (b) appears to be reasonable. Changes made to 17.1.1. (b) in the Bylaw.</p> <p>However, suggested qualification of 17.1.1 (e) appears to be <i>limiting</i> on the Council. Therefore, Officer recommendation is for the status quo to remain. Council would like to reserve some discretion on this matter.</p>
			<p>3. On a similar note, section 19.1.1 lists the circumstances under which the Council may suspend or cancel any discharge consent. Z Energy considers that an amendment is required to clause (f) to ensure it is appropriately tied to the approved discharge. An amendment along the following lines is requested:</p> <p><i>19.1.1 The Council may suspend or cancel any consent or right to discharge at any time following 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:</i></p> <p>...</p> <p><i>f) In the event of any breach of a resource consent <u>relating to the approved discharge</u>, held by the Council issued under the Resource Management Act 1991;</i></p>	<p>The suggested qualification of Clause 19.1.1. (f) appears to be reasonable.</p> <p>Suggestion included in the Updated Bylaw.</p>
			<p>4. Z Energy notes there is a typographical error at section 13.1 where it refers to 'dicharge' not discharge. Z Energy draws this to Council's attention in case it is not picked up in a final proof</p>	<p>Thanks, noted Louise – please update.</p>

Sub No#	Submitter	Date Received	Submission Summary	SDC Response								
4.	Minister of Health  Hon Julie Anne Genter, Associate Minister of Health	11 May 2020	<p>1. On the disposal of liquid waste from pharmacies, these are generally products that have been returned by customers in accordance with the Health and Disability Services Standards—Pharmacy Services Standard NZS 8134.7:2010. Schedule 2 of the Bylaw prohibits discharge of any health care waste prohibited under NZS 4304:2002 Management of Healthcare Waste, which currently states that cytotoxic waste can be discharged to a sewer with the local authority’s permission. This is no longer considered appropriate. When this Standard comes up for review, the Ministry will seek to have this advice amended.</p>	<p>Thanks Noted.</p> <p>Section 7.9 of NZS4304:2002 states that <i>Before liquid residues are classified as suitable for disposal to sewer, the requirements of the relevant local authority shall be met (e.g. trade waste Bylaw)</i></p> <p>This <i>draft</i> Trade Waste Bylaw has now been amended in Schedule 2, 26.2.3(g) to include the prohibition of discharge of all Cytotoxic waste.</p>								
			<p>2. In addition, the Trade Waste Bylaw does not place specific limits on the discharge of liquid pharmaceutical waste. The Ministry supports the advice of the Pharmacy Guild of New Zealand that, if Stratford DC wish to allow the discharge of liquid pharmaceutical waste the amount discharged <b>monthly</b> not exceed the following volumes and concentrations of active ingredients:</p> <table border="1" data-bbox="766 798 1312 906"> <thead> <tr> <th>Volume Limit</th> <th>Active Concentration</th> </tr> </thead> <tbody> <tr> <td>10 Litres</td> <td>125mg / 5 ml</td> </tr> <tr> <td>5 Litres</td> <td>250mg / 5 ml</td> </tr> <tr> <td>3 Litres</td> <td>Above 250mg / 5 ml</td> </tr> </tbody> </table> <p>Any discharge above these limits should then be a controlled discharge and require a trade waste agreement.</p>	Volume Limit	Active Concentration	10 Litres	125mg / 5 ml	5 Litres	250mg / 5 ml	3 Litres	Above 250mg / 5 ml	<p>The Health Centres/Rest Homes/Pharmacies in Stratford were approached on this matter and currently:</p> <ul style="list-style-type: none"> <li>- The 2x Health centres and 3x Rest Homes send back all unused drugs to the pharmacies for disposal;</li> <li>- The Taranaki District Health Board sends back all unused drugs to The Base for disposal; and</li> <li>- The 2x Pharmacies are confident that their disposal protocol for liquid pharmaceuticals fits within that suggested by the Minister of Health.</li> </ul> <p>This has now been incorporated into the <i>draft</i> Trade Waste Bylaw in the new Table 1.4 in Schedule 1.</p>
			Volume Limit	Active Concentration								
			10 Litres	125mg / 5 ml								
5 Litres	250mg / 5 ml											
3 Litres	Above 250mg / 5 ml											
<p>3. Finally, I am advised that the radiation regulatory body has changed from the <i>National Radiation Laboratory</i> to the <i>Office of Radiation Safety</i>. Therefore, the text and schedules of the Bylaw should refer to the Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.</p>	<p>Thanks and noted.</p> <p>All changes effected as necessary.</p>											
<p>4. I do not have any representatives of the owners or occupiers of trade waste premises that I require you to consult under section 148(4) of the Local Government Act 2002, as you advised in your letter that you have already consulted with these groups.</p>	<p>Thanks and noted.</p> <p>This confirms the fulfilment of the requirement of Section 148 of the LGA.</p>											

## CHAPTER 22

# TRADE WASTE BYLAW

### 22.1 GENERAL

This bylaw is based on NZS9201:Part 23:2004 Model Trade Waste Bylaw.

### 22.2 COMPLIANCE WITH BYLAW

#### 22.2.1 Control of discharges

No person shall:

- (a) Discharge, or allow to be discharged, any Trade Waste to the sewerage system except in accordance with the provisions of this bylaw;
- (b) Discharge, or allow to be discharged, a prohibited Trade Waste into the sewerage system;
- (c) Add or permit the addition of condensing or cooling water to any Trade Waste which discharges into the sewerage system unless specific approval is given in a consent; or
- (d) Add or permit the addition of stormwater to any Trade Waste which discharges into the sewerage system unless specific approval is given in a consent.

22.2.2 In the event of failure to comply with 22.2.1 (a) – (d) the Council may physically prevent discharge to the sewerage system if a reasonable alternative action cannot be established with the discharging party or parties.

22.2.3 Any person discharging to the Council sewerage system shall also comply with requirements of the Hazardous Substances and New Organisms (HSNO) Act and the RMA.

#### 22.2.4 Storage, transport, handling and use of hazardous or harmful materials

- (a) All persons on trade premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 22.2.4 (c) of this bylaw from entry into the sewerage system as a result of leakage, spillage or other mishap.
- (b) No Person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by HSNO or any of the materials listed in 22.2.4 (c) in a manner that may cause the material to enter the sewerage system and cause harmful effects.
- (c) Materials referred to in 22.2.4 (a) and (b) are those:
  - (i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials.
  - (ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream.
  - (iii) Likely to be deleterious to the health and safety of the Council's staff, approved contractors and the public or be harmful to the sewerage system.

### 22.3 TRADE WASTE DISCHARGES AND CONSENTS

#### 22.3.1 Classification of trade waste discharges

Trade Waste discharges shall be classified as one of the following types:

- (a) Permitted;
- (b) Conditional (Consent required); or
- (c) Prohibited (not Consentable).

**NOTE** – See the definitions in Chapter One.

22.3.2 The Council is not obliged to accept any Trade Waste. No application for a Trade Waste Consent shall be approved where the Trade Waste discharge would contain, or is likely to contain, characteristics which are prohibited.

22.3.3 No Person shall discharge, or cause to be discharged, any Trade Waste to the Council sewer except in accordance with the provisions of this bylaw.

22.4 **APPLICATION FOR A TRADE WASTE CONSENT**

22.4.1 **Formal Application**

Every Person who does, proposes to, or is likely to:

- (a) Discharge into the sewerage system any Trade Waste (either continuously, intermittently or temporarily); or
- (b) Vary the characteristics of a consent to discharge that has previously been granted; or
- (c) Vary the conditions of consent to discharge that has previously been granted; or
- (d) Significantly change the method or means of pre-treatment for discharge under an existing consent shall if required by the Council to complete an application in the prescribed form for the consent of the Council (see Standard Forms), to the discharge of that Trade Waste, or to the proposed variations.

22.4.2 The Council reserves the right to deal with the owner as well as the occupier of any trade premises.

22.4.3 Where the trade premises produces Trade Waste from more than one area, a separate copy of the “Description of Trade Waste and Premises” (see Standard Forms) shall be included in any application for Trade Waste discharge for each area. This applies whether or not the separate areas are part of a single or separate trade process.

22.4.4 The applicant shall ensure that the application and every other document conveying required information is properly executed and any act done for, or on behalf of, the eventual consent holder (whether for reward or not) in making any such application shall be deemed to be an act of the consent holder.

22.4.5 The Council may require an application to be supported by an independent report/statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant, and this may include a Management Plan.

22.4.6 Every application shall be accompanied by a Trade Waste application fee in accordance with the Council’s Schedule of Rates and Charges.

22.5 **INFORMATION AND ANALYSIS**

22.5.1 On the receipt of any application for a Trade Waste Consent to discharge from any Premises or to alter an existing discharge, the Council may:

- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- (b) Require the applicant to submit a Management Plan to the satisfaction of the Council;
- (c) Whenever appropriate have the discharge investigated and analysed as provided for in 22.13.1 and 22.13.10 of this bylaw.

22.5.2 The Council shall notify the applicant of any requirement under this clause within 10 Working Days of receipt of the application.

22.6 **CONSIDERATION OF AN APPLICATION**

Within 15 Working Days (or extended as necessary by the Council) of receipt of an application complying with this bylaw and/or all requirements under 22.5 whichever is the later, the Council shall, after considering the matters in 22.7 action one of the following in writing:

- (a) Grant the application as a permitted Trade Waste and inform the applicant of the decision by issuing the appropriate notice;
- (b) Grant the application as a conditional Trade Waste discharge consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to the discharge; or
- (c) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

22.7 **CONSIDERATION CRITERIA**

In considering any application for a Trade Waste Consent to discharge from any trade premises or tankered waste into the sewerage system and in imposing any conditions on such a consent, the Council shall take into consideration the quality, volume, and rate of discharge of the Trade Waste from such premises or tanker in relation to:

- (a) The health and safety of Council staff, Council’s agents and the public;
- (b) The limits and/or maximum values for characteristics of Trade Waste as specified in Schedules 1A and 1B of this bylaw;
- (c) The extent to which the Trade Waste may react with other Trade Waste or Foul Water to produce an undesirable effect, eg. settlement of solids, production of odours, accelerated corrosion and deterioration of the sewerage system etc.;
- (d) The flows and velocities in the sewer, or sewers and the material or construction of the sewer or sewers;
- (e) The capacity of the sewer or sewers and the capacity of any sewage treatment works, and other facilities;
- (f) The nature of any sewage treatment process and the degree to which the Trade Waste is capable of being treated in the sewage treatment works;
- (g) The timing and balancing of flows into the sewerage system;
- (h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewage sludges, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- (i) The effect of the Trade Waste discharge on the ultimate receiving environment;
- (j) The conditions on resource consents for the sewerage system and the residuals from it;
- (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the sewerage system and the environment;
- (l) Consideration for other existing or future discharges;
- (m) Amenability of the Trade Waste to pre-treatment;
- (n) Existing pre-treatment works on the premises and the potential for their future use;
- (o) Cleaner production techniques and waste minimisation practices;
- (p) Requirements and limitations related to sewage sludge disposal and reuse;
- (q) Control of stormwater;
- (r) Management Plan; and
- (s) Tankered Waste being discharged at an approved location/s.

22.8 **CONDITIONS OF TRADE WASTE CONSENT**

Any Trade Waste Consent to discharge may be granted subject to such conditions that the Council may impose, including but not limited to:

- (a) The particular public sewer or sewers to which the discharge will be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with 22.9;

- (d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) The temperature of the Trade Waste at the time of discharge;
- (g) The provision by, or for the Consent Holder, at the Consent Holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control Trade Waste discharge characteristics to the consented levels;
- (h) The provision and maintenance at the Consent Holder's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the Consent Holder's expense;
- (j) The method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any Trade Waste charges applicable to that discharge;
- (k) The provision and maintenance by, and at the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the Premises, and for the testing of such meters;
- (l) The provision and maintenance, at the Consent Holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
- (m) At times specified, the provision in a Council approved format by the Consent Holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products eg. sewage sludge disposal);
- (n) The provision and implementation of a Management Plan;
- (o) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
- (p) Waste minimisation and management;
- (q) Cleaner production techniques;
- (r) Remote control of discharges;
- (s) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including sewage sludge disposal);
- (t) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's sewerage system, its treatment plants, or could result in Council being in breach of any statutory obligation; and
- (u) Remote monitoring of discharges.

22.9 **DURATION**

22.9.1 **Permitted Discharges**

Permitted Discharges shall remain in force indefinitely until either:

- (a) Cancellation under 22.2.2 or 22.11.1
- (b) The quantity and nature of the discharge changes significantly.
- (c) If in the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a conditional or prohibited Trade Waste;
- (d) The Council changes the Trade Waste Management Procedures by implementation of changed Trade Waste Bylaw conditions or any amendment to, or replacement of, its Trade Waste Bylaw; or
- (e) The conditions on resource consents for the sewerage system and the residuals from it change.

22.9.2 **Conditional Consents**

Subject to 22.11 conditional Consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- (a) Conditional Consents may be given for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
  - (i) The nature of the trade activity, or the process design and/or management of the premises are such that the Consent Holder has a demonstrated ability to meet the conditions of the consent during its term; and/or

- (ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
- (iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
- (iv) The reissuing of a consent can not be unreasonably withheld.

Notwithstanding the above the Council retains the right to review the conditions at an earlier time. The reasons for such an earlier review could include:

- (a) The level of Consent Holder compliance, including any accidents including spills or process mishaps.
  - (b) Matters pertaining to the Council's resource consents for the sewerage system.
  - (c) Matters pertaining to the Council's environmental policies and outcomes.
  - (d) New control and treatment technologies and processes.
  - (e) Any of the matters outlined in 22.12.
  - (f) Matters pertaining to the Council's legal obligations.
- (b) In all other cases the term of a conditional Trade Waste Consent should not exceed two years;
  - (c) In all cases where either the consent holder or the owner of the premises changes, or there is a change of use, a new application for a conditional Trade Waste Consent shall be made. It shall be the responsibility of the consent holder to lodge the new application; and
  - (d) The conditions on resource consents for the sewerage system and the residuals from it change.

## 22.10 **TECHNICAL REVIEW AND VARIATION**

- 22.10.1 The Council at any time may require a person undertaking a Permitted Discharge to apply for a consent in accordance with 22.9.1.
- 22.10.2 The Council may at any time during the term of a Trade Waste Consent, by written notice to the consent holder (following a reasonable period of consultation), vary any condition to such an extent as the Council considers necessary following a review of the technical issues considered when setting conditions of consent. This is due to new information becoming available or to meet any new resource consent imposed on the discharge from the Council's treatment plant, or with any other legal requirements imposed on the Council.
- 22.10.3 A Consent Holder may at any time during the term of a consent, by written application to the Council, seek to vary any condition of consent, as provided for in 22.8 of this bylaw.

## 22.11 **CANCELLATION OF THE RIGHT TO DISCHARGE**

### 22.11.1 Suspension or Cancellation on Notice

The Council may suspend or cancel any consent or right to discharge at any time following 20 Working Days' (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:

- (a) For the failure to comply with any condition of the consent;
- (b) For the failure to maintain effective control over the discharge;
- (c) For the failure to limit in accordance with the requirements of a consent the volume, nature, or composition of Trade Waste being discharged;
- (d) In the event of any negligence which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the sewer system or the treatment plant or threatens the health or safety of any person;

- (e) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- (f) In the event of any breach of a resource consent held by the Council issued under the Resource Management Act 1991;
- (g) Failure to provide and when appropriate update a Management Plan as required for a conditional consent;
- (h) Failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- (i) Failure to pay any charges under this bylaw; or
- (j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.

If any process changes require more than 20 working days, reasonable time may be given to comply with the consent conditions.

22.11.2 **Summary Cancellation**

Further to 22.11.1 any Trade Waste Consent or discharge may at any time be summarily cancelled by the Council on giving to the consent holder or person discharging written notice of summary cancellation if:

- (a) They discharge any prohibited substance;
- (b) The Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
- (c) They discharge any Trade Waste unlawfully;
- (d) If the continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
- (e) If the continuance of discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council; or
- (f) In the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with conditions of a resource consent and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent.

22.12 **TRADE WASTE APPROVAL CRITERIA**

22.12.1 **Pre-treatment**

The Council may approve a Trade Waste discharge (on a Standard Form) subject to the provision of appropriate pre-treatment systems to enable the person discharging to comply with the bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at their expense.

Refuse or garbage grinders, and macerators shall not be used to dispose of solid waste from Trade Premises to the sewerage system unless approved by the Council.

The person discharging shall not, unless approved by the Council, add or permit the addition of any potable, Condensing, Cooling Water or Stormwater to any Trade Waste stream in order to vary the level of any characteristics of the waste.

**NOTE:** Condensing and cooling water should not be discharged as of right to a stormwater drain or natural waterway without the consent of the appropriate authority.

22.12.2 **Mass Limits**

A Conditional Trade Waste Consent to discharge may impose controls on a Trade Waste discharge by specifying mass limits for any characteristic.

Mass Limits may be imposed for any characteristic. Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value scheduled unless approved otherwise.



When setting mass limit allocations for a particular characteristic the Council shall consider:

- (a) The operational requirements of and risk to the sewerage system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- (b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of Biosolids or sewage sludge;
- (c) Conditions in the sewerage system near the Trade Waste discharge point and elsewhere in the sewerage system;
- (d) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- (e) Whether or not the applicant uses cleaner production techniques within a period satisfactory to the Council;
- (f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- (g) Any requirements of the Council to reduce the pollutant discharge of the sewerage system;
- (h) How great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the sewerage system;
- (i) The total mass of the characteristic allowable in the sewerage system, and the proportion (if any) to be reserved for future allocations; and
- (j) Whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the sewer reticulation, treatment process, or receiving water (or land).

22.13 **SAMPLING, TESTING AND MONITORING**

22.13.1 **Flow Metering**

Flow metering may be required by the Council:

- (a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of Trade Waste;
- (b) When the Council will not approve a method of flow estimation; or
- (c) When the discharge represents a significant proportion of the total flow/load received by the Council.

22.13.2 The Consent Holder shall be responsible for the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of Trade Waste.

These devices shall be subject to the approval of the Council, but shall remain the property of the Consent Holder.

22.13.3 Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the Consent Holder in a format approved by the Council.

22.13.4 Meters shall be located in a position approved by the Council which provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters shall be located in the correct position according to the manufacturer's installation instructions.

22.13.5 The Consent Holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ . A copy of independent certification of each calibration result shall be submitted to the Council.

22.13.6 Should any meter, after being calibrated, be found to have an error greater than that specified in 22.13.5 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the Consent Holder shall pay or be credited a greater or lesser amount according to such adjustment.

22.13.7 **Estimating Discharge**

Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.

22.13.8 Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 12 months charged to the person discharging) and they shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

22.13.9 Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

22.13.10 **Sampling and Analysis**

22.13.11 As determined by the Council sampling, testing and monitoring may be undertaken to determine if:

- (a) A discharge complies with the provisions of this bylaw;
- (b) A discharge is to be classified as a Permitted, Conditional, or Prohibited, refer to 22.3.1;
- (c) A discharge complies with the provisions of Schedule 1A for Permitted Discharge and any Consent to discharge; and
- (d) Trade Waste Consent charges are applicable to that discharge.

22.13.12 The taking, preservation, transportation and analysis of the sample shall be undertaken by an Authorised Officer or agent of the Council, or the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council. The person discharging shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

22.13.13 All Authorised Officers or authorised agents of the Council, or any analyst may enter any premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:

- (a) Taking readings and measurements;
- (b) Carrying out an inspection; and/or
- (c) Taking samples for testing,

of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

Authorisation for entry to premises is given under the LGA and entry shall be in compliance with the health and safety policies of that particular site.

## 22.14 **MONITORING**

### 22.14.1 **Monitoring for Compliance**

The Council is entitled to monitor and audit any Trade Waste discharge for compliance. Whether for a permitted discharge or a conditional consent discharge monitoring may be carried out as follows:

- (a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- (b) The sampling procedure will be appropriate to the Trade Waste and the analysis;
- (c) The Council will audit the sampling and analysis carried out by a self-monitoring Trade Waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- (d) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
- (e) The Council will audit the Trade Waste Consent conditions including any Management Plans.

At the discretion of the Council all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

### 22.14.2 **Sampling Methodology**

Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:

- (a) One portion of the sample goes to the Trade Waste discharger for appropriate analysis and/or storage;
- (b) A second portion of the sample shall be analysed at a laboratory approved by the Council;
- (c) A third portion of the sample is retained by the Council for 20 Working Days, for additional analysis if required.

Due consideration will be applied to any changes that could occur in retained Trade Waste samples and provisions to mitigate against changes will be adopted where practicable.

In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

### 22.14.3 **Tankered Wastes**

The Council may accept Tankered Wastes for discharge at an approved location. Tankered Wastes shall:

- (a) Be transported by a Consent Holder to discharge domestic septic tank or industrial wastes;
- (b) Have material safety data sheets (MSDS) supplied to the Council detailing the contents of a waste.
- (c) Be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the Consent Holder;
- (d) Not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;

- (e) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a load for disposal into the sewerage system; and
- (f) Have 24 hours notice given for the disposal of wastes other than those sourced from domestic septic tanks.

Any person illegally disposing of, or causing to be disposed, Tankered Waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's sewerage system other than the prescribed location will be in breach of the bylaw.

22.14.4 **Disinfected/Super Chlorinated Water**

Any water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the sewerage system. Application for a Temporary Discharge Consent shall be made.

Such water shall not be disposed of to stormwater or adjacent water courses without appropriate approvals.

22.15 **BYLAW ADMINISTRATION**

22.15.1 **Charges and Payments**

The Council may recover fees and charges in accordance with the Fees and Charges Directory, as determined by Council through Special Consultative Procedure.

22.15.2 **Authorised Officers**

All Authorised Officers of the Council, or other persons authorised under s. 174 or s. 177 or paragraph 32 of schedule 7 of the LGA, shall possess and produce on request warrants of authority and evidence of identity.

Any Authorised Officers may at any reasonable time enter any premises believed to be discharging Trade Wastes to determine any characteristic of any discharge by:

- (a) Taking readings and measurements; or
- (b) Taking samples or any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; or
- (c) Observing accidental occurrences and clean-up.

The extent and level of delegation to Authorised Officers will be in accordance with the Council's Register of Statutory Delegations and Warrants.

Authorisation for entry to premises is given under the LGA and entry shall be in compliance with the health and safety policies of that particular site.

22.15.3 **Transfer or Termination of Rights and Responsibilities**

A Trade Waste Consent to discharge shall be issued in the name of the given Consent Holder. The Consent Holder shall not, unless written approval is obtained from the Council:

- (a) Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the consent;
- (b) Allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
- (c) In particular and not in limitation of the above, allow sewage from any other party to be discharged at their point of discharge.

**NOTE:** This clause does not relate to Permitted Discharges.

- 22.15.4 Renewal of a Trade Waste Consent on change of ownership of premises shall not be unreasonably withheld if the characteristics of the sewage remain unchanged.

**NOTE:** This clause does not relate to Permitted Discharges.

- 22.15.5 The person discharging shall give 48 hours notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven Working Days. The person discharging shall notify the Council of the new address details for final invoicing.

On permanent disconnection and/or termination the person discharging may at the Council's discretion be liable for Trade Waste charges to the end of the current charging period.

- 22.15.6 When a person discharging ceases to occupy premises from which Trade Wastes are discharged into the sewerage system any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

22.15.7 **Offences**

Every Person or Consent Holder or owner or Occupier of Trade Premises who:

- (a) Fails to comply with or acts in contravention of any provision of this bylaw;
- (b) Breaches the conditions of any consent to discharge granted pursuant to this bylaw; or
- (c) Fails to comply with a notice served under this bylaw, commits an offence under s. 239 of the LGA, and is liable to a fine as specified in s. 242 of the LGA, or the issue of an infringement notice under s. 245 of the LGA.

In all cases the Council may recover costs associated with damage to the Council sewerage system and/or breach of this bylaw in accordance with s. 175 and s. 176 of the LGA respectively.

22.16 **TRANSITIONAL PROVISIONS**

22.16.1 **Existing Trade Waste Consents**

Every existing Trade Waste Consent shall continue in force as if it were a consent under this bylaw until it reaches its expiry or two years from the implementation of this bylaw.

## **SCHEDULE 1A PERMITTED DISCHARGE CHARACTERISTICS**

### **1. INTRODUCTION**

- 1.1 The nature and levels of the characteristics of any Trade Waste discharged to the Council system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a Trade Waste.

NOTE –Guideline tables for background reasons for Contaminant concentrations may be referred to in Model Bylaw NZS9201.

- 1.2 The Council shall take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.
- 1.3 An additional column in tables 1A.1, 1A.2 and 1A.3 for mass limits may be added as required.
- 1.4 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council.

### **2. PHYSICAL CHARACTERISTICS**

#### **2.1 Flow**

- (a) The 24 hour flow volume shall be less than 5 m<sup>3</sup>.
- (b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

#### **2.2 Temperature**

The temperature shall not exceed 40 °C.

#### **2.3 Solids**

- (a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- (b) The suspended solids content of any Trade Waste shall have a maximum concentration which shall not exceed 2000 g/m<sup>3</sup>. For Significant Industry this may be reduced to 600 g/m<sup>3</sup>.
- (c) The settleable solids content of any Trade Waste shall not exceed 50 ml/L.
- (d) The total dissolved solids concentration in any Trade Waste shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- (e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of sewage in the drainage system or treatment plant shall not be present.

#### **2.4 Oil And Grease**

- (a) There shall be no free or floating layer.
- (b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage, throughout the range of pH 6.0 to pH 10.0.

- (c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.
- (d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.

2.5 **Solvents And Other Organic Liquids**

There shall be no free layer (whether floating or settled) of solvents or organic liquids.

2.6 **Emulsions Of Paint, Latex, Adhesive, Rubber, Plastic**

- (a) here such emulsions are not treatable these may be discharged into the sewer subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> or the concentration agreed with the Council.
- (b) The Council may determine that the need exists for pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the Council treatment plant eg. reduces % UVT (ultra violet transmission).
- (c) Such emulsions of both treatable and non-treatable types, shall be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public sewer.

2.7 **Radioactivity**

Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

2.8 **Colour**

No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated sewage discharge consent.

3. **CHEMICAL CHARACTERISTICS**

3.1 **pH Value**

The pH shall be between 6.0 and 10.0 at all times.

3.2 **Organic Strength**

3.2.1 The Biochemical Oxygen Demand (BOD5) of any waste may require to be restricted where the capacity for receiving and treating BOD5 is limited. A BOD5 restriction may be related to Mass Limits. Where there is no COUNCIL treatment system for organic removal the BOD5 shall not exceed 1000 g/m<sup>3</sup>. For Significant Industry this may be reduced to 600 g/m<sup>3</sup>.

NOTE – For biological process inhibiting compounds see table 5 in the Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste).

3.2 **Maximum Concentrations**

The Maximum Concentrations permissible for the chemical characteristics of an acceptable discharge are set out in table 1A.1, table 1A.2 and table 1A.3.

**TABLE 1A.1 GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed, refer to 22.12.2)

**Characteristic Maximum Concentration**

	<b>(g/m3)</b>
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
– free ammonia	50
– ammonium salts	200
Kjeldahl Nitrogen	150
Total Phosphorus (as P)	50
Sulphate (measured as SO <sub>4</sub> )	500 1500 (with good mixing)
Sulphite (measured as SO <sub>2</sub> )	15
Sulphide	
– as H <sub>2</sub> S on acidification	5
Chlorine (measured as Cl <sub>2</sub> )	
– free chlorine	3
– hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide	
– weak acid dissociable (as CN)	5

**TABLE 1A.2 HEAVY METALS**

(Mass limits may be imposed, refer to 22.12.2)

**Metal Maximum Concentration**

	<b>(g/m3)</b>
Manganese	20
Mercury	0.05
Molybdenum	10
Nickel	10
Selenium	10
Silver	2
Thallium	10
Tin	20
Zinc	10



**TABLE 1A.3 – ORGANIC COMPOUNDS AND PESTICIDES**

(Mass limits may be imposed, refer to 22.12.2)

**Compound Maximum Concentration**

	<b>(g/m<sup>3</sup>)</b>
Formaldehyde (as HCHO)	50
Phenolic Compounds (as phenols) excluding Chlorinated Phenols	50
Chlorinated Phenols	0.02
Petroleum Hydrocarbons	30
Halogenated Aliphatic Compounds	1
Monocyclic Aromatic Hydrocarbons	5
Polycyclic (or polynuclear) Aromatic Hydrocarbons (PAHs)	0.05
Halogenated Aromatic Hydrocarbons (HAHs)	0.002
Polychlorinated Biphenyls (PCBs)	0.002
Polybrominated Biphenyls (PBBs)	0.002 each
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate Pesticides	0.1
Antimony	10
Arsenic	5
Barium	10
Beryllium	0.005
Cadmium	0.5
Chromium	5
Cobalt	10
Copper	10
Lead	10

**SCHEDULE 1B PROHIBITED CHARACTERISTICS****1.1 Introduction**

This schedule defines Prohibited Trade Wastes.

**1.2 Prohibited Characteristics**

1.2.1 Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:

- (a) Interfere with the free flow of sewage in the Sewerage System;
- (b) Damage any part of the Sewerage System;
- (c) In any way, directly or indirectly, cause the quality of the treated sewage or residual Biosolids and other solids from any Sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
- (d) Prejudice the occupational health and safety risks faced by sewerage workers;
- (e) After treatment be toxic to fish, animals or plant life in the receiving waters;
- (f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
- (g) Have a colour or colouring substance that causes the discharge from any Sewage treatment plant to receiving waters to be coloured.

- 1.2.2 A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1A unless specifically approved for that particular consent.
- 1.2.3 A discharge has a prohibited characteristic if it has any amount of:
- (a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
  - (b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
  - (c) Asbestos;
  - (d) The following organo-metal compounds:  
Tin (as tributyl and other organotin compounds);
  - (e) Any organochlorine pesticides;
  - (f) Genetic wastes, as follows:  
All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
  - (g) Any health care waste prohibited for discharge to a Sewerage System by NZS 4304 or any pathological or histological wastes; or
  - (h) Radioactivity levels in excess of the National Radiation Laboratory Guidelines.

## APPENDIX C



# Trade Waste Bylaw 2020

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Date in Force: 1 June 2020

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Purpose: To regulate trade waste in the Stratford district by:

- protecting the health and safety of all people from potential adverse effects of harmful substances discharged to the public wastewater system;
- protecting the environment from adverse effects of harmful substances discharged to the public wastewater system;
- protecting the public wastewater system from damage and provide for its efficient operation;
- encouraging waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises;
- ensuring fairness and equitable cost recovery from conveying, treating and disposing of trade waste through the Council's wastewater infrastructure;
- protecting the ratepayers connected to Council's wastewater system from carrying the burden of trade waste generated outside the district.

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Review Date 1 June 2030

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1. **TITLE**

- 1.1 This Bylaw is made under Section 145 of the Local Government Act 2002 and shall be known as the '*Stratford District Council Trade Waste Bylaw 2020*'.

2. **COMMENCEMENT**

- 2.1 This Bylaw shall come into force on 1 June 2020.

3. **REPEAL**

- 3.1 As from the day this Bylaw comes into force, the previous *Trade Water Bylaw 2008* in force in the Stratford District shall be repealed.

4. **APPLICATION OF BYLAW**

- 4.1 This Bylaw shall apply to the Stratford District.

5. **SCOPE**

- 5.1 This Bylaw is made under the authority of the Local Government Act (LGA) 2002 for the regulation of trade waste activity by the Stratford District Council (the Council). The trade waste activity is subject to the following Statutory acts and any associated Regulations.

- a) Building Act 2004;
- b) Health Act 1956;
- c) Local Government Act 2002;
- d) Local Government (Rating) Act 2002;
- e) Resource Management Act 1991;
- f) Health (Drinking Water) Amendment Act 2007;
- g) Waste Minimisation Act 2008; and
- h) Hazardous Substances and New Organisms (HSNO) Act 1996.

6. **PURPOSE**

- 6.1.1 The purpose of this Bylaw is to regulate trade waste in the Stratford district by:

- a) protecting the health and safety of all people from potential adverse effects of harmful substances discharged to the public wastewater system;

- b) protecting the environment from adverse effects of harmful substances discharged to the public wastewater system;
- c) protecting the public wastewater system from damage and provide for its efficient operation;
- d) encouraging waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises;
- e) ensuring fairness and equitable cost recovery from conveying, treating and disposing of trade waste through the Council's wastewater infrastructure;
- f) protecting the ratepayers connected to Council's wastewater system from carrying the burden of trade waste generated outside the district.

## 7. GENERAL

7.1 This bylaw is based on NZS 9201.23:2004 Model General Bylaws – Trade waste.

7.1.1 A reference in this bylaw to introducing or discharging trade waste includes causing, allowing or instructing the introduction or discharge of trade waste.

7.1.2 To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.

7.1.3 Unless the context requires another meaning, a term or expression that is defined in the Act and used in this bylaw, but not defined, has the meaning given by the Act.

7.1.4 Any explanatory notes and attachments are for information purposes, do not form part of this bylaw, and may be made, amended and revoked without formality.

7.1.5 The Interpretation Act 1999 applies to this bylaw.

## 7.2 Definitions

**Act** means the Local Government Act 2002 and any amendments made to it, from time to time

**approval** or **approved** means approval or approved in writing by the council

**approved site** means a site approved for the safe disposal of trade waste

**biosolids** means treated wastewater sludge from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be applied to land, and does not include products derived solely from industrial wastewater treatment plants

**characteristic** means any of the physical or chemical characteristics of trade waste including any constituent of a trade waste referred to in Schedule 1, Schedule 2, or the controlled substances standards.

**conditional trade waste** means:

- a. any trade waste discharged to the public wastewater system as a result of an activity listed in schedule 2 and complying with the controlled substances standards, unless otherwise approved by council in a trade waste agreement; or
- b. any trade waste discharged from trade premises, including as a result of an activity listed in schedule 1, where the volume of the discharge exceeds 5 cubic metres per day, or has an instantaneous flow rate of 2 litres per second or greater; or
- c. any trade waste which the council determines to be conditional trade waste under clause 17.2

**connection** means the lawful and physical connection of a private wastewater pipe to the public wastewater system

**consent holder** means the holder of a transitional consent and includes any person acting with the express or implied consent of the consent holder and any licensee of the consent holder

**controlled substances standards** means the generally accepted limits for concentrations of controlled substances that may be contained in trade waste discharged to the public wastewater system, as set out in Tables 1.1, 1.2 and 1.3.

**council** means the Stratford District Council, or any person delegated or authorised to act on their behalf

**deemed trade waste** means any trade waste discharged into the public wastewater system as a result of an activity listed in schedule 1 and which:

- a. meets the requirements listed in schedule 1 and the controlled substances standards; and
- b. is not conditional trade waste and does not have any of the prohibited characteristics listed in schedule 2.

**disconnect or disconnection** means the physical cutting or sealing of a private sewer from the public wastewater system.



**drain** means that section of private pipe, owned and maintained by the occupier, between the occupier's premises and the point of discharge through which wastewater is conveyed from the premises to the public wastewater system.

**emergency response procedures** means those procedures developed and used to avoid, remedy or mitigate the actual and/or potential adverse effects of any business activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge, with characteristics of concern into the public wastewater system.

**grease trap** means a device approved by the council that allows kitchen and/or food production wastewater to cool, and the grease to separate from the wastewater

**hazardous material** means:

- a. raw material(s), product(s) or waste(s) containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
- b. any material which when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any person or harmful to the wastewater system; or
- c. contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organism Act 1996; or
- d. meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZ Standard 5433: 1999 – Transport of Dangerous Goods on Land; or
- e. meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982

**introduce** means to cause trade waste to enter a wastewater system.

**mandated pre-treatment** means management of conditional trade waste through the installation of an approved 'off the shelf' pre-treatment device

**mass limit** means the total mass of any characteristic of trade waste that may be discharged to the public wastewater system over any 24-hour period.

**meter** means any meter, automatic sampler, instrument or device for indicating, recording or sampling the rate of flow, volume or quality of any discharge and any ancillary equipment, devices or fittings used in conjunction with these

**occupier** means the person occupying any trade premises or the person responsible for any trade, commercial or industrial activity on those trade premises, and includes the owner of the premises if the premises are unoccupied

**offence** includes any act or omission in relation to this bylaw or any part thereof for which any person can be punished either on indictment or by summary process..

**output based** means management of conditional trade waste by customised pre-treatment facilities or specialist monitoring requirements.

**owner** means the person who owns the premises from which trade waste originates or on which trade waste is located

**person** means a person or body of persons whether corporate or unincorporated, and includes the Crown and any successor of a person

**point of discharge** means the boundary between the public wastewater system and private drain but for the purposes of monitoring, sampling and testing, may be an alternative designated point as specified in a transitional consent.

**premises** means either:

- a. a property or allotment which is held under separate certificate of title or for which a separate certificate of title may be issued and in respect of which a building consent has or may be issued; or
- b. a building that has been defined as an individual unit by a cross lease, unit title or company lease and for which a certificate of title exists; or
- c. an individual unit in a building where units are separately leased; or
- d. land held in public ownership.

**pre-treatment** means any approved processing of trade waste designed to reduce or vary any characteristic in a waste before discharge to the public wastewater system in order to comply with a transitional consent or this bylaw.

**private wastewater** means any privately owned pipe or drain system through which wastewater flows before entering into the public wastewater system

**prohibited characteristics** means characteristics set out in schedule 2.

**prohibited trade waste** means any trade waste that has, or is likely to have, any of the prohibited characteristics set out in schedule 2.

**public wastewater system** means all pipes, pumping stations, storage tanks, wastewater treatment plants, outfalls and other related structures owned by or under the control of the council, used for the receiving, transporting, treating or disposing of wastewater

**screen** means a facility used to catch solids prior to the point of discharge

**sewage sludge** means the material settled out from wastewater during the treatment process.

**Standard Methods for the Examination of Water and Wastewater** means the latest edition (including the Supplement) as published by the American Water Works Association (AWWA)/American Public Health Association (APHA).

**stormwater** means surface run-off water originating from precipitation events such as drizzle, mist, rain, sleet, hail or snow

**tankered waste** means trade waste which is conveyed by vehicle from any premises for disposal at an approved site

**temporary discharge** means:

- a. a discharge of trade waste for an intermittent or short duration (up to 3 months); or
- b. a short-term discharge of a special or unusual trade waste by an occupier holding a transitional consent; or
- c. a discharge of tankered waste to a designated point in the public wastewater system

**trade premises** means:

- a. any premises used or intended to be used for any business, industrial or trade purpose; or
- b. any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c. any other premises from which a contaminant is discharged in connection with any industrial or trade premises; or
- d. any other premises discharging sewage other than domestic sewage, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes; or
- e. a tanker truck or any other vehicle capable of receiving, storing, transporting, or discharging trade waste

**trade waste** means any liquid, with or without matter in suspension or solution, that is, or may be discharged, from trade premises to a wastewater system in the course of any business, industrial or trade process or operation, or in the course of any activity or operation of a like nature.

**trade waste agreement** means an agreement of the type described in 16.

**trade waste management plan** means an overall trade waste management plan for trade premises.

**transitional consent** means a consent or permit granted under a legacy bylaw and in force immediately prior to the commencement of this bylaw, authorising the discharge of trade waste into the public wastewater system.

**wastewater** means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the public wastewater system

**wastewater system** means all wastewater pipes, tunnels, manholes and inspection chambers, whether privately owned or part of the public wastewater system

## 8. COMPLIANCE WITH BYLAW

### 8.1 Control of discharges

#### 8.1.1 No person shall:

- a) Discharge, or allow to be discharged, any Trade Waste to the wastewater system except in accordance with the provisions of this bylaw;
- b) Discharge, or allow to be discharged, a prohibited Trade Waste into the wastewater system;
- c) Add or permit the addition of condensing or cooling water to any Trade Waste which discharges into the wastewater system unless specific approval is given in a consent; or
- d) Add or permit the addition of stormwater, or any other water, to any Trade Waste which discharges into the wastewater system unless specific approval is given in a consent.

8.2 In the event of failure to comply with 8.1 a) – d), the Council may physically prevent discharge to the wastewater system if a reasonable alternative action cannot be established with the discharging party or parties.

8.3 Any person discharging to the Council wastewater system shall also comply with the requirements of legislation.

**9. STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS OR HARMFUL MATERIALS**

9.1 All persons on trade premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 9.3 of this bylaw from entry into the wastewater system as a result of leakage, spillage or other mishap.

9.2 No Person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance including any of the materials listed in section 9.3 in a manner that may cause the material to enter the wastewater system and cause harmful effects.

9.3 Prohibited materials:

9.3.1 Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials

a) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream

b) Likely to be deleterious to the health and safety of the Council's staff, contractors and the public or be harmful to the wastewater system.

**10. RECEIVING OF TRADE WASTE**

10.1 Council shall receive only trade wastes generated within the district (see attached district maps).

10.2 No trade waste generated from outside of the district may be discharged into Council's wastewater system at any time.

10.3 The receiving of trade waste into Council's wastewater system shall be subject to prior approval process, as per the provisions of this bylaw, and provided that:

10.3.1 The waste does not contain a prohibited substance;

10.3.2 The waste does not contain substances in amounts that are or may be toxic, hazardous or damaging to the environment, wastewater infrastructure, treatment processes or personnel;

10.3.3 Where necessary and practicable, the trade waste has been pre-treated on-site using 'best practicable treatment' to ensure compliance with the approval requirements; and

10.3.4 The system is of adequate capacity to effectively collect, transport and treat trade waste.

10.4 The producers / transporters of trade waste shall keep a record, and provided to the Council upon request, of the origin/source and constituents of the trade waste, including location within the district. Other information to be provided include:

- a) Name of Company;
- b) Name of Operator/ Driver;
- c) Physical Address and telephone contact number of Origin/source Owner;
- d) Volume of Trade waste;
- e) Time of collection from origin/source;
- f) Time of discharge into Council's wastewater system; and
- g) Any other relevant information.

## 11. TRADE WASTE DISCHARGES AND CONSENTS

11.1 Trade Waste discharges shall be classified as one of the following types:

- a) Permitted;
- b) Conditional (Consent required); or
- c) Prohibited (not Consentable).

NOTE – See the definitions in 7.

11.2 The Council is not obliged to accept any Trade Waste. An application for a Trade Waste Consent will not be approved where the Trade Waste discharge would contain, or is likely to contain, characteristics which are prohibited.

11.3 No Person shall discharge, or cause to be discharged, any Trade Waste to the Council wastewater except in accordance with the provisions of this bylaw.

## 12. APPLICATION FOR A TRADE WASTE CONSENT

12.1 Every Person who does, proposes to, or is likely to:

- a) Discharge into the wastewater system any Trade Waste (either continuously, intermittently or temporarily); or
- b) Vary the characteristics of a consent to discharge that has previously been granted; or
- c) Vary the conditions of consent to discharge that has previously been granted; or
- d) Significantly change the method or means of pre-treatment for discharge under an existing consent,

shall, if required by the Council to, complete an application in the prescribed form

for the consent of the Council, to the discharge of that Trade Waste, or to the proposed variations.

- 12.2 The trade waste discharge agreement is with the occupier of the trade premises. However council may at times need to communicate with the owner of the premises.
- 12.3 Where the trade premises produces Trade Waste from more than one area, a separate description of Trade Waste from each area shall be included in any application for Trade Waste discharge. This applies whether or not the separate areas are part of a single or separate trade process.
- 12.4 The applicant shall ensure that the application and every other document conveying the required information is properly executed and any act done for, or on behalf of, the eventual consent holder (whether for reward or not) in making any such application shall be deemed to be an act of the consent holder.
- 12.5 The Council may require an application to be supported by an Independent Report/ Statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant, and this may include a Management Plan.
- 12.6 Every application shall be accompanied by a Trade Waste application fee in accordance with the Council's Schedule of Fees and Charges

### 13. Information And Analysis

- 13.1 On receipt of any application for a Trade Waste Consent to discharge from any Premises, or to alter an existing discharge, or to discharge tankered waste into Council's wastewater system, the Council may:
  - a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
  - b) Require the applicant to submit a Management Plan to the satisfaction of the Council;
  - c) Whenever appropriate, have the discharge investigated and analysed as provided for in 21.1 and 21.3 of this bylaw.
- 13.2 The Council shall notify the applicant of any requirement under this clause within 10 Working Days of receipt of the application.

### 14. Consideration Of An Application



14.1.1 Within 15 Working Days (or extended as necessary by the Council) of receipt of an application under this bylaw and/or complying with all requirements under 13 whichever is the later, the Council shall, after considering the matters in 15 action one of the following in writing:

- a) Grant the application as a *Permitted Trade Waste* and inform the applicant of the decision by issuing the appropriate consent
- b) Grant the application as a *Conditional Trade Waste* discharge consent and inform the applicant of the decision and the conditions imposed on the discharge; or
- c) Decline the application and notify the applicant of the decision giving a statement of the reasons.

## 15. Consideration Criteria

15.1.1 In considering any application for a Trade Waste Consent to discharge from any trade premises or tankered waste into the wastewater system and in imposing any conditions on such a consent, the Council shall take into consideration the quality, volume, and rate of discharge of the Trade Waste from such premises or tanker in relation to:

- a) The health and safety of Council staff, Council's agents and the public;
- b) The limits and/or maximum values for characteristics of Trade Waste as specified in Schedules 1 and 2 of this bylaw;
- c) The extent to which the Trade Waste may react with other Trade Waste or wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system;
- d) The flows and velocities in the wastewater, and the material or construction of the wastewater system
- e) The capacity of the wastewater system and the capacity of any wastewater treatment works, and other facilities;
- f) The nature of any wastewater treatment process and the degree to which the Trade Waste is capable of being treated in the wastewater treatment plants;
- g) The timing and balancing of flows into the wastewater system;
- h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of wastewater sludges, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- i) The effect of the Trade Waste discharge on the ultimate receiving environment;



- j) The conditions on resource consents for the wastewater system and the residuals from it;
- k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to Council staff, Council's agents and the public, the wastewater system and the environment;
- l) Consideration for other existing or future discharges;
- m) Amenability of the Trade Waste to pre-treatment;
- n) Existing pre-treatment works on the premises and the potential for their future use;
- o) Cleaner production techniques and waste minimisation practices;
- p) Requirements and limitations related to wastewater sludge disposal and reuse;
- q) Control of stormwater;
- r) Management Plan; and
- s) Tankered Waste being discharged at an approved location/s.

## 16. Conditions Of Trade Waste Consent

16.1.1 Any Trade Waste Consent to discharge may be granted subject to such conditions that the Council may impose, including but not limited to:

- a) The particular public wastewater system to which the discharge will be made;
- b) The maximum daily volume of the discharge, the maximum rate of discharge, and the duration of the maximum discharge;
- c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with 17;
- d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- f) The temperature of the Trade Waste at the time of discharge;
- g) The provision, of screens, grease traps, silt traps or other pre-treatment works to control Trade Waste discharge characteristics to the consented levels, by and at the Consent Holder's expense;
- h) The provision and maintenance of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection at the Consent Holder's expense;
- i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the Consent Holder's expense;
- j) The method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in

- determining the amount of any Trade Waste charges applicable to that discharge;
- k) The provision and maintenance by, and at the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the Premises, and for the testing of such meters;
  - l) The provision and maintenance, at the Consent Holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
  - m) At times specified, the provision in a Council approved format by the Consent Holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. wastewater sludge disposal);
  - n) The provision and implementation of a Management Plan,
  - o) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
  - p) Emergency response procedures;
  - q) Waste minimisation and management;
  - r) Cleaner production techniques;
  - s) Remote control of discharges;
  - t) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including wastewater sludge disposal);
  - u) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's wastewater system, its treatment plants, or could result in Council being in breach of any statutory obligation; and
  - v) Remote monitoring of discharges.

## 17. DURATION

### 17.1 Permitted Discharges

17.1.1 Permitted Discharges shall remain in force indefinitely until:

- a) Cancellation under 18.1 or 19.1;
- b) The quantity and nature of the discharge changes;
- c) In the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a conditional or prohibited Trade Waste;
- d) The Council changes the Trade Waste Management Procedures by implementation of changed Trade Waste Bylaw conditions or any amendment to, or replacement of, its Trade Waste Bylaw; or

- e) The conditions on resource consents for the wastewater system and the residuals from it change.

## 17.2 Conditional Consents

17.2.1 Subject to 19, conditional consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- a) Conditional Consents may be given for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
  - (i) The nature of the trade activity, or the process design and/or management of the premises are such that the Consent Holder has a demonstrated ability to meet the conditions of the consent during its term; and/or
  - (ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
  - (iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
  - (iv) The reissuing of a consent cannot be unreasonably withheld.
  
- b) Notwithstanding the above the Council retains the right to review the conditions at an earlier time. The reasons for such an earlier review could include:
  - (i) The level of Consent Holder compliance, including any accidents including spills or process mishaps.
  - (ii) Matters pertaining to the Council’s resource consents for the wastewater system.
  - (iii) Matters pertaining to the Council’s environmental policies and outcomes.
  - (iv) New control and treatment technologies and processes.
  - (v) Any of the matters outlined in 20
  - (vi) Matters pertaining to the Council’s legal obligations.
  
- c) In all other cases the term of a conditional Trade Waste Consent should not exceed two years;
- d) In all cases where either the consent holder or the owner of the premises changes, or there is a change of use, a new application for a conditional Trade Waste Consent shall be made. It shall be the responsibility of the consent holder to lodge the new



- e) application; and  
The conditions on resource consents for the wastewater system and the residuals from it change.

**18. TECHNICAL REVIEW AND VARIATION**

18.1 The Council at any time may require a person undertaking a Permitted Discharge to apply for a consent in accordance with 17.1.

18.2 The Council may at any time during the term of a Trade Waste Consent, by written notice to the consent holder (following a reasonable period of consultation), vary any condition to such an extent as the Council considers necessary following a review of the technical issues considered when setting conditions of consent. This is due to new information becoming available or to meet any new resource consent imposed on the discharge from the Council’s treatment plant, or with any other legal requirements imposed on the Council.

18.3 A Consent Holder may at any time during the term of a consent, by written application to the Council, seek to vary any condition of consent, as provided for in 16 of this bylaw.

**19. CANCELLATION OF THE RIGHT TO DISCHARGE**

19.1 Suspension or Cancellation on Notice

19.1.1 The Council may suspend or cancel any consent or right to discharge at any time following 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:

- a) For the failure to comply with any condition of the consent;
- b) For the failure to maintain effective control over the discharge;
- c) For the failure to limit in accordance with the requirements of a consent the volume, nature, or composition of Trade Waste being discharged;
- d) In the event of any negligence which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the wastewater system or the treatment plant or threatens the health or safety of any person;
- e) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- f) In the event of any breach of a resource consent held by the Council issued under the Resource Management Act 1991;
- g) Failure to provide and when appropriate update a Management

- h) Plan as required for a conditional consent;
- h) Failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- i) Failure to pay any charges under this bylaw; or
- j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.

19.1.2 If any process changes require more than 20 working days, reasonable time may be given to comply with the consent conditions.

## 19.2 Summary Cancellation

19.2.1 Further to 19.1 any Trade Waste Consent or discharge may at any time be summarily cancelled by the Council on giving to the consent holder or person discharging written notice of summary cancellation if:

- a) They discharge any prohibited substance;
- b) The Council is lawfully directed to withdraw or otherwise terminate the consent summarily;
- c) They discharge any Trade Waste unlawfully;
- d) If the continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
- e) If the continuance of discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council; or
- f) In the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with conditions of a resource consent and/or requires identified additional treatment measures or costs to avoid a breach of the resource consent.

## 20. Trade Waste Approval Criteria

### 20.1 Pre-treatment

20.1.1 The Council may approve a Trade Waste discharge subject to the provision of mandated or output based pre-treatment systems to enable the person discharging to comply with the bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at their expense.

20.1.2 Refuse or garbage grinders, and macerators shall not be used to dispose of solid waste from Trade Premises to the wastewater system unless approved by the Council.

- 20.1.3 The person discharging shall not, unless approved by the Council, add or permit the addition of any potable, condensing, cooling water or stormwater to any Trade Waste stream in order to vary the level of any characteristics of the waste.

NOTE: Condensing and cooling water should not be discharged as of right to a stormwater drain or natural waterway without the consent of the appropriate authority.

## 20.2 Mass Limits

- 20.2.1 A Conditional Trade Waste Consent to discharge may impose controls on a Trade Waste discharge by specifying mass limits for any characteristic.
- 20.2.2 Mass Limits may be imposed for any characteristic. Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value scheduled unless approved otherwise.
- 20.2.3 When setting mass limit allocations for a particular characteristic the Council shall consider:
- a) The operational requirements of and risk to the wastewater system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
  - b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or wastewater sludge;
  - c) Conditions in the wastewater system near the Trade Waste discharge point and elsewhere in the wastewater system;
  - d) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
  - e) Whether or not the applicant uses cleaner production techniques within a period satisfactory to the Council;
  - f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
  - g) Any requirements of the Council to reduce the pollutant discharge of the wastewater system;
  - h) How great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater system;
  - i) The total mass of the characteristic allowable in the wastewater system, and the proportion (if any) to be reserved for future

- allocations; and
- j) Whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the wastewater reticulation, treatment process, or receiving water (or land).

## 21. Sampling, Testing and Monitoring

### 21.1 Flow Metering

21.1.1 Flow metering may be required by the Council:

- a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of Trade Waste;
- b) When the Council will not approve a method of flow estimation; or
- c) When the discharge represents a significant proportion of the total flow/load received by the Council.

21.1.2 The Consent Holder shall be responsible for the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of Trade Waste.

21.1.3 These devices shall be subject to the approval of the Council, but shall remain the property of the Consent Holder.

21.1.4 Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the Consent Holder in a format approved by the Council.

21.1.5 Meters shall be located in a position approved by the Council which provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters shall be located in the correct position according to the manufacturer's installation instructions.

21.1.6 The Consent Holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ . A copy of the independent certification of each calibration result shall be submitted to the Council.

21.1.7 Should any meter, after being calibrated, be found to have an error greater than that specified in 21.1.6 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the Consent Holder shall pay or be credited a greater or lesser amount according to such adjustment.

## 21.2 Estimating Discharge

21.2.1 Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.

21.2.2 Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 12 months charged to the person discharging) and they shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

21.2.3 Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

## 21.3 Sampling and Analysis

21.3.1 As determined by the Council, sampling, testing and monitoring may be undertaken to determine if:

- a) A discharge complies with the provisions of this bylaw;
- a) A discharge is to be classified as a Permitted, Conditional, or Prohibited, refer to 11.1;
- b) A discharge complies with the provisions of Schedule 1A for Permitted Discharge and any Consent to discharge; and
- c) Trade Waste Consent charges are applicable to that discharge.

21.3.2 The taking, preservation, transportation and analysis of the sample shall be undertaken by an Authorised Officer; an authorised agent of the Council;



and in accordance with accepted industry standard methods; or by a method specifically approved by the Council. The person discharging shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

21.3.3 All Authorised Officers or authorised agents of the Council, or any authorised analyst may enter any premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:

- a) Taking readings and measurements;
- b) Carrying out an inspection; and/or
- c) Taking samples for testing,

of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

21.3.4 Authorisation for entry to premises is given under the LGA and entry shall be in compliance with the health and safety policies of that particular site.

## 22. Monitoring

### 22.1 Monitoring for Compliance

22.1.1 The Council is entitled to monitor and audit any Trade Waste discharge for compliance. Whether for a permitted discharge or a conditional consent discharge monitoring may be carried out as follows:

- a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- a) The sampling procedure will be appropriate to the Trade Waste and the analysis;
- b) The Council will audit the sampling and analysis carried out by a self- monitoring Trade Waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- c) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
- d) The Council will audit the Trade Waste Consent conditions including any Management Plans.

22.1.2 At the discretion of the Council all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

## 22.2 Sampling Methodology

22.2.1 Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:

- a) One portion of the sample goes to the Trade Waste discharger for appropriate analysis and/or storage;
- b) A second portion of the sample shall be analysed at a laboratory approved by the Council;
- c) A third portion of the sample is retained by the Council for 20 Working Days, for additional analysis if required.

22.2.2 Due consideration will be applied to any changes that could occur in retained Trade Waste samples and provisions to mitigate against changes will be adopted where practicable.

22.2.3 In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

22.2.4 All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

## 22.3 Tankered Wastes

22.3.1 Subject to the provision of 10.4, the Council may accept Tankered Wastes for discharge at an approved location. Tankered Wastes shall:

- a) Comply with the relevant discharge consent conditions;
- b) Be transported by a Consent Holder to discharge domestic septic tank or industrial wastes;
- c) Have material safety data sheets (MSDS) supplied to the Council on request, detailing the contents of a waste, if applicable;
- d) Be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the Consent Holder;
- e) Not be picked up and transported to the disposal site until

appropriate arrangements and method for disposal have been determined by the Council;

- f) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a load for disposal into the wastewater system; and
- g) Have 24 hours notice given for the disposal of wastes other than those sourced from domestic septic tanks.

**22.3.2** Any person illegally disposing of, or causing to be disposed, Tankered Waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's wastewater system other than the prescribed location, will be in breach of the bylaw.

#### 22.4 Disinfected/Super Chlorinated Water

**22.4.1** Any water used during the repair and construction of watermains and reservoirs shall be de-chlorinated prior to the discharge into the wastewater system. An application for a Temporary Discharge Consent shall be made.

**22.4.2** Such water shall not be disposed of to stormwater or adjacent water courses.

### 23. **BYLAW ADMINISTRATION**

#### 23.1 Charges and Payments

**23.1.1** The Council may recover fees and charges in accordance with the published Fees and Charges, as determined by Council through the Special Consultative Procedure.

#### 23.2 Authorised Officers

**23.2.1** All Authorised Officers of the Council, or other persons authorised under section 174 or section 177 or paragraph 32 of schedule 7 of the LGA, shall possess and produce on request warrants of authority and evidence of identity.

**23.2.2** Any Authorised Officers may at any reasonable time enter any premises believed to be discharging Trade Wastes to determine any characteristic of any discharge by:

- a) Taking readings and measurements; or
- b) Taking samples or any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; or
- c) Observing accidental occurrences and clean-up.

23.2.3 The extent and level of delegation to Authorised Officers will be in accordance with the Council's Register of Statutory Delegations and Warrants.

23.2.4 Authorisation for entry to premises is given under the LGA and entry shall be in compliance with the health and safety policies of that particular site.

### 23.3 Transfer or Termination of Rights and Responsibilities

23.3.1 A Trade Waste Consent to discharge shall be issued in the name of the given Consent Holder. The Consent Holder shall not, unless written approval is obtained from the Council:

- a) Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the consent;
- b) Allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
- c) In particular and not in limitation of the above, allow wastewater from any other party to be discharged at their point of discharge.

NOTE: Renewal of a Trade Waste Consent on change of ownership of premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.

23.3.2 The person discharging shall give 48 hours notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven Working Days. The person discharging shall notify the Council of the new address details for final invoicing.

23.3.3 On permanent disconnection and/or termination the person discharging may at the Council's discretion be liable for Trade Waste charges to the end of the current charging period.

23.3.4 When a person discharging ceases to occupy premises from which Trade Wastes are discharged into the wastewater system, any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

#### 23.4 Offences

23.4.1 Every Person or Consent Holder or owner or Occupier of Trade Premises who:

- a) Fails to comply with or acts in contravention of any provision of this bylaw;
- b) Breaches the conditions of any consent to discharge granted pursuant to this bylaw; or
- c) Fails to comply with a notice served under this bylaw,

commits an offence under section 239 of the LGA, and is liable to a fine as specified in section 242 of the LGA, or the issue of an infringement notice under section 245 of the LGA.

23.4.2 In all cases the Council may recover costs associated with damage to the Council wastewater system and/or breach of this bylaw in accordance with section 175 and section 176 of the LGA respectively.

#### 24. Transitional Provisions

##### 24.1 Existing Trade Waste Consents

24.1.1 Every existing Trade Waste Consent shall continue in force as if it were a consent under this bylaw until it reaches its expiry or two years from the implementation of this bylaw.

## **SCHEDULES**

## 25. SCHEDULE 1 - Permitted Discharge Characteristics

### 25.1 Introduction

25.1.1 The nature and levels of the characteristics of any Trade Waste discharged to the Council system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a Trade Waste.

NOTE –Guideline tables for background reasons for Contaminant concentrations may be referenced in NZS 9201.23:2004 Model general bylaws – Trade waste.

25.1.2 The Council shall take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

25.1.3 An additional column in tables 1.1, 1.2 and 1.3 for mass limits may be added as required.

25.1.4 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council.

### 25.2 PHYSICAL CHARACTERISTICS

#### 25.2.1 Flow

- a) The 24 hour flow volume shall be less than 6 m<sup>3</sup>.
- b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

#### 25.2.2 Temperature

- a) The temperature shall not exceed 40 °C.

#### 25.2.3 Solids

- a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- b) The suspended solids content of any Trade Waste shall have a maximum concentration which shall not exceed 2000 g/m<sup>3</sup>. Council may reduce this to 600 g/m<sup>3</sup> for discharges over 50 m<sup>3</sup>/day. The settleable solids content of any Trade Waste shall not exceed 50 ml/L.



- c) The total dissolved solids concentration in any Trade Waste shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- d) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the system or treatment plant shall not be present.

#### 25.2.4 Oil And Grease

- a) There shall be no free or floating layer.
- b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater, throughout the range of pH 6.0 to pH 10.0.
- c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater throughout the range of pH 4.5 to pH 10.0.
- d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater throughout the range of pH 4.5 to pH 10.0.

#### 25.2.5 Solvents And Other Organic Liquids

- a) There shall be no free layer (whether floating or settled) of solvents or organic liquids.

#### 25.2.6 Emulsions Of Paint, Latex, Adhesive, Rubber, Plastic

- a) Where such emulsions are not treatable these may be discharged into the wastewater subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> or the concentration agreed with the Council.
- b) The Council may determine that the need exists for pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the



- Council treatment plant eg. reduces % UVT (ultra violet transmission).
- c) Such emulsions of both treatable and non-treatable types, shall be discharged to the wastewater only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public wastewater.

#### 25.2.7 Radioactivity

- a) Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

#### 25.2.8 Colour

- a) No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated wastewater discharge consent.

### 25.3 CHEMICAL CHARACTERISTICS

#### 25.3.1 pH Value

- a) The pH shall be between 6.0 and 10.0 at all times.

#### 25.3.2 Organic Strength

- a) The Biochemical Oxygen Demand (BOD5) of any waste may be required to be restricted where the capacity for receiving and treating BOD5 is limited. A BOD5 restriction may be related to Mass Limits. Where there is no Council treatment system for organic removal the BOD5 shall not exceed 1000 g/m<sup>3</sup>. Council may reduce this to 600 g/m<sup>3</sup> for discharges over 50 m<sup>3</sup>/day

#### 25.3.3 Controlled Substances Standards

- a) The maximum concentrations permissible for chemical, heavy metals and organic compounds characteristics of an acceptable discharge are set out in Table 1.1, Table 1.2 and Table 1.3 below.

## 25.4 Table 1.1 General Chemical Characteristics

## 25.4.1 Characteristic Maximum Concentration

	<b>Chemical Characteristic</b>	<b>(g/m<sup>3</sup>)</b>
1	MBAS (Methylene blue active substances)	500
2	Ammonia (measured as N) – free ammonia – ammonium salts	50 200
3	Kjeldahl Nitrogen	150
4	Total Phosphorus (as P)	50
5	Sulphate (measured as SO <sub>4</sub> )	500 1500 (with good mixing)
6	Sulphite (measured as SO <sub>2</sub> )	15
7	Sulphide – as H <sub>2</sub> S on acidification	5
8	Chlorine (measured as Cl <sub>2</sub> ) – free chlorine – hypochlorite	3 30
9	Dissolved aluminium	100
10	Dissolved iron	100
11	Boron (as B)	25
12	Bromine (as Br <sub>2</sub> )	5
13	Fluoride (as F)	30
14	Cyanide – weak acid dissociable (as CN)	5

(Mass limits may be imposed, refer to 20.2)

25.5 Table 1.2 Heavy Metals

25.5.1 Metal Maximum Concentration

	<b>Metal</b>	<b>(g/m<sup>3</sup>)</b>
1	Manganese	20
2	Mercury	0.05
3	Molybdenum	10
4	Nickel	10
5	Selenium	10
6	Silver	2
7	Thallium	10
8	Tin	20
9	Zinc	10

(Mass limits may be imposed, refer to 20.2)

## 25.6 Table 1.3 – Organic Compounds And Pesticides

## 25.6.1 Compound Maximum Concentration

	<b>Compound</b>	<b>(g/m<sup>3</sup>)</b>
1	Formaldehyde (as HCHO)	50
2	Phenolic Compounds (as phenols) excluding Chlorinated Phenols	50
3	Chlorinated Phenols	0.02
4	Petroleum Hydrocarbons	30
5	Halogenated Aliphatic Compounds	1
6	Monocyclic Aromatic Hydrocarbons	5
7	Polycyclic (or polynuclear) Aromatic Hydrocarbons (PAHs)	0.05
8	Halogenated Aromatic Hydrocarbons (HAHs)	0.002
9	Polychlorinated Biphenyls (PCBs)	0.002
10	Polybrominated Biphenyls (PBBs)	0.002 each
11	Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
12	Organophosphate Pesticides	0.1
13	Antimony	10
14	Arsenic	5
15	Barium	10
16	Beryllium	0.005
17	Cadmium	0.5
18	Chromium	5
19	Cobalt	10
20	Copper	10
21	Lead	10

(Mass limits may be imposed, refer to 20.2)

## 26. SCHEDULE 2 - PROHIBITED CHARACTERISTICS

### 26.1 Introduction

26.1.1 This schedule defines Prohibited Trade Wastes.

### 26.2 Prohibited Characteristics

26.2.1 Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:

- a) Interfere with the free flow of wastewater in the wastewater system;
- b) Damage any part of the wastewater system;
- c) In any way, directly or indirectly, cause the quality of the treated wastewater or residual Biosolids and other solids from any wastewater treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
- d) Prejudice the occupational health and safety risks faced by wastewater workers;
- e) After treatment be toxic to fish, animals or plant life in the receiving waters;
- f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
- g) Have a colour or colouring substance that causes the discharge from any wastewater treatment plant to receiving waters to be coloured.

26.2.2 A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1 unless specifically approved for that particular consent.

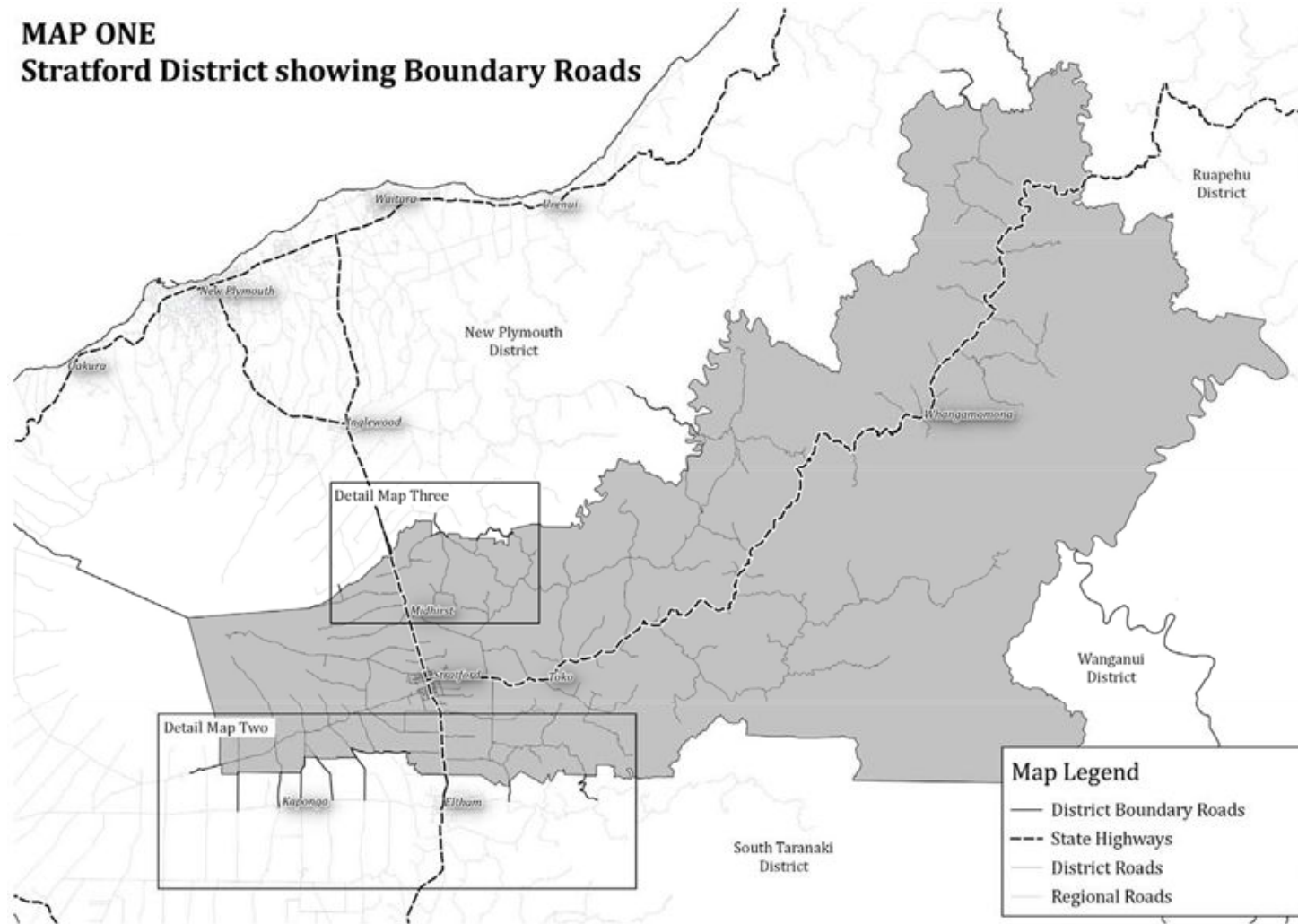
26.2.3 A discharge has a prohibited characteristic if it has any amount of:

- a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
- b) Hazardous materials as liquid, solid or gas which could be flammable or explosive in the wastewater, including oil, fuel, solvents (except as allowed for in Schedule 1), calcium carbide, and any other material which is capable of giving rise to fire or

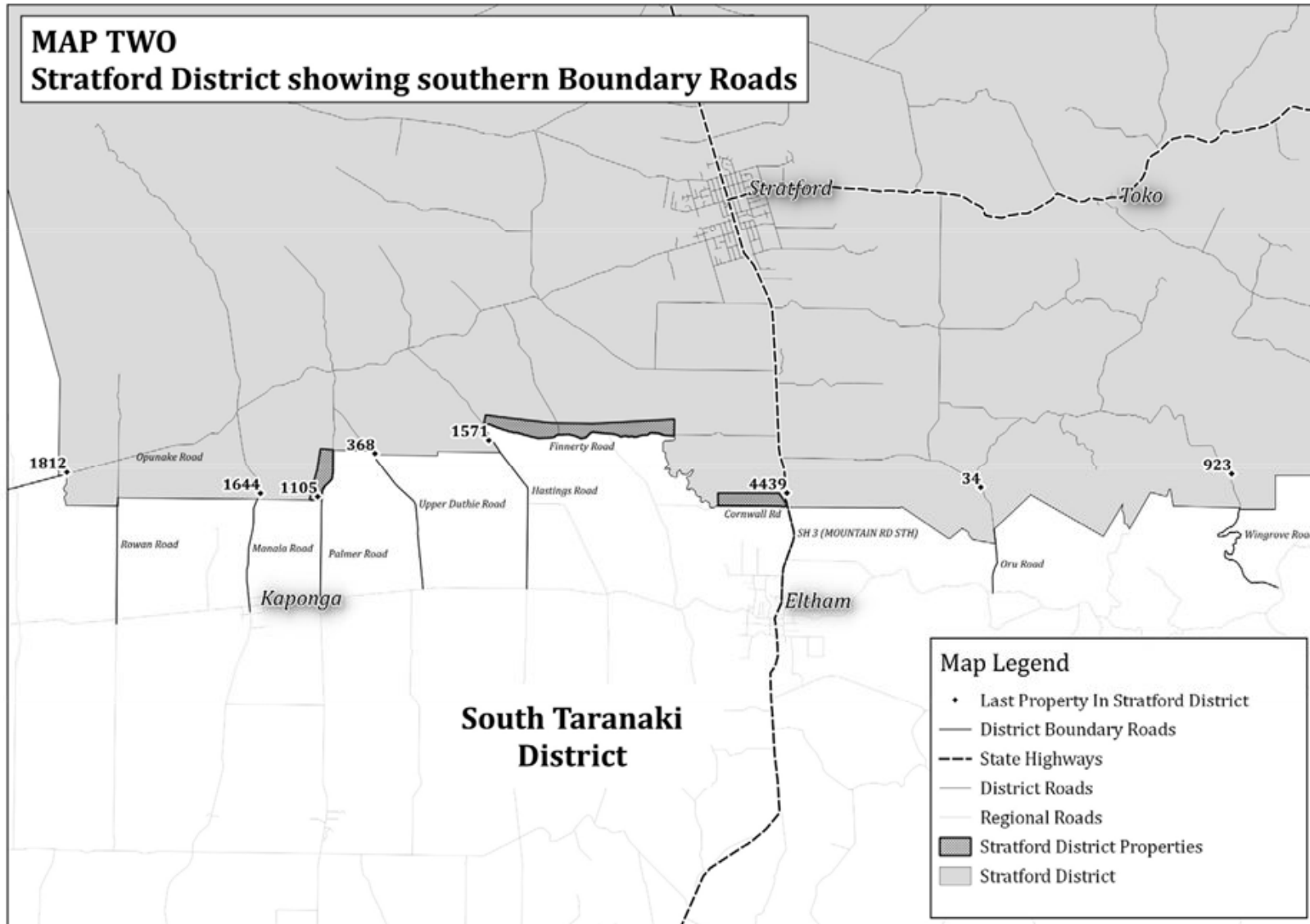
- explosion, either spontaneously or in combination with wastewater;
- c) Asbestos;
  - d) Tin (as tributyl and other organotin compounds);
  - e) Any organochlorine pesticides;
  - f) All genetic wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
  - g) Any health care waste prohibited for discharge to a wastewater system by NZS 4304 or any pathological or histological wastes; or
    - (i) Radioactivity levels in excess of the National Radiation Laboratory Guidelines.

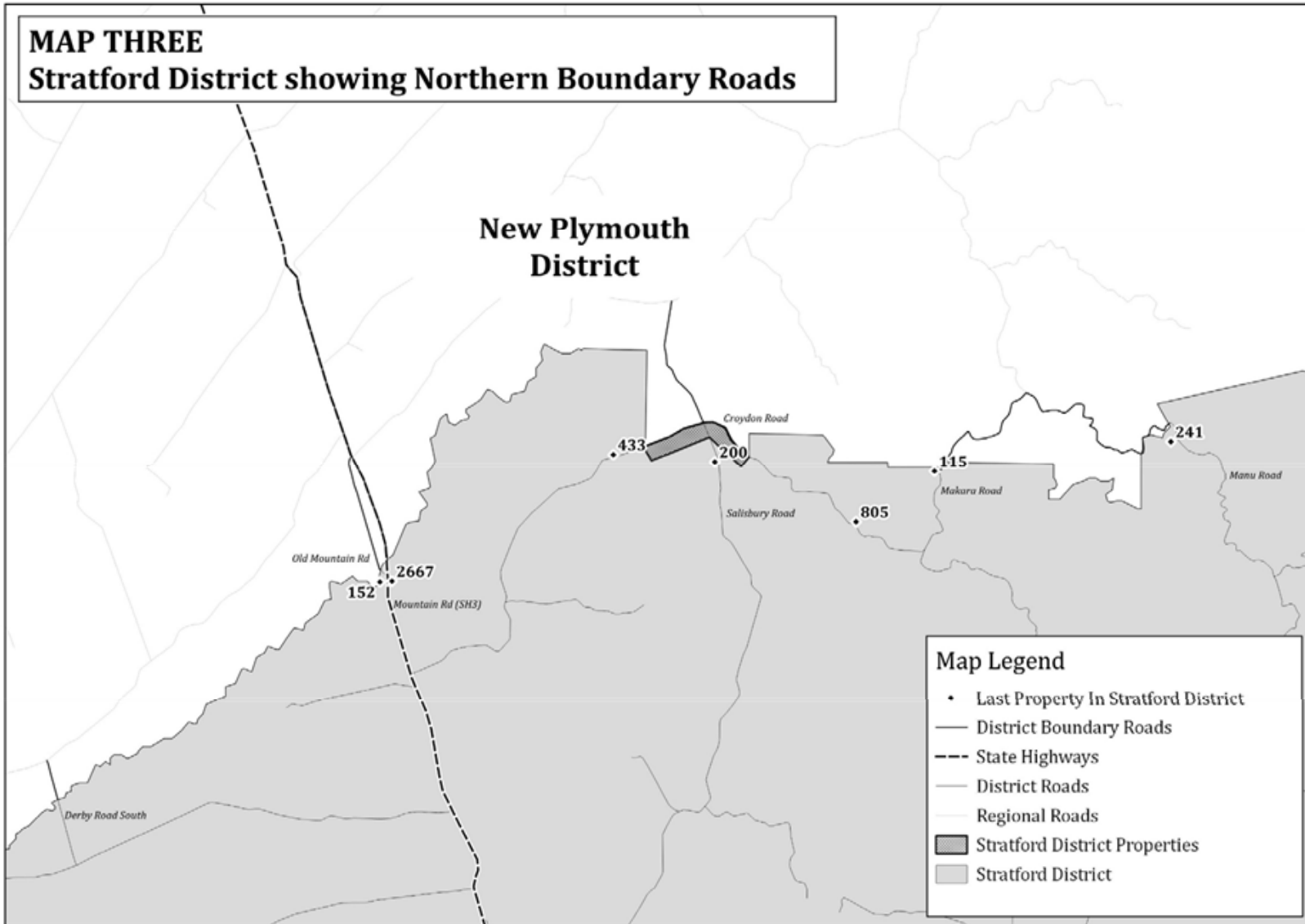
## 27. **Schedule 3 - District Maps**

### MAP ONE Stratford District showing Boundary Roads









**This Bylaw was made by the Stratford District Council on 1 June 2020.**

THE COMMON SEAL of the STRATFORD DISTRICT COUNCIL was hereto affixed by resolution of said Council in the presence of:

..... ***Mayor***

..... ***Chief Executive***

## APPENDIX D



# Trade Waste Bylaw 2020

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Date in Force: 1 July 2020

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Purpose: To regulate trade waste in the Stratford district by:

- protecting the health and safety of all people from potential adverse effects of harmful substances discharged to the public wastewater system;
- protecting the environment from adverse effects of harmful substances discharged to the public wastewater system;
- protecting the public wastewater system from damage and provide for its efficient operation;
- encouraging waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises;
- ensuring fairness and equitable cost recovery from conveying, treating and disposing of trade waste through the Council's wastewater infrastructure;
- protecting the ratepayers connected to Council's wastewater system from carrying the burden of trade waste generated outside the district.

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Review Date 1 July 203

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1. **TITLE**

- 1.1 This Bylaw is made under Section 145 of the Local Government Act 2002 and shall be known as the '*Stratford District Council Trade Waste Bylaw 2020*'.

2. **COMMENCEMENT**

- 2.1 This Bylaw shall come into force on 1 July 2020.

3. **REPEAL**

- 3.1 As from the day this Bylaw comes into force, the previous *Trade Water Bylaw 2008* in force in the Stratford District shall be repealed.

4. **APPLICATION OF BYLAW**

- 4.1 This Bylaw shall apply to the Stratford District.

5. **SCOPE**

- 5.1 This Bylaw is made under the authority of the Local Government Act (LGA) 2002 for the regulation of trade waste activity by the Stratford District Council (the Council). The trade waste activity is subject to the following Statutory acts and any associated Regulations.

- a) Building Act 2004;
- b) Health Act 1956;
- c) Local Government Act 2002;
- d) Local Government (Rating) Act 2002;
- e) Resource Management Act 1991;
- f) Health (Drinking Water) Amendment Act 2007;
- g) Waste Minimisation Act 2008; and
- h) Hazardous Substances and New Organisms (HSNO) Act 1996.

6. **PURPOSE**

- 6.1.1 The purpose of this Bylaw is to regulate trade waste in the Stratford district by:



- a) protecting the health and safety of all people from potential adverse effects of harmful substances discharged to the public wastewater system;
- b) protecting the environment from adverse effects of harmful substances discharged to the public wastewater system;
- c) protecting the public wastewater system from damage and provide for its efficient operation;
- d) encouraging waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises;
- e) ensuring fairness and equitable cost recovery from conveying, treating and disposing of trade waste through the Council's wastewater infrastructure;
- f) protecting the ratepayers connected to Council's wastewater system from carrying the burden of trade waste generated outside the district.

## 7. GENERAL

7.1 This bylaw is based on NZS 9201.23:2004 Model General Bylaws – Trade waste.

7.1.1 A reference in this bylaw to introducing or discharging trade waste includes causing, allowing or instructing the introduction or discharge of trade waste.

7.1.2 To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.

7.1.3 Unless the context requires another meaning, a term or expression that is defined in the Act and used in this bylaw, but not defined, has the meaning given by the Act.

7.1.4 Any explanatory notes and attachments are for information purposes, do not form part of this bylaw, and may be made, amended and revoked without formality.

7.1.5 The Interpretation Act 1999 applies to this bylaw.

## 7.2 Definitions

**Act** means the Local Government Act 2002 and any amendments made to it, from time to time.

**approval** or **approved** means approved in writing by the Stratford District Council, either by resolution of the Council or by an officer of the Stratford District Council authorised for that purpose.



**approved site** means a site approved for the safe disposal of trade waste.

**biosolids** means treated wastewater sludge from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be applied to land, and does not include products derived solely from industrial wastewater treatment plants.

**characteristic** means any of the physical or chemical characteristics of trade waste including any constituent of a trade waste referred to in Schedule 1, Schedule 2, or the controlled substances standards.

**conditional trade waste** means:

- a. any trade waste discharged to the public wastewater system as a result of an activity listed in schedule 2 and complying with the controlled substances standards, unless otherwise approved by council in a trade waste agreement; or
- b. any trade waste discharged from trade premises, including as a result of an activity listed in schedule 1, where the volume of the discharge exceeds 5 cubic metres per day, or has an instantaneous flow rate of 2 litres per second or greater; or
- c. any trade waste which the council determines to be conditional trade waste under clause 17.2

**connection** means the lawful and physical connection of a private wastewater pipe to the public wastewater system.

**consent holder** means the holder of a transitional consent and includes any person acting with the express or implied consent of the consent holder and any licensee of the consent holder.

**controlled substances standards** means the generally accepted limits for concentrations of controlled substances that may be contained in trade waste discharged to the public wastewater system, as set out in Tables 1.1, 1.2 and 1.3.

**Council** means the Stratford District Council, or any person delegated or authorised to act on their behalf.

**deemed trade waste** means any trade waste discharged into the public wastewater system as a result of an activity listed in schedule 1 and which:

- a. meets the requirements listed in schedule 1 and the controlled substances standards; and
- b. is not conditional trade waste and does not have any of the prohibited characteristics listed in schedule 2.

**disconnect or disconnection** means the physical cutting or sealing of a private sewer from the public wastewater system.

**drain** means that section of private pipe, owned and maintained by the occupier, between the occupier's premises and the point of discharge through which wastewater is conveyed from the premises to the public wastewater system.

**emergency response procedures** means those procedures developed and used to avoid, remedy or mitigate the actual and/or potential adverse effects of any business activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge, with characteristics of concern into the public wastewater system.

**grease trap** means a device approved by the council that allows kitchen and/or food production wastewater to cool, and the grease to separate from the wastewater.

**hazardous material/substance** means:

- a. raw material(s), product(s) or waste(s) containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
- b. any material which when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any person or harmful to the wastewater system; or
- c. contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organism Act 1996; or
- d. meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZ Standard 5433: 1999 – Transport of Dangerous Goods on Land; or
- e. meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982

**introduce** means to cause trade waste to enter a wastewater system.

**mandated pre-treatment** means management of conditional trade waste through the installation of an approved 'off the shelf' pre-treatment device.

**mass limit** means the total mass of any characteristic of trade waste that may be discharged to the public wastewater system over any 24-hour period.

**meter** means any meter, automatic sampler, instrument or device for indicating, recording or sampling the rate of flow, volume or quality of any discharge and any ancillary equipment, devices or fittings used in conjunction with these.

**occupier** means the person occupying any trade premises or the person responsible for any trade, commercial or industrial activity on those trade premises, and includes the owner of the premises if the premises are unoccupied.

**offence** includes any act or omission in relation to this bylaw or any part thereof for which any person can be punished either on indictment or by summary process.

**output based** means management of conditional trade waste by customised pre-treatment facilities or specialist monitoring requirements.

**owner** means in relation to any premises, the owner and includes any tenant, agent, manager, foreperson or other person apparently acting in the general management or control of the premises.

**person** means a person or body of persons whether corporate or unincorporated, and includes the Crown and any successor of a person.

**point of discharge** means either:

- a. The connection to the public wastewater; or
- b. The point where the wastewater pipe exits the particular private property

**premises** means either:

- a. a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has or may be issued; or
- b. a building that has been defined as an individual unit by a cross-lease, unit title or
- c. company lease and for which a certificate of title is available; or
- d. land held in public ownership (e.g. reserve) for a particular purpose; or
- e. individual units in buildings which are separately leased or separately occupied.

**pre-treatment** means any approved processing of trade waste designed to reduce or vary any characteristic in a waste before discharge to the public wastewater system in order to comply with a transitional consent or this bylaw.

**private wastewater/drain** means any privately owned pipe or drain system through which wastewater flows before entering into the public wastewater system.

**prohibited characteristics** means characteristics set out in schedule 2.

**prohibited trade waste** means any trade waste that has, or is likely to have, any of the prohibited characteristics set out in schedule 2.

**public wastewater system** means all pipes, pumping stations, storage tanks, wastewater treatment plants, outfalls and other related structures owned by or under the control of the council, used for the receiving, transporting, treating or disposing of wastewater.

**screen** means a facility used to catch solids prior to the point of discharge.

**sewage sludge** means the material settled out from wastewater during the treatment process.

**Standard Methods for the Examination of Water and Wastewater** means the latest edition (including the Supplement) as published by the American Water Works Association (AWWA)/American Public Health Association (APHA).

**stormwater** means all surface water run-off resulting from rainfall.

**tankered waste** means trade waste which is conveyed by vehicle from any premises for disposal at an approved site.

**temporary discharge** means:

- a. a discharge of trade waste for an intermittent or short duration (up to 3 months); or
- b. a short-term discharge of a special or unusual trade waste by an occupier holding a transitional consent; or
- c. a discharge of tankered waste to a designated point in the public wastewater system

**trade premises** means:

- a. any premises used or intended to be used for any business, industrial or trade purpose; or
- b. any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c. any other premises from which a contaminant is discharged in connection with any industrial or trade premises; or
- d. any other premises discharging sewage other than domestic sewage, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes; or
- e. a tanker truck or any other vehicle capable of receiving, storing, transporting, or discharging trade waste

**trade waste** means any liquid, with or without matter in suspension or solution, that is, or may be discharged, from trade premises to a wastewater system in the course of any business, industrial or trade process or operation, or in the course of any activity or operation of a like nature.

**trade waste agreement** means an agreement of the type described in 16.

**trade waste management plan** means an overall trade waste management plan for trade premises.

**transitional consent** means a consent or permit granted under a legacy bylaw and in force immediately prior to the commencement of this bylaw, authorising the discharge of trade waste into the public wastewater system.

**wastewater** means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the public wastewater system.

**wastewater system** means all wastewater pipes, tunnels, manholes and inspection chambers, whether privately owned or part of the public wastewater system.

## 8. COMPLIANCE WITH BYLAW

### 8.1 Control of discharges

#### 8.1.1 No person shall:

- a) Discharge, or allow to be discharged, any Trade Waste to the wastewater system except in accordance with the provisions of this bylaw;
- b) Discharge, or allow to be discharged, a prohibited Trade Waste into the wastewater system;
- c) Add or permit the addition of condensing or cooling water to any Trade Waste which discharges into the wastewater system unless specific approval is given in a consent; or
- d) Add or permit the addition of stormwater, or any other water, to any Trade Waste which discharges into the wastewater system unless specific approval is given in a consent.

8.2 In the event of failure to comply with 8.1 a) – d), the Council may physically prevent discharge to the wastewater system if a reasonable alternative action cannot be established with the discharging party or parties.

8.3 Any person discharging to the Council wastewater system shall also comply with the requirements of legislation.

**9. STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS OR HARMFUL MATERIALS**

9.1 All persons on trade premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 9.3 of this bylaw from entry into the wastewater system as a result of leakage, spillage or other mishap.

9.2 No Person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance including any of the materials listed in section 9.3 in a manner that may cause the material to enter the wastewater system and cause harmful effects.

9.3 Prohibited materials:

9.3.1 Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials

- a) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream
- b) Likely to be deleterious to the health and safety of the Council's staff, contractors and the public or be harmful to the wastewater system.

**10. RECEIVING OF TRADE WASTE**

10.1 Council shall receive only trade wastes generated within the district (see attached district maps).

10.2 No trade waste generated from outside of the district may be discharged into Council's wastewater system at any time.

10.3 The receiving of trade waste into Council's wastewater system shall be subject to prior approval process, as per the provisions of this bylaw, and provided that:

10.3.1 The waste does not contain a prohibited substance;

10.3.2 The waste does not contain substances in amounts that are or may be toxic, hazardous or damaging to the environment, wastewater infrastructure, treatment processes or personnel;

10.3.3 Where necessary and practicable, the trade waste has been pre-treated on-site using 'best practicable treatment' to ensure compliance with the approval requirements; and

10.3.4 The system is of adequate capacity to effectively collect, transport and treat trade waste.

10.4 The producers / transporters of trade waste shall keep a record, and provided to the Council upon request, of the origin/source and constituents of the trade waste, including location within the district. Other information to be provided include:

- a) Name of Company;
- b) Name of Operator/ Driver;
- c) Physical Address and telephone contact number of Origin/source Owner;
- d) Volume of Trade waste;
- e) Time of collection from origin/source;
- f) Time of discharge into Council's wastewater system; and
- g) Any other relevant information.

## 11. TRADE WASTE DISCHARGES AND CONSENTS

11.1 Trade Waste discharges shall be classified as one of the following types:

- a) Permitted;
- b) Conditional (Consent required); or
- c) Prohibited (not Consentable).

NOTE – See the definitions in 7.

11.2 The Council is not obliged to accept any Trade Waste. An application for a Trade Waste Consent will not be approved where the Trade Waste discharge would contain, or is likely to contain, characteristics which are prohibited.

11.3 No Person shall discharge, or cause to be discharged, any Trade Waste to the Council wastewater except in accordance with the provisions of this bylaw.

## 12. APPLICATION FOR A TRADE WASTE CONSENT

12.1 Every Person who does, proposes to, or is likely to:

- a) Discharge into the wastewater system any Trade Waste (either continuously, intermittently or temporarily); or
- b) Vary the characteristics of a consent to discharge that has previously been granted; or
- c) Vary the conditions of consent to discharge that has previously been granted; or
- d) Significantly change the method or means of pre-treatment for discharge under an existing consent,

shall, if required by the Council to, complete an application in the prescribed form



for the consent of the Council, to the discharge of that Trade Waste, or to the proposed variations.

- 12.2 The trade waste discharge agreement is with the occupier of the trade premises. However council may at times need to communicate with the owner of the premises.
- 12.3 Where the trade premises produces Trade Waste from more than one area, a separate description of Trade Waste from each area shall be included in any application for Trade Waste discharge. This applies whether or not the separate areas are part of a single or separate trade process.
- 12.4 The applicant shall ensure that the application and every other document conveying the required information is properly executed and any act done for, or on behalf of, the eventual consent holder (whether for reward or not) in making any such application shall be deemed to be an act of the consent holder.
- 12.5 The Council may require an application to be supported by an Independent Report/ Statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant, and this may include a Management Plan.
- 12.6 Every application shall be accompanied by a Trade Waste application fee in accordance with the Council's Schedule of Fees and Charges

### 13. Information And Analysis

- 13.1 On receipt of any application for a Trade Waste Consent to discharge from any Premises, or to alter an existing discharge, or to discharge tankered waste into Council's wastewater system, the Council may:
  - a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
  - b) Require the applicant to submit a Management Plan to the satisfaction of the Council;
  - c) Whenever appropriate, have the discharge investigated and analysed as provided for in 21.1 and 21.3 of this bylaw.
- 13.2 The Council shall notify the applicant of any requirement under this clause within 10 Working Days of receipt of the application.

### 14. Consideration Of An Application



14.1.1 Within 15 Working Days (or extended as necessary by the Council) of receipt of an application under this bylaw and/or complying with all requirements under 13 whichever is the later, the Council shall, after considering the matters in 15 action one of the following in writing:

- a) Grant the application as a *Permitted Trade Waste* and inform the applicant of the decision by issuing the appropriate consent
- b) Grant the application as a *Conditional Trade Waste* discharge consent and inform the applicant of the decision and the conditions imposed on the discharge; or
- c) Decline the application and notify the applicant of the decision giving a statement of the reasons.

## 15. Consideration Criteria

15.1.1 In considering any application for a Trade Waste Consent to discharge from any trade premises or tankered waste into the wastewater system and in imposing any conditions on such a consent, the Council shall take into consideration the quality, volume, and rate of discharge of the Trade Waste from such premises or tanker in relation to:

- a) The health and safety of Council staff, Council's agents and the public;
- b) The limits and/or maximum values for characteristics of Trade Waste as specified in Schedules 1 and 2 of this bylaw;
- c) The extent to which the Trade Waste may react with other Trade Waste or wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system;
- d) The flows and velocities in the wastewater, and the material or construction of the wastewater system
- e) The capacity of the wastewater system and the capacity of any wastewater treatment works, and other facilities;
- f) The nature of any wastewater treatment process and the degree to which the Trade Waste is capable of being treated in the wastewater treatment plants;
- g) The timing and balancing of flows into the wastewater system;
- h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of wastewater sludges, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- i) The effect of the Trade Waste discharge on the ultimate receiving environment;

- j) The conditions on resource consents for the wastewater system and the residuals from it;
- k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to Council staff, Council's agents and the public, the wastewater system and the environment;
- l) Consideration for other existing or future discharges;
- m) Amenability of the Trade Waste to pre-treatment;
- n) Existing pre-treatment works on the premises and the potential for their future use;
- o) Cleaner production techniques and waste minimisation practices;
- p) Requirements and limitations related to wastewater sludge disposal and reuse;
- q) Control of stormwater;
- r) Management Plan; and
- s) Tankered Waste being discharged at an approved location/s.

## 16. Conditions Of Trade Waste Consent

16.1.1 Any Trade Waste Consent to discharge may be granted subject to such conditions that the Council may impose, including but not limited to:

- a) The particular public wastewater system to which the discharge will be made;
- b) The maximum daily volume of the discharge, the maximum rate of discharge, and the duration of the maximum discharge;
- c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with 17;
- d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- f) The temperature of the Trade Waste at the time of discharge;
- g) The provision, of screens, grease traps, silt traps or other pre-treatment works to control Trade Waste discharge characteristics to the consented levels, by and at the Consent Holder's expense;
- h) The provision and maintenance of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection at the Consent Holder's expense;
- i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the Consent Holder's expense;
- j) The method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in

- determining the amount of any Trade Waste charges applicable to that discharge;
- k) The provision and maintenance by, and at the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the Premises, and for the testing of such meters;
  - l) The provision and maintenance, at the Consent Holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
  - m) At times specified, the provision in a Council approved format by the Consent Holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. wastewater sludge disposal);
  - n) The provision and implementation of a Management Plan,
  - o) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
  - p) Emergency response procedures;
  - q) Waste minimisation and management;
  - r) Cleaner production techniques;
  - s) Remote control of discharges;
  - t) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including wastewater sludge disposal);
  - u) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's wastewater system, its treatment plants, or could result in Council being in breach of any statutory obligation; and
  - v) Remote monitoring of discharges.

## 17. DURATION

### 17.1 Permitted Discharges

17.1.1 Permitted Discharges shall remain in force indefinitely until:

- a) Cancellation under 18.1 or 19.1;
- b) The quantity and nature of the discharge changes beyond the scope of the approved permitted discharge;
- c) In the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a conditional or prohibited Trade Waste;
- d) The Council changes the Trade Waste Management Procedures by implementation of changed Trade Waste Bylaw conditions or any



- e) amendment to, or replacement of, its Trade Waste Bylaw; or  
The conditions on resource consents for the wastewater system and the residuals from it change.

## 17.2 Conditional Consents

17.2.1 Subject to 19, conditional consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- a) Conditional Consents may be given for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
  - (i) The nature of the trade activity, or the process design and/or management of the premises are such that the Consent Holder has a demonstrated ability to meet the conditions of the consent during its term; and/or
  - (ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
  - (iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
  - (iv) The reissuing of a consent cannot be unreasonably withheld.
  
- b) Notwithstanding the above the Council retains the right to review the conditions at an earlier time. The reasons for such an earlier review could include:
  - (i) The level of Consent Holder compliance, including any accidents including spills or process mishaps.
  - (ii) Matters pertaining to the Council's resource consents for the wastewater system.
  - (iii) Matters pertaining to the Council's environmental policies and outcomes.
  - (iv) New control and treatment technologies and processes.
  - (v) Any of the matters outlined in 20
  - (vi) Matters pertaining to the Council's legal obligations.

- c) In all other cases the term of a conditional Trade Waste Consent should not exceed two years;
- d) In all cases where either the consent holder or the owner of the premises changes, or there is a change of use, a new application for a conditional Trade Waste Consent shall be made. It shall be the responsibility of the consent holder to lodge the new application; and
- e) The conditions on resource consents for the wastewater system and the residuals from it change.

**18. TECHNICAL REVIEW AND VARIATION**

- 18.1 The Council at any time may require a person undertaking a Permitted Discharge to apply for a consent in accordance with 17.1.
- 18.2 The Council may at any time during the term of a Trade Waste Consent, by written notice to the consent holder (following a reasonable period of consultation), vary any condition to such an extent as the Council considers necessary following a review of the technical issues considered when setting conditions of consent. This is due to new information becoming available or to meet any new resource consent imposed on the discharge from the Council’s treatment plant, or with any other legal requirements imposed on the Council.
- 18.3 A Consent Holder may at any time during the term of a consent, by written application to the Council, seek to vary any condition of consent, as provided for in 16 of this bylaw.

**19. CANCELLATION OF THE RIGHT TO DISCHARGE**

- 19.1 Suspension or Cancellation on Notice
  - 19.1.1 The Council may suspend or cancel any consent or right to discharge at any time following 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:
    - a) For the failure to comply with any condition of the consent;
    - b) For the failure to maintain effective control over the discharge;
    - c) For the failure to limit in accordance with the requirements of a consent the volume, nature, or composition of Trade Waste being discharged;
    - d) In the event of any negligence which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the wastewater system or the treatment plant or threatens the

- e) health or safety of any person;  
If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- f) In the event of any breach of a resource consent, relating to the approved discharge, held by the Council issued under the Resource Management Act 1991;
- g) Failure to provide and when appropriate update a Management Plan as required for a conditional consent;
- h) Failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- i) Failure to pay any charges under this bylaw; or
- j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.

19.1.2 If any process changes require more than 20 working days, reasonable time may be given to comply with the consent conditions.

## 19.2 Summary Cancellation

19.2.1 Further to 19.1 any Trade Waste Consent or discharge may at any time be summarily cancelled by the Council on giving to the consent holder or person discharging written notice of summary cancellation if:

- a) They discharge any prohibited substance;
- b) The Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
- c) They discharge any Trade Waste unlawfully;
- d) If the continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
- e) If the continuance of discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council; or
- f) In the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with conditions of a resource consent and/or requires identified additional treatment measures or costs to avoid a breach of the resource consent.

## 20. Trade Waste Approval Criteria

### 20.1 Pre-treatment

20.1.1 The Council may approve a Trade Waste discharge subject to the provision of mandated or output based pre-treatment systems to enable the person

discharging to comply with the bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at their expense.

**20.1.2** Refuse or garbage grinders, and macerators shall not be used to dispose of solid waste from Trade Premises to the wastewater system unless approved by the Council.

**20.1.3** The person discharging shall not, unless approved by the Council, add or permit the addition of any potable, condensing, cooling water or stormwater to any Trade Waste stream in order to vary the level of any characteristics of the waste.

NOTE: Condensing and cooling water should not be discharged as of right to a stormwater drain or natural waterway without the consent of the appropriate authority.

## 20.2 Mass Limits

**20.2.1** A Conditional Trade Waste Consent to discharge may impose controls on a Trade Waste discharge by specifying mass limits for any characteristic.

**20.2.2** Mass Limits may be imposed for any characteristic. Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value scheduled unless approved otherwise.

**20.2.3** When setting mass limit allocations for a particular characteristic the Council shall consider:

- a) The operational requirements of and risk to the wastewater system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or wastewater sludge;
- c) Conditions in the wastewater system near the Trade Waste discharge point and elsewhere in the wastewater system;
- d) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- e) Whether or not the applicant uses cleaner production techniques within a period satisfactory to the Council;
- f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;

- g) Any requirements of the Council to reduce the pollutant discharge of the wastewater system;
- h) How great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater system;
- i) The total mass of the characteristic allowable in the wastewater system, and the proportion (if any) to be reserved for future allocations; and
- j) Whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the wastewater reticulation, treatment process, or receiving water (or land).

## 21. Sampling, Testing and Monitoring

### 21.1 Flow Metering

21.1.1 Flow metering may be required by the Council:

- a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of Trade Waste;
- b) When the Council will not approve a method of flow estimation; or
- c) When the discharge represents a significant proportion of the total flow/load received by the Council.

21.1.2 The Consent Holder shall be responsible for the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of Trade Waste.

21.1.3 These devices shall be subject to the approval of the Council, but shall remain the property of the Consent Holder.

21.1.4 Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the Consent Holder in a format approved by the Council.

21.1.5 Meters shall be located in a position approved by the Council which provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters shall be located in the correct position according to the manufacturer's installation instructions.



21.1.6 The Consent Holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ . A copy of the independent certification of each calibration result shall be submitted to the Council.

21.1.7 Should any meter, after being calibrated, be found to have an error greater than that specified in 21.1.6 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the Consent Holder shall pay or be credited a greater or lesser amount according to such adjustment.

## 21.2 Estimating Discharge

21.2.1 Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.

21.2.2 Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 12 months charged to the person discharging) and they shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

21.2.3 Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

## 21.3 Sampling and Analysis

21.3.1 As determined by the Council, sampling, testing and monitoring may be undertaken to determine if:

- a) A discharge complies with the provisions of this bylaw;
- a) A discharge is to be classified as a Permitted, Conditional, or Prohibited, refer to 11.1;
- b) A discharge complies with the provisions of Schedule 1A for Permitted Discharge and any Consent to discharge; and
- c) Trade Waste Consent charges are applicable to that discharge.

21.3.2 The taking, preservation, transportation and analysis of the sample shall be undertaken by an Authorised Officer; an authorised agent of the Council; and in accordance with accepted industry standard methods; or by a method specifically approved by the Council. The person discharging shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

21.3.3 All Authorised Officers or authorised agents of the Council, or any authorised analyst may enter any premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:

- a) Taking readings and measurements;
- b) Carrying out an inspection; and/or
- c) Taking samples for testing,

of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

21.3.4 Authorisation for entry to premises is given under the LGA and entry shall be in compliance with the health and safety policies of that particular site.

## 22. Monitoring

### 22.1 Monitoring for Compliance

22.1.1 The Council is entitled to monitor and audit any Trade Waste discharge for compliance. Whether for a permitted discharge or a conditional consent discharge monitoring may be carried out as follows:

- a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- a) The sampling procedure will be appropriate to the Trade Waste and the analysis;

- b) The Council will audit the sampling and analysis carried out by a self-monitoring Trade Waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- c) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
- d) The Council will audit the Trade Waste Consent conditions including any Management Plans.

22.1.2 At the discretion of the Council all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

## 22.2 Sampling Methodology

22.2.1 Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:

- a) One portion of the sample goes to the Trade Waste discharger for appropriate analysis and/or storage;
- b) A second portion of the sample shall be analysed at a laboratory approved by the Council;
- c) A third portion of the sample is retained by the Council for 20 Working Days, for additional analysis if required.

22.2.2 Due consideration will be applied to any changes that could occur in retained Trade Waste samples and provisions to mitigate against changes will be adopted where practicable.

22.2.3 In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

22.2.4 All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

## 22.3 Tankered Wastes

22.3.1 Subject to the provision of 10.4, the Council may accept Tankered Wastes for discharge at an approved location. Tankered Wastes shall:

- a) Comply with the relevant discharge consent conditions;

- b) Be transported by a Consent Holder to discharge domestic septic tank or industrial wastes;
- c) Have material safety data sheets (MSDS) supplied to the Council on request, detailing the contents of a waste, if applicable;
- d) Be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the Consent Holder;
- e) Not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;
- f) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a load for disposal into the wastewater system; and
- g) Have 24 hours notice given for the disposal of wastes other than those sourced from domestic septic tanks.

22.3.2 Any person illegally disposing of, or causing to be disposed, Tankered Waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's wastewater system other than the prescribed location, will be in breach of the bylaw.

#### 22.4 Disinfected/Super Chlorinated Water

22.4.1 Any water used during the repair and construction of watermains and reservoirs shall be de-chlorinated prior to the discharge into the wastewater system. An application for a Temporary Discharge Consent shall be made.

22.4.2 Such water shall not be disposed of to stormwater or adjacent water courses.

### 23. **BYLAW ADMINISTRATION**

#### 23.1 Charges and Payments

23.1.1 The Council may recover fees and charges in accordance with the published Fees and Charges, as determined by Council through the Special Consultative Procedure.

#### 23.2 Authorised Officers

23.2.1 All Authorised Officers of the Council, or other persons authorised under section 174 or section 177 or paragraph 32 of schedule 7 of the LGA, shall possess and produce on request warrants of authority and evidence of identity.

23.2.2 Any Authorised Officers may at any reasonable time enter any premises believed to be discharging Trade Wastes to determine any characteristic of any discharge by:

- a) Taking readings and measurements; or
- b) Taking samples or any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; or
- c) Observing accidental occurrences and clean-up.

23.2.3 The extent and level of delegation to Authorised Officers will be in accordance with the Council's Register of Statutory Delegations and Warrants.

23.2.4 Authorisation for entry to premises is given under the LGA and entry shall be in compliance with the health and safety policies of that particular site.

### 23.3 Transfer or Termination of Rights and Responsibilities

23.3.1 A Trade Waste Consent to discharge shall be issued in the name of the given Consent Holder. The Consent Holder shall not, unless written approval is obtained from the Council:

- a) Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the consent;
- b) Allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
- c) In particular and not in limitation of the above, allow wastewater from any other party to be discharged at their point of discharge.

NOTE: Renewal of a Trade Waste Consent on change of ownership of premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.

23.3.2 The person discharging shall give 48 hours notice in writing to the Council of their requirement for disconnection of the discharge connection and/or

termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven Working Days. The person discharging shall notify the Council of the new address details for final invoicing.

23.3.3 On permanent disconnection and/or termination the person discharging may at the Council's discretion be liable for Trade Waste charges to the end of the current charging period.

23.3.4 When a person discharging ceases to occupy premises from which Trade Wastes are discharged into the wastewater system, any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

#### 23.4 Offences

23.4.1 Every Person or Consent Holder or owner or Occupier of Trade Premises who:

- a) Fails to comply with or acts in contravention of any provision of this bylaw;
- b) Breaches the conditions of any consent to discharge granted pursuant to this bylaw; or
- c) Fails to comply with a notice served under this bylaw,

commits an offence under section 239 of the LGA, and is liable to a fine as specified in section 242 of the LGA, or the issue of an infringement notice under section 245 of the LGA.

23.4.2 In all cases the Council may recover costs associated with damage to the Council wastewater system and/or breach of this bylaw in accordance with section 175 and section 176 of the LGA respectively.

#### 24. Transitional Provisions

##### 24.1 Existing Trade Waste Consents

24.1.1 Every existing Trade Waste Consent shall continue in force as if it were a consent under this bylaw until it reaches its expiry or two years from the implementation of this bylaw.

# SCHEDULES



## 25. SCHEDULE 1 - Permitted Discharge Characteristics

### 25.1 Introduction

25.1.1 The nature and levels of the characteristics of any Trade Waste discharged to the Council system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a Trade Waste.

NOTE –Guideline tables for background reasons for Contaminant concentrations may be referenced in NZS 9201.23:2004 Model general bylaws – Trade waste.

25.1.2 The Council shall take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

25.1.3 An additional column in tables 1.1, 1.2 and 1.3 for mass limits may be added as required.

25.1.4 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council.

### 25.2 PHYSICAL CHARACTERISTICS

#### 25.2.1 Flow

- a) The 24 hour flow volume shall be less than 6 m<sup>3</sup> at all Trade premises with the exception of car wash facilities which shall be less than 10 m<sup>3</sup>.
- b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

#### 25.2.2 Temperature

- a) The temperature shall not exceed 40 °C.

#### 25.2.3 Solids

- a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- b) The suspended solids content of any Trade Waste shall have a maximum concentration which shall not exceed 2000 g/m<sup>3</sup>. Council may reduce this to 600 g/m<sup>3</sup> for discharges over 50



m<sup>3</sup>/day. The settleable solids content of any Trade Waste shall not exceed 50 ml/L.

- c) The total dissolved solids concentration in any Trade Waste shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- d) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the system or treatment plant shall not be present.

#### 25.2.4 Oil And Grease

- a) There shall be no free or floating layer.
- b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater, throughout the range of pH 6.0 to pH 10.0.
- c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater throughout the range of pH 4.5 to pH 10.0.
- d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater throughout the range of pH 4.5 to pH 10.0.

#### 25.2.5 Solvents And Other Organic Liquids

- a) There shall be no free layer (whether floating or settled) of solvents or organic liquids.

#### 25.2.6 Emulsions Of Paint, Latex, Adhesive, Rubber, Plastic

- a) Where such emulsions are not treatable these may be discharged into the wastewater subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> or the concentration agreed with the Council.
- b) The Council may determine that the need exists for pre-treatment

of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the Council treatment plant eg. reduces % UVT (ultra violet transmission).

- c) Such emulsions of both treatable and non-treatable types, shall be discharged to the wastewater only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public wastewater.

#### 25.2.7 Radioactivity

- a) Radioactivity levels shall not exceed Office of Radiation Safety Guidelines.

#### 25.2.8 Colour

- a) No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated wastewater discharge consent.

### 25.3 CHEMICAL CHARACTERISTICS

#### 25.3.1 pH Value

- a) The pH shall be between 6.0 and 10.0 at all times.

#### 25.3.2 Organic Strength

- a) The Biochemical Oxygen Demand (BOD5) of any waste may be required to be restricted where the capacity for receiving and treating BOD5 is limited. A BOD5 restriction may be related to Mass Limits. Where there is no Council treatment system for organic removal the BOD5 shall not exceed 1000 g/m<sup>3</sup>. Council may reduce this to 600 g/m<sup>3</sup> for discharges over 50 m<sup>3</sup>/day

#### 25.3.3 Controlled Substances Standards

- a) The maximum concentrations permissible for chemical, heavy metals and organic compounds characteristics of an acceptable discharge are set out in Table 1.1, Table 1.2 and Table 1.3 below.

## 25.4 Table 1.1 General Chemical Characteristics

## 25.4.1 Characteristic Maximum Concentration

	<b>Chemical Characteristic</b>	<b>(g/m<sup>3</sup>)</b>
1	MBAS (Methylene blue active substances)	500
2	Ammonia (measured as N) – free ammonia – ammonium salts	50 200
3	Kjeldahl Nitrogen	150
4	Total Phosphorus (as P)	50
5	Sulphate (measured as SO <sub>4</sub> )	500 1500 (with good mixing)
6	Sulphite (measured as SO <sub>2</sub> )	15
7	Sulphide – as H <sub>2</sub> S on acidification	5
8	Chlorine (measured as Cl <sub>2</sub> ) – free chlorine – hypochlorite	3 30
9	Dissolved aluminium	100
10	Dissolved iron	100
11	Boron (as B)	25
12	Bromine (as Br <sub>2</sub> )	5
13	Fluoride (as F)	30
14	Cyanide – weak acid dissociable (as CN)	5

(Mass limits may be imposed, refer to 20.2)

## 25.5 Table 1.2 Heavy Metals

## 25.5.1 Metal Maximum Concentration

	<b>Metal Maximum Concentration</b>	<b>(g/m<sup>3</sup>)</b>
1	Manganese	20
2	Mercury	0.05
3	Molybdenum	10
4	Nickel	10
5	Selenium	10
6	Silver	2
7	Thallium	10
8	Tin	20
9	Zinc	10

(Mass limits may be imposed, refer to 20.2)

## 25.6 Table 1.3 – Organic Compounds And Pesticides

## 25.6.1 Compound Maximum Concentration

	<b>Compound Maximum Concentration</b>	<b>(g/m<sup>3</sup>)</b>
1	Formaldehyde (as HCHO)	50
2	Phenolic Compounds (as phenols) excluding Chlorinated Phenols	50
3	Chlorinated Phenols	0.02
4	Petroleum Hydrocarbons	30
5	Halogenated Aliphatic Compounds	1
6	Monocyclic Aromatic Hydrocarbons	5
7	Polycyclic (or polynuclear) Aromatic Hydrocarbons (PAHs)	0.05
8	Halogenated Aromatic Hydrocarbons (HAHs)	0.002
9	Polychlorinated Biphenyls (PCBs)	0.002
10	Polybrominated Biphenyls (PBBs)	0.002 each
11	Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
12	Organophosphate Pesticides	0.1
13	Antimony	10
14	Arsenic	5
15	Barium	10
16	Beryllium	0.005
17	Cadmium	0.5
18	Chromium	5
19	Cobalt	10
20	Copper	10
21	Lead	10

(Mass limits may be imposed, refer to 20.2)

## 25.7 Table 1.4 – Liquid Pharmaceutical Waste

## 25.7.1 Liquid Pharmaceutical Waste

<b>Monthly Volume Limit</b>	<b>Active Concentration (mg/ml)</b>
10 Litres	125mg / 5 ml
5 Litres	250mg / 5 ml
3 Litres	Above 250mg / 5 ml

(Mass limits may be imposed, refer to 20.2)

## 26. SCHEDULE 2 - Prohibited Discharge Characteristics

### 26.1 Introduction

26.1.1 This schedule defines Prohibited Trade Wastes.

### 26.2 Prohibited Characteristics

26.2.1 Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:

- a) Interfere with the free flow of wastewater in the wastewater system;
- b) Damage any part of the wastewater system;
- c) In any way, directly or indirectly, cause the quality of the treated wastewater or residual Biosolids and other solids from any wastewater treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
- d) Prejudice the occupational health and safety risks faced by wastewater workers;
- e) After treatment be toxic to fish, animals or plant life in the receiving waters;
- f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
- g) Have a colour or colouring substance that causes the discharge from any wastewater treatment plant to receiving waters to be coloured.

26.2.2 A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1 unless specifically approved for that particular consent.

26.2.3 A discharge has a prohibited characteristic if it has any amount of:

- a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
- b) Hazardous materials as liquid, solid or gas which could be



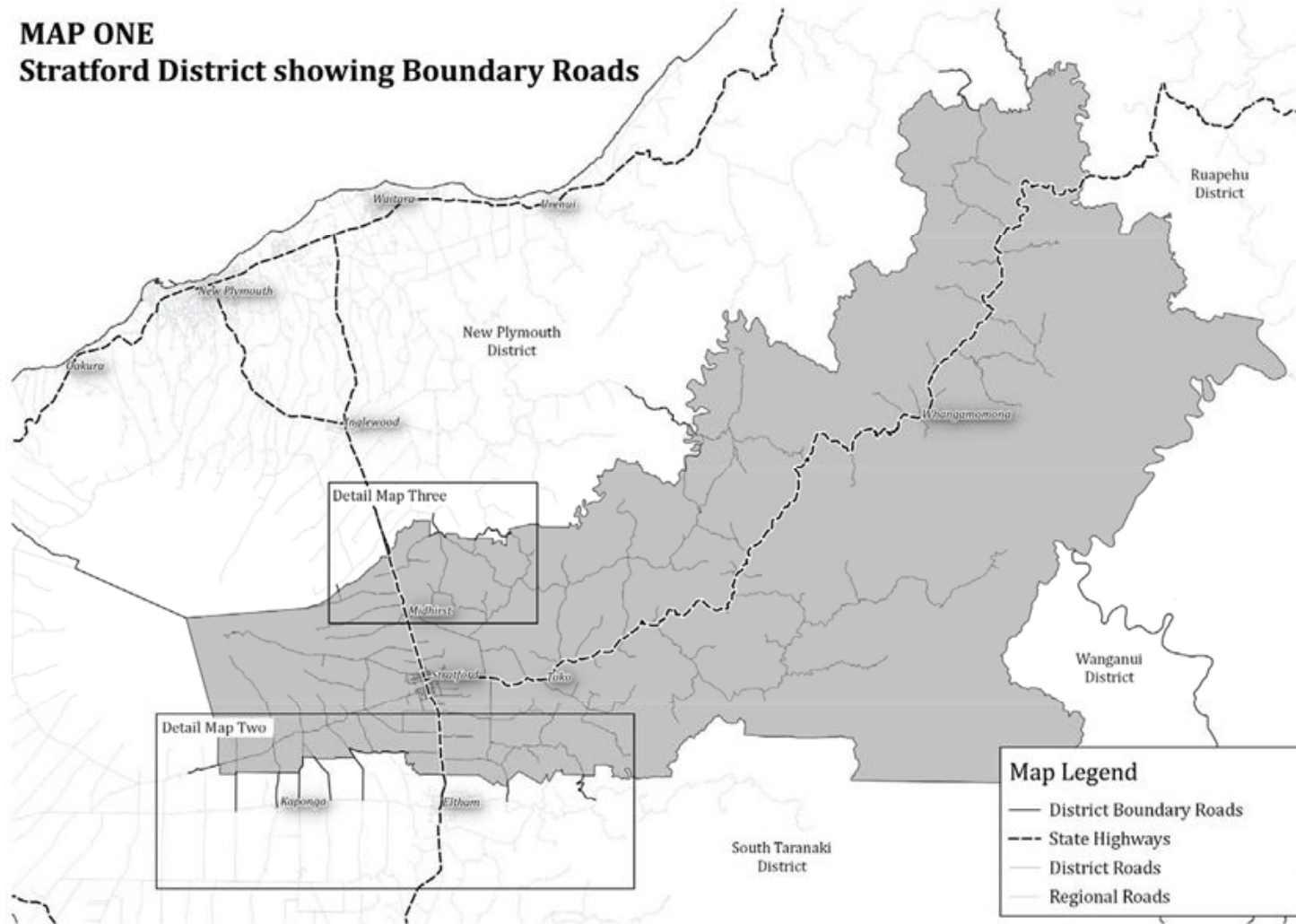
flammable or explosive in the wastewater, including oil, fuel, solvents (except as allowed for in Schedule 1), calcium carbide, and any other material which is capable of giving rise to fire or explosion, either spontaneously or in combination with wastewater;

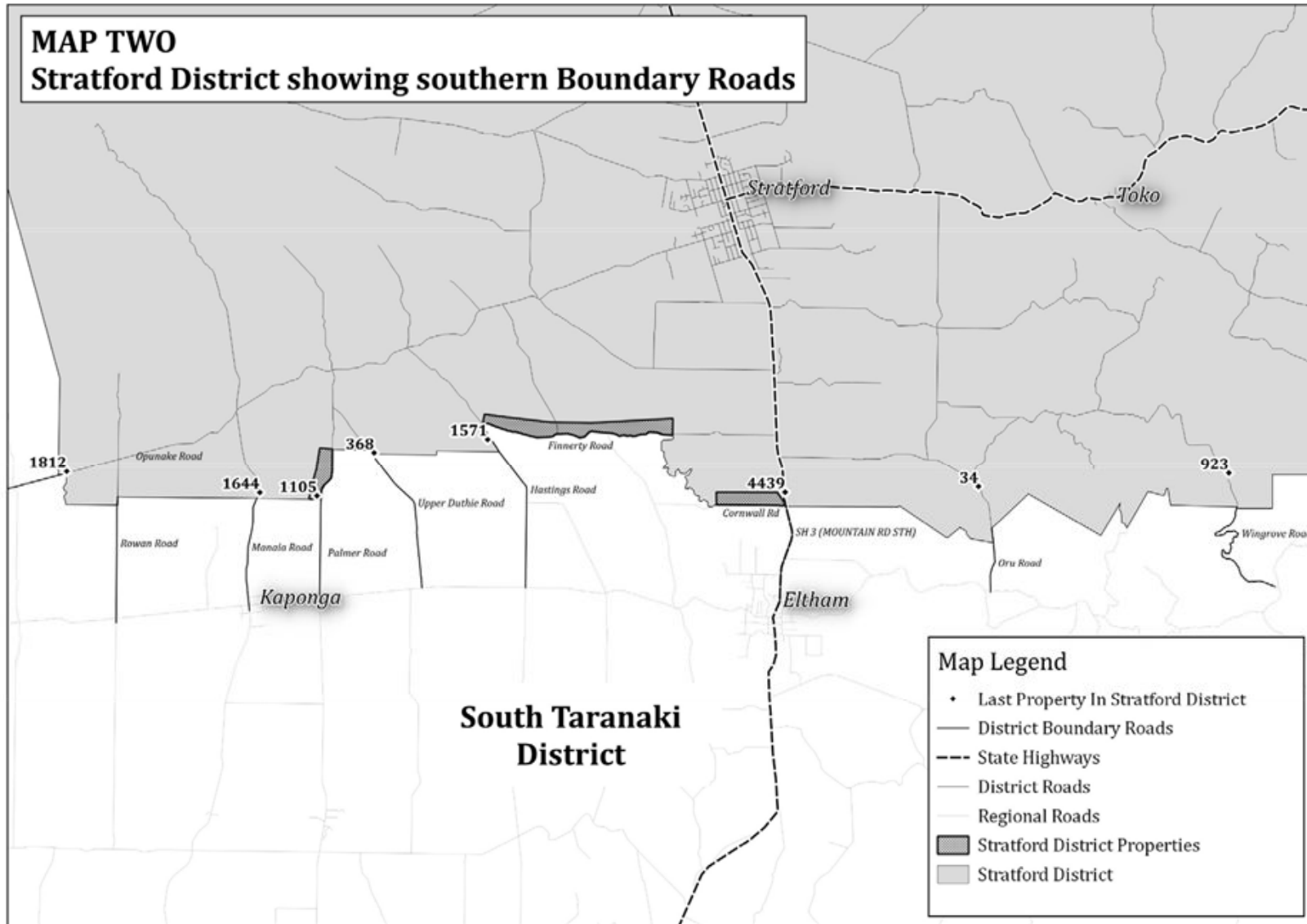
- c) Asbestos;
- d) Tin (as tributyl and other organotin compounds);
- e) Any organochlorine pesticides;
- f) All genetic wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
- g) Any health care waste prohibited for discharge to a wastewater system:
  - (i) By NZS 4304; or
  - (ii) Any cytotoxic, pathological or histological wastes; or
  - (iii) Radioactivity levels in excess of the Office of Radiation Safety Guidelines.

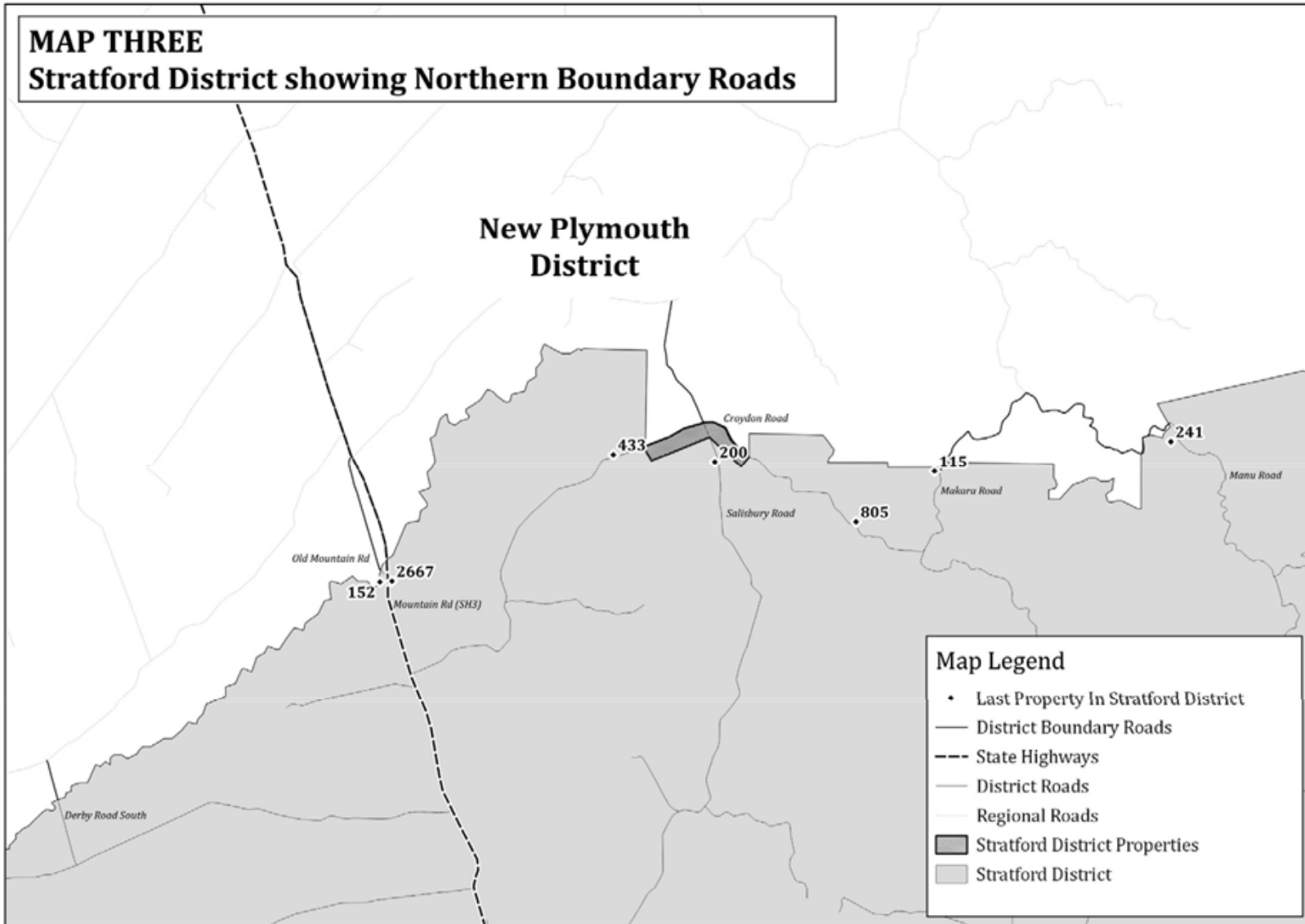
## 27. **Schedule 3 - District Maps**



### MAP ONE Stratford District showing Boundary Roads







**This Bylaw was made by the Stratford District Council on 1 July 2020.**

THE COMMON SEAL of the STRATFORD DISTRICT COUNCIL was hereto affixed by resolution of said Council in the presence of:

..... **Mayor**

..... **Chief Executive**

