

Para Pākihi Ture-ā-Rohe

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# Trade Waste Bylaw (2024)

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## 1.0 Title

- 1.1 This Bylaw is made by the South Taranaki District Council pursuant to the powers contained in section 146(1)(a)(iii) of the Local Government Act 2002, the Bylaws Act 1910, and the Health Act 1956; and shall be known as the South Taranaki District Council Trade Waste Bylaw 2024.

## 2.0 Commencement

- 2.1 This Bylaw shall come into force on 1 July 2024.

## 3.0 Scope

- 3.1 This Bylaw regulates the discharge of trade waste to a wastewater system operated by the South Taranaki District Council.
- 3.2 This Bylaw provides for the:
- a) Acceptable long term, intermittent, or temporary discharge of trade waste to the wastewater system;
  - b) Establishment of four grades of trade waste being Permitted, Controlled, Conditional and Prohibited;
  - c) Evaluation of individual trade waste discharges to be against specified criteria;
  - d) Correct storage of materials in order to protect the wastewater system from spillage;
  - e) Installation of flow meters, samplers or other devices to measure flow and quality of the trade waste discharge;
  - f) Pre-treatment of waste before it is accepted for discharge to the wastewater system;
  - g) Sampling and monitoring of trade waste discharges to ensure compliance with the Bylaw;
  - h) The South Taranaki District Council to accept or refuse a trade waste discharge;
  - i) Charges to be set to cover the cost of conveying, treating and disposing of or reusing trade wastes and the associated costs of administration and monitoring;
  - j) Administrative mechanisms for the operation of the Bylaw;
  - k) Establishment of waste minimisation and management programmes (including sludges) for trade waste producers;
  - l) Remedy in the event of breaches and ongoing enforcement; and
  - m) Actual and reasonable costs.

## 4.0 Compliance with Other Legislation

- 4.1 Nothing in this Bylaw shall derogate from any of the provisions of the Health Act 1956, Resource Management Act 1991, the Building Act 2004, the Hazardous Substances and New Organisms Act 1996 and its regulations or any other relevant statutory or regulatory requirements. In the event of any inconsistency between this Bylaw and other legislation, the more stringent requirement applies.
- 4.2 This Bylaw should be read in conjunction with the South Taranaki District Council's Drainage Bylaw (2018).

## 5.0 Trade Premises and Other Users to which this Bylaw Applies

- 5.1 This Bylaw shall apply to all trade premises within the South Taranaki District where trade wastes are discharged or likely to be discharged to the wastewater system operated by the South Taranaki District Council or its agents.
- 5.2 This Bylaw shall also apply to tanker wastes collected for the purpose of discharge to the wastewater system operated by the South Taranaki District Council or its agents.
- 5.3 Pursuant to section 196 of the Local Government Act 2002, the South Taranaki District Council or its agents may refuse to accept any type of trade waste which is not in accordance with this Bylaw.

## 6.0 Purpose

- 6.1 The purpose of this Bylaw is to:
  - a) Protect the health and safety of all persons within the South Taranaki District, including Council staff, contractors and the public;
  - b) Protect the cultural and social stability of residential, agricultural, commercial, industrial, forest riparian, and environmentally sensitive lands within the South Taranaki District;
  - c) Protect air, water and land from solid and hazardous waste pollution, including contamination of ground waters, surface waters, drinking water supplies, and all other natural resources;
  - d) Protect the environment;
  - e) Protect the wastewater system infrastructure;
  - f) Ensure compliance with discharge resource consent conditions;
  - g) Provide a basis for monitoring discharges from industry and trade premises;
  - h) Provide an equitable basis for charging trade waste users of the public wastewater systems to cover the cost of conveying, treating and disposing of or reusing their wastes and administering this Bylaw; and
  - i) Encourage waste minimisation, water conservation, cleaner production,

efficient recycling and reuse of waste streams at trade premises.

## 7.0 Definitions

7.1 For the purposes of this Bylaw the following definitions shall apply:

**Access point** is a place where access may be made to a drain or private sewer for inspection (including sampling or measurement), cleaning or maintenance. The location of the access point shall be in accordance with the New Zealand Building Code and the South Taranaki District Council Wastewater Bylaw 2013.

**Acceptable discharge** shall have that meaning as prescribed in the South Taranaki District Council Drainage Bylaw (2018).

**Approval** or **Approved** means approval or approved in writing, by the Council either by resolution of the Council or by an Authorised Officer of the Council.

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

**Authorised Officer** means any officer or agent appointed by the Council for the purposes of acting as an Authorised Officer under this Bylaw.

**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 safely and beneficially applied to land and does not include products derived solely from industrial wastewater treatment plants. The term biosolid/biosolids is used generically throughout this document to include products containing biosolids (for example, composts).

**Bylaw** means the South Taranaki District Council Trade Waste Bylaw 2017 and any amendments.

**Characteristic** means any of the physical or chemical characteristics of trade waste including any constituent of a trade waste referred to but not limited by this Bylaw, as referred to in Schedules 4 and 5.

**Cleaner** production means the implementation on trade premises of effective operations, methods and processes, internationally recognised and implemented on trade premises that reduce or eliminate the quantity and toxicity of wastes.

**Composite sample** means a composite of discrete samples collected from the sampling location over a 24 hour period on a flow or time proportional basis, as appropriate to provide a representative sample for the sampling period.

**Condensing water** or **cooling water** means any water used in any trade, industry or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

**Conditional Trade Waste** means any trade waste discharged to the Council wastewater system that meets the controlled substances standards unless otherwise approved by the Council in a trade waste consent or a trade waste agreement; and

- a) Which is discharged from a trade premises listed in Schedule 3; or
- b) Which is discharged from any trade premises where the 24 hour flow volume of the discharge is equal to or exceeds 20 cubic metres; or

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- c) Which the Council determines to be conditional trade waste under clause 10.3; and
- d) Must not have any of the prohibited characteristics listed in Schedule 4.

**Connection** means the lawful and physical connection of a private sewer to any Council wastewater system.

**Consent** means a consent in writing granted by the Council and signed by an Authorised Officer under section 12.0 of this Bylaw, authorising a person or occupier to discharge trade waste to the Council's wastewater system that is not otherwise permitted into a wastewater system.

**Consent holder** means the person occupying trade premises who has obtained a consent to discharge or direct the manner of discharge of the trade waste from any premises to a Council wastewater system. This includes any person who does any act on behalf of, or with the express or implied consent of, the consent holder (whether for reward or not) and any licensee of the consent holder.

**Contaminant** includes any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar or other substances, energy or heat:

- a) When discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or
- b) When discharged onto or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air into which it is discharged.

**Contingency management procedures** means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the wastewater system.

**Controlled trade waste** means any trade waste discharged to the Council wastewater system that meets the controlled substances standards, unless otherwise approved by the Council in a trade waste consent or a trade waste agreement; and

- a) Which is discharged from a trade premises listed in Schedule 2; or
- b) Which is discharged from any trade premises where the 24 hour flow volume of the discharge is between 5 and 20 cubic metres; or
- c) Which the Council determines to be controlled trade waste under clause 10.2; and
- d) Must not have any of the prohibited characteristics listed in Schedule 4.

**Council** means the South Taranaki District Council or an officer authorised under this Bylaw to act on its behalf.

**Discharge management plan** means a plan agreed between the Council and the occupier for the monitoring, programming and controlling by the occupier, of the

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sources of trade waste from the occupier's premises, so that discharges to the wastewater system comply with the Council's requirements.

**Disconnection** means the physical cutting or sealing of a private sewer from any wastewater system.

**District** means the South Taranaki District.

**Domestic wastewater** shall have that meaning prescribed in the South Taranaki District Council Drainage Bylaw (2018).

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

**Emergency management plan** means a plan for the management of emergencies at a premises, which includes those procedures developed and used to avoid, remedy or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge, of contaminants of concern into the wastewater system.

**Environmental management plan** means an overall management plan that includes organisational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and monitoring the Council's environmental requirements.

**Flow Measurement System** is instrumentation which is capable of measuring and logging all trade waste discharged, located in a suitable location, and approved by the Council.

**Grease trap** means a device approved by the Council or an Authorised Officer that allows kitchen wastewater to cool and the grease to separate from the wastewater.

**Hazardous materials** has the same meaning as hazardous substances in the Hazardous Substances and New Organisms Act 1996 and any regulations thereunder.

**Infringement** means an offence as specified by the Bylaw under section 243 and 259 of the Local Government Act 2002.

**Liquid waste code compliant contractor** means a waste removal contractor who has obtained a current licence under the Liquid and Hazardous Waste Code of Practice.

**Long Term Plan (LTP)** means a long term plan adopted under section 93 of the Local Government Act 2002.

**Management plan** means a plan for management of operations on the premises from which trade wastes come, and may include provision for cleaner production, waste minimisation, discharge, contingency management procedures, and any relevant industry code of practice.

**Mass limit** means the total mass of any characteristic of trade waste that may be discharged to any wastewater system over any stated period from any single point of discharge or collectively from several points of discharge.

**Maximum concentration** means the peak concentration of any characteristic of trade waste that may not be exceeded.

**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.

**Occupier** shall also include the owner of the premises if the premises is unoccupied.

**Offence** means an offence against this Bylaw.

**Owner** means the person (which includes any company or trust) owning property from which trade waste originates or is located.

**Permitted trade waste** means any trade waste discharged to the Council wastewater system that meets the controlled substances standards unless otherwise approved by the Council in a trade waste consent or a trade waste agreement; and

- a) Which is discharged from a trade premises listed in Schedule 1; or
- b) Which is discharged from any trade premises where the 24 hour flow volume of the discharge is less than or equal to 5 cubic metres; or
- c) Which the Council determines to be permitted trade waste under clause 10.1; and
- d) Must not have any of the prohibited characteristics listed in Schedule 4.

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

**Point of discharge** means the boundary between the public sewer and private drain, as prescribed in section 15.0 of the South Taranaki District Council Wastewater Bylaw 2013. For the purposes of monitoring, sampling and testing, the point of discharge may be an alternative designated point as specified in the trade waste consent if one is required.

**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 separately occupied; or
- d) land held in public ownership (e.g. reserve) for a particular purpose.

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



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**Private drain** shall have that meaning prescribed in the South Taranaki District Council Drainage Bylaw (2018).

**Prohibited trade waste** means any trade waste that is prohibited in accordance with Schedule 4.

**Reticulation** shall have that meaning prescribed in the South Taranaki District Council Drainage Bylaw (2018).

**Sampling location** is the place where a sample is taken for monitoring. It should be located after the pre-treatment and before the wastewater meets the Council's wastewater line.

**Schedule of rates and charges** means the list of items, terms and prices for services associated with the discharge of trade waste as approved by the Council.

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

**Sewage** means the discharge from any sanitary fixtures (any fixture which is intended to be used for sanitation – the term used to describe activities of washing and/or excretion carried out in a manner or conditions such that the effect on health is minimised with regard to dirt and infection) or sanitary appliance (an appliance which is intended to be used for sanitation which is not a sanitary fixture – included are machines for washing dishes and clothes).

**Sewer** means a Council pipe that conveys wastewater.

**Significant industry** means an industry that the Council has determined is significant for the purposes of this Bylaw, by reference to the discharge, volume and/or pollutant loads to be discharged in accordance with this Bylaw.

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

**Stormwater system** means any inlets, pipes, channels, ponds, detention or treatment systems, outfalls and other related structures owned by or under the control of the Council, used for the receiving, treatment or disposal of stormwater.

**Tanker waste** means any waste which will be transported to and disposed of into the wastewater system, including trade waste matter in solution or suspension, which is conveyed by vehicle for disposal.

**Temporary discharge** means:

- a) a discharge of trade waste for an intermittent or short duration; or
- b) a short-term discharge of an unusual waste from an occupier with an existing trade waste consent; or
- c) a discharge of tanker waste to a designated point in the wastewater system.

**Trade premises** means:

- a) any premises used or intended to be used for any 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 process; or

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- d) any other premises discharging other than domestic wastewater and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

**Trade waste** means:

- a) wastewater discharged from a trade premises having characteristics that significantly distinguish it from domestic wastewaters, including:
- b) any liquid, with or without matter in suspension or solution, that is or may be discharged from trade premises to the Council's wastewater system in the course of any trade or industrial process or operation, or in the course of any activity or operation, and may include stormwater, condensing water or cooling water that cannot practicably be separated from the wastewater.
- c) Any liquid waste discharged in excess of 50 cubic metres per day.

**Trade waste agreement** means a written agreement between the Council and a person discharging trade waste made under section 15.0 of this Bylaw.

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

**Wastewater system** means the Council owned system which collects, treats and disposes of wastewater and trade wastes including all sewers, pumping stations, storage tanks, wastewater treatment plants, outfalls and other related structures operated by the Council and used for the reception, treatment and disposal of wastewater and trade wastes.

**Working day** shall have the meaning given to that term in the Local Government Act 2002. For the purposes of clarity, this excludes:

- a) any Saturday, any Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Matariki, Labour Day; and
- b) any day in the period commencing on the 25th day of December in a year and ending on the 2nd day of January in the following year; and
- c) if 1 January falls on a Friday, the following Monday; and
- d) if 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday; and
- e) if Waitangi Day, Anzac Day or Matariki falls on a Saturday or a Sunday, the following Monday; and
- f) Taranaki Anniversary Day.

## 8.0 Restrictions on Use

- 8.1 No person shall discharge, or permit to be discharged, any trade waste to the wastewater system except in accordance with the provisions of this Bylaw, or a consent or trade waste agreement granted under this Bylaw.

- 8.2 No person shall do, or omit to do, anything whereby wastewater with a prohibited characteristic is discharged into the wastewater system.

## 9.0 Other

- 9.1 In this Bylaw, one gender includes all genders, the singular includes the plural, and the plural includes the singular.
- 9.2 The word “shall” identifies a mandatory requirement for compliance with the Bylaw. The word “may” refers to practices that are advised or recommended.
- 9.3 The following parts of this Bylaw may be amended by the Council from time to time by resolution publicly notified:
- a) The schedules, with the exception of Schedule 6; and
  - b) The volumetric limits in the definitions of permitted, controlled, conditional and prohibited trade waste.
- 9.4 Schedule 6 of this Bylaw (consent application procedure) and the explanatory notes are included for information purposes only, and do not form part of this Bylaw and may be made, amended or revoked without formality.

## 10.0 Classification of Trade Waste

### 10.1 Permitted Trade Waste – Low Risk

- 10.1.1 The Council may determine that any trade waste is permitted trade waste if, in the Council’s reasonable opinion, it presents a low risk to the Council wastewater system.

Explanatory note: Schedule 1 contains guidance as to which trade activities and processes are likely to produce permitted trade waste. In addition, the Council may determine that trade waste is permitted trade waste in accordance with clause 10.1.1.

- 10.1.2 Notwithstanding clause 10.1.1 the Council may:

- a) Require a person discharging trade waste as a permitted activity to apply for assessment of the trade waste being discharged.
- a) Require a person discharging permitted trade waste into the Council wastewater system to pre-treat that trade waste to a specific standard or standards in order to prevent the discharge damaging or otherwise adversely affecting the Council wastewater system; and
- b) In accordance with the Act, enter a premises to determine the characteristics of the discharge to the Council wastewater system,

and to that end may inspect the premises and take samples of any discharge

## 10.2 Controlled Trade Waste – Potential Risk if not Managed

10.2.1 The Council may determine that any trade waste is controlled trade waste, if in the Council’s reasonable opinion, it presents a potential risk to the Council wastewater system if not managed through appropriate consent conditions.

Explanatory note: Schedule 2 contains guidance as to which trade activities and processes are likely to produce controlled trade waste. In addition, the Council may determine that trade waste is controlled trade waste in accordance with clause 10.2.1.

10.2.2 No person may discharge or introduce controlled trade waste into the Council wastewater system unless authorised to do so under a trade waste consent or a trade waste agreement.

## 10.3 Conditional Trade Waste – Significant Risk if not Managed

10.3.1 The Council may determine that any trade waste is conditional trade waste if, in the Council’s reasonable opinion:

- a) the trade activity and processes are of such a complexity or size, or employ such chemicals, raw materials, or feedstock, that the risks of producing a trade waste which is not an acceptable discharge are considered significant by Council, if not managed through appropriate consent conditions; or
- b) the discharge contains substances that may at times exceed the controlled substances standards; or
- c) the discharge has a 24 hour flow volume greater than 20 cubic metres.

**Explanatory note:** Schedule 3 contains guidance as to which trade activities and processes are likely to produce conditional trade waste. In addition, the Council may determine the category of trade waste for a particular discharge in accordance with clause 10.3.1.

10.3.2 No person may discharge or introduce conditional trade waste into the Council wastewater system unless authorised to do so under a trade waste consent or a trade waste agreement.

## 10.4 Prohibited Trade Waste

10.4.1 No person may discharge or introduce prohibited trade waste into the Council wastewater system.

**Explanatory note:** Schedule 4 contains guidance as to the prohibited trade waste characteristics that must not be discharged or introduced into the Council wastewater system.

## **11.0 Controls on Trade Waste Discharges**

### **11.1 Discharges to Council Wastewater System**

- 11.1.1 No person or occupier shall discharge, or cause or allow or permit to be discharged, to the Council's wastewater system any trade waste, other than permitted trade waste, unless they have a consent or trade waste agreement to discharge that trade waste and such discharge is in accordance with any conditions set out in that consent or trade waste agreement.
- 11.1.2 No person or occupier on any premises shall discharge, or cause or allow or permit to be discharged, any trade waste in a way that causes that trade waste to be discharged off the premises to land or water outside the premises. This prohibition does not apply to tanker waste disposed of pursuant to a consent.
- 11.1.3 No person shall discharge, or cause to be discharged, any trade waste to the Council wastewater system except in accordance with the provisions of this Bylaw.
- 11.1.4 An occupier shall inform the Council or an Authorised Officer as soon as practicable upon discovery of any accident, including spills or process mishaps that may cause a breach of any trade waste consent, agreement or this Bylaw.
- 11.1.5 Any person who carries out the off-site disposal of any hazardous materials must keep records of such disposal and make such records available for inspection by the Council or an Authorised Officer at the request of the Council or Authorised Officer.
- 11.1.6 The Council or an Authorised Officer may at its discretion and upon giving notice to the occupier remove or alter any work or thing that is, or has been, constructed in breach of this Bylaw, and may recover on demand the full costs of removal or alteration from the occupier or other person who committed the breach.
- 11.1.7 If an occupier defaults in doing any act required under this Bylaw, the Council or an Authorised Officer may at its discretion upon giving notice to the occupier, do the act in default and may recover on demand the full cost of doing the act from the occupier.

11.1.8 Upon giving notice to the occupier, the Council or an Authorised Officer may repair any damage to the wastewater system or stormwater system caused by the discharge of trade waste that fails to comply with the conditions of a trade waste consent or is otherwise in breach of this Bylaw. The Council may recover on demand the full costs of repair including all actual and reasonable related costs in rectifying the breach, from the occupier or other person who committed the breach.

11.1.9 No occupier shall claim payment or compensation from the Council for the exclusion of trade waste due to the Council undertaking any examination, alteration, repair or maintenance of the wastewater system or stormwater system.

## **11.2 Storage, Transport, Handling and Use of Hazardous or Harmful Materials**

11.2.1 All persons on trade premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 11.2.3 of this Bylaw into the wastewater system or stormwater system or from being discharged from the premises to land or water outside the premises as a result of leakage, spillage or other mishap. Such steps may include, but are not limited to, the provision by the occupier of:

- a) Bunding around all tank and drum storage areas on the premises, including smaller outdoor storage areas with low nib walls to prevent stormwater entering into the storage areas; with a provision for control valves to prevent clean uncontaminated stormwater being discharged to the sewer.
- b) Secondary containment around potential sources of leaks, such as valves, flanges, etc.

11.2.2 No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by the Hazardous Substances and New Organisms Act 1996, or any of the materials listed in 11.2.3 in a manner that may cause the material to enter the wastewater system and cause harmful effects.

11.2.3 Materials referred to in 11.2.1 and 11.2.2 are those:

- a) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
- b) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; or
- c) Likely to be deleterious to the health and safety of the Council's staff, approved contractors and the public or likely to otherwise cause a public nuisance; or
- d) Be harmful to the wastewater system.

11.2.4 In addition to any requirement in this Bylaw, the occupier must comply with requirements of the Hazardous Substances and New Organisms Act 1996 and regulations there under, and the Resource Management Act 1991.

## **11.3 Dilution of Trade Waste**

11.3.1 No person or occupier shall (unless authorised to do so by the Council) add, or permit the addition of, any water whatsoever to any trade waste stream to vary any characteristic of that waste stream.

11.3.2 No person or occupier shall add or permit the addition of condensing or cooling water to any wastewater unless specific approval is given in a consent or trade waste agreement, and such discharge is in accordance with any conditions set out in that consent or agreement.

11.3.3 No person or occupier shall add or permit the addition of stormwater to any wastewater unless:

- a) the area from which the stormwater originates is part of the trade premises and is included in any trade waste consent or agreement and appropriate detention or treatment devices are in place and maintained in accordance with the trade waste consent or agreement; or
- b) prior written approval or consent has been obtained from the Council or an Authorised Officer, and such discharge is in accordance with any conditions set out in that approval or consent.

## **12.0 Trade Waste Discharges and Consents**

### **12.1 Application for a Trade Waste Consent**

12.1.1 Any person or occupier of trade premises who does, proposes to, or is likely to:

- a) discharge trade waste into the wastewater system, other than permitted trade waste (either continuously, intermittent or temporarily); and/or
- b) vary the characteristics of a discharge in respect of which a consent has previously been granted; and/or
- c) alter the conditions of consent for a trade waste discharge previously granted; and/or
- d) significantly change the method or means of pre-treatment for discharge under an existing consent; and/or
- e) make any batch discharge of trade waste;

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shall make an application to do so in a manner prescribed by the Council, as per Schedule 6 of this Bylaw.

- 12.1.2 Every person or occupier shall ensure that an application made under clause 12.1 is accompanied by such additional information as the Council may require in order to identify the characteristics of trade waste on the premises and the manner in which that trade waste is to be disposed of.
- 12.1.3 In cases where the Council considers that the trade waste to be discharged pursuant to any consent is conditional trade waste as directed by the Council, the applicant may be required to submit:
- a) A discharge management plan; and/or
  - b) An environmental management plan; and/or
  - c) An emergency management plan.
- 12.1.4 In cases where the Council requires additional information in relation to any application, it may request any such information at the cost of the occupier. That information may include but is not limited to:
- a) the application to be supported by an independent audit by a suitably experienced and external person to verify any or all information supplied by the applicant; and/or
  - b) the result of investigation and/or analysis of the trade waste discharge as provided for in Schedule 9 of this Bylaw.
- 12.1.5 Where any trade premises has separate points of discharge from more than one area, any application for a trade waste consent shall be accompanied by a separate description of the trade waste to be discharged from each area and the Council may require a separate application for consent to discharge trade waste from each point of discharge. This requirement shall apply whether or not the areas are part of one or separate processes.
- 12.1.6 Every application made under section 12.1 shall be accompanied by a trade waste consent application fee set in accordance with the current Fees and Charges Schedule.
- 12.1.7 The Council shall acknowledge any application made under this Bylaw, and specify any requirements for further information, within 10 working days of receipt of the occupier's application and application fees. The Council has no obligation to consider an application that is not accompanied by the relevant application fee.
- 12.1.8 The Council shall, within 20 working days of receipt of an application under this Bylaw or from the day of receipt of such additional information as it may have required, whichever is the later, and after considering the



matters set out in section 12.2 of this Bylaw, do one of the following and notify the occupier of its decision:

- a) grant the application and issue a controlled trade waste consent;  
or
- b) grant the application as a conditional trade waste consent subject to conditions and such plans under clause 12.3 that it intends to impose on the trade waste discharge; or
- c) refuse to grant consent and provide the applicant with its reasons for doing so, including notifying the applicant that it requires a trade waste agreement to be entered into before trade waste can be discharged; or
- d) alter the conditions of a consent for a trade waste discharge previously granted.

12.1.9 The Council or an Authorised Officer may, at its discretion, deal with the owner of trade premises instead of the occupier, and this Bylaw shall apply to such an owner as if references to occupier were to owner.

12.1.10 The occupier shall ensure that the application, and every other document conveying required information, is accurate and properly executed.

12.1.11 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 that are prohibited.

## **12.2 Consideration Criteria**

12.2.1 In considering an application for a trade waste consent, and in imposing any conditions on such a consent, the Council shall consider the quality, volume and rate of discharge of the trade waste from the trade premises (either on its own or in combination with other discharges of trade waste to the system) in relation to:

- a) the health and safety of any person including the Council's staff, agents and the public;
- b) the limits or maximum values for characteristics of trade waste as set out in Schedules 4 and 5 of this Bylaw;
- c) the extent to which the trade waste may react with other trade waste or domestic wastewater to produce an undesirable or hazardous effect. e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system etc.;
- d) the flows and velocities in any sewer and the material or construction of any sewer;
- e) the capacity of any sewer or wastewater treatment system;
- f) the timing and balancing of flows into the wastewater system;

- g) the nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in a wastewater treatment system;
- h) any statutory requirements (including compliance with any discharge resource consent or relevant receiving water quality guidelines) relating to the treatment or disposal of raw or treated wastewater or wastewater sludge to receiving environments, including water, land or air environments;
- i) other existing or likely future discharges;
- j) the capacity of the premises and equipment on those premises to meet consent conditions and the extent to which the applicant has adopted or is able to adopt cleaner production techniques;
- k) the effect of the trade waste discharge on the ultimate receiving environment;
- l) the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to the public, the wastewater system and the environment;
- m) the 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 practises;
- p) requirements and limitations related to wastewater sludge disposal and reuse;
- q) control of stormwater;
- r) tanker waste being discharged at an approved location/s;
- s) any previous history of performance with respect to discharges to the wastewater or stormwater system by an individual or business; and
- t) any other matter that the Council considers relevant.

12.2.2 In considering an application for a trade waste consent, the Council may consider ways in which the volume or rate of discharge of trade waste on the premises may be reduced, or the quality of trade waste on the premises may be altered (including cleaner production practices) or ways in which trade waste may be disposed of other than to a Council wastewater system and may either:

- a) impose conditions on a consent requiring the reduction in volume or change in character of trade waste before it is discharged to a wastewater system; or
- b) require disposal of trade waste (whether or not it is prohibited trade waste) to a place other than a Council wastewater system if disposal to that system has the potential to create an unacceptable risk to the public, the wastewater system and the environment.

12.2.3 In considering an application for a trade waste consent, the Council may also take into account any mass limits, set from time to time, that apply to any wastewater system, and in so doing may consider:

- a) conditions in the wastewater system, near the trade waste discharge point and elsewhere in the wastewater system;
- b) whether or not there is any net benefit to be gained by the increase of one characteristic of trade waste concurrently with the decrease of another characteristic;
- c) any requirement on the Council to reduce the characteristic of any discharge from the wastewater system to the environment and the Council's ability to meet those requirements;
- d) the total mass of the characteristic of trade waste allowable in the wastewater system and the proportion if any to be reserved for future allocations;
- e) whether or not there is an interaction with any other characteristic of trade waste which increases or decreases the effect of either characteristic on the wastewater system or receiving environment;
- f) operational requirements and risks; and
- g) beneficial reuse of biosolids or sludge.

12.2.4 In considering an application for a trade waste consent and in imposing conditions on that consent, the Council shall consider, if available, any relevant existing planning documents, in particular any Discharge Management Plan, Environmental Management Plan or Emergency Management Plan.

## 12.3 Conditions of Trade Waste Consent

12.3.1 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 sewer or sewers to which the trade waste may be discharged;
- 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 trade waste discharge including mass limits and maximum concentrations;
- 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 the occupier, at the occupier's cost, of appropriate screens, grease traps, silt traps or other partial or

- preliminary pre-treatment process, equipment or storage facilities designed to regulate the quality, quantity and rate of discharge or other characteristics of trade wastes prior to the point of discharge with approval by the Council or an Authorised Officer;
- h) the frequency at which any equipment required under clause 12.2.1 g must be maintained and cleaned, including a requirement that documentation for the removal of concentrated wastes from the trade premises is available for sighting by the Council or an Authorised Officer to ensure that pre-treatment devices are managed efficiently;
  - i) that the removal of concentrated waste from trade premises must be completed by a Liquid Waste Code Compliant Contractor;
  - j) the provision and maintenance at the occupier's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable and safe access to private sewers for sampling and inspection;
  - k) the provision and maintenance of a sampling and testing programme and flow measurement requirements, and the requirement to meter the flow of trade waste discharges in cases set out under clause 13.3.1 of this Bylaw, at the consent holder's expense;
  - l) the method or methods to be used for measuring flow rates and taking samples of the discharge for use in determining the amount of any trade waste charges applicable to that discharge;
  - m) the provision and maintenance, at the occupier's expense, of a flow measurement system which is capable of measuring and logging all trade wastes discharged, together with a sampling chamber containing equipment to enable the collection of composite samples;
  - n) 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;
  - o) the provision for the design, location, and specification of, and any material alteration to, the flow measurement system to require the approval of the Council prior to installation or alteration;
  - p) At times specified, the provision by the Consent Holder to the Council of all flow and/or volume records and results of analysis (including pre-treatment by-products e.g. wastewater sludge disposal), in a Council approved format;
  - q) the provision and implementation of any Discharge Management Plan, Environmental Management Plan or Emergency Management Plan;
  - r) risk assessment of damage to the environment due to an accidental discharge of a chemical;

- s) the provision of a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the wastewater system or could result in the Council being in breach of any statutory obligation;
- t) waste minimisation and management;
- u) cleaner production technologies;
- v) remote control and/or remote monitoring of discharges;
- w) the frequency of inspections by the Council or an Authorised Officer of records of off-site disposal of hazardous materials, and time limits for the provision of this information, in accordance with clause 11.1.5 of the Bylaw;
- x) the occupier's use of third parties for treatment, carriage, discharge and disposal of hazardous materials and by-products of pre-treatment of trade wastes (including wastewater sludge disposal); and
- y) any other conditions the Council considers appropriate.12.3.2 In granting any consent or alteration under clauses 12.1.8 a), 12.1.8 b), or 12.1.8 d), of this Bylaw, for any trade waste which is classified as conditional trade waste, conditions requiring flow metering of trade waste shall be imposed in the cases set out in clause 13.1.1.

## 12.4 Duration

### 12.4.1 Permitted Discharges

- 12.4.1.1 Permitted Discharges shall remain in force indefinitely until either:
  - a) Cancellation under clauses 12.6.1 or 12.6.2;
  - 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 trade waste management requirements via the implementation of changed Trade Waste Bylaw conditions or any amendment to, or replacement of, its Trade Waste Bylaw; or
  - e) The conditions on the Council's discharge resource consents for its wastewater system and the residuals from it change.
- 12.4.1.2 In all cases, after appropriate consultation, the person shall apply within 10 working days of notification by the

Council for a controlled or conditional consent, in accordance with clause 12.1 of this Bylaw.

## 12.4.2 Controlled and Conditional Consents

12.4.2.1 Subject to clause 12.4.2.2, the period for which a trade waste consent is granted shall not exceed five years from the date of granting consent.

12.4.2.2 The Council may specify a period not exceeding ten years for which a trade waste consent is granted, if it is satisfied that, in addition to consideration of the matters in clauses 12.2 and 12.3:

- a) The nature of the trade activity, or the process design and/or the management of the premises are such that the occupier has demonstrated the ability to meet the conditions of the trade waste consent during its term; and/or
- b) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; and /or
- c) 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.

12.4.2.3 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 or controlled trade waste consent shall be made or an application to transfer shall be made in accordance with 14.5.2. It shall be the responsibility of the consent holder to lodge the new application.

## 12.5 Technical Review and Variation

12.5.1 The Council may at any time during the term of a trade waste consent, by written notice to the occupier, vary any condition to the extent that the Council considers necessary or desirable, for any of the following purposes:

- a) To address any change in the nature, quality or characteristics of the discharge;
- b) To address any change in the wastewater system;

- c) To meet any resource consent or condition imposed on the discharge from any of the Council's treatment plants;
- d) To meet any other legal requirement imposed on the Council; or
- e) To address any new information that may have become available since granting the consent that is relevant to either the discharge or the wastewater system and demonstrates that it is necessary to apply more appropriate conditions.

12.5.2 A notice under clause 12.5.1 shall:

- a) Advise the consent holder of the conditions of the consent which are the subject of the review; and
- b) State the reasons for the review; and
- c) Specify the information which the Council took into account in making its decision to review the consent; and
- d) Invite the consent holder to respond to the matters in the notice and/or propose new consent conditions to address those matters, within 20 working days of service of the notice.

12.5.3 The holder of a trade waste consent may at any time during the term of consent seek to vary any condition or characteristic of consent by written application to the Council in accordance with clause 12.1 of this Bylaw.

## 12.6 Cancellation of the Right to Discharge

### 12.6.1 Suspension or Cancellation on Notice

12.6.1.1 The Council or an Authorised Officer may suspend or cancel any consent or right to discharge at any time following 20 working days' notice (during which period consultation has occurred) to the consent holder or person discharging any trade waste:

- a) For failure to comply with any condition of that consent;
- b) For failure to comply with any provision of this Bylaw;
- c) 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;
- d) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- e) In the event of any breach of a resource consent held by the Council issued under the Resource Management Act 1991;
- f) For the failure to provide and when appropriate update a Management Plan as required for a conditional consent;

- g) For a failure to follow the Management Plan at the time of an unexpected, unscheduled or accidental occurrence;
- h) If the occupier fails to pay any fees or charges required under this Bylaw; or
- i) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to suspend or cancel the right to discharge.

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

## 12.6.2 Summary Cancellation

- 12.6.2.1 Further to clause 12.6.1 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) The continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
  - e) 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 the 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.

## 13.0 Sampling, Testing and Monitoring

### 13.1 Flow Metering

- 13.1.1 Flow metering may be required by the Council as a condition of consent granted under this Bylaw on discharges where:
- a) there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade wastes;
  - b) the method of flow estimation is not to the standard or satisfaction of the Council; or



- c) the discharge represents a significant proportion of the total flow/load received by the Council.

13.1.2 The consent holder shall be responsible at the occupier's expense, for the supply, installation and maintenance of any meter or devices as may be required by the Council to measure the volume or flow rate of any trade waste being discharged from the premises and for the testing of such meters and of such services (whether electrical, water supply compressed air or other services) which may be required in order to operate meters and similar devices.

13.1.3 These devices shall be subject to the approval of the Council but shall remain the property of the consent holder.

13.1.4 Measurement of volume and/or flow rate must be carried out by or on behalf of the occupier in accordance with the methodology set out in Schedule 9 or any other Council approved methodology.

13.1.5 Flow meters shall be safely and readily accessible for reading and maintenance, and shall be located as close as practicable to the point of discharge.

13.1.6 Records of flow and or volume shall be available for viewing, or electronic analysis (i.e. spreadsheet compatible), at any time by the Council for purposes of audit.

13.1.7 The consent holder must arrange for in situ calibration of the volume and/or flow metering equipment and instrumentation in accordance with the methodology set out in Schedule 9, or any other 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 deviation from the previous meter calibration of  $\pm 5\%$ . A copy of independent certification of each calibration result must be submitted to the Council.

13.1.8 When any flow meter, after being calibrated, is found to register a greater or lesser discharge than the quantity actually discharged, the Council may make an adjustment in accordance with the results shown by such tests backdated for a period, at the discretion of the Council, but not exceeding a period of 12 months, and the occupier shall pay a greater or lesser amount of trade waste charges according to such adjustment.

## 13.2 Estimating Discharge

13.2.1 Where flow metering of any trade waste discharge is required as a condition of consent granted under this Bylaw and any flow meter is out of repair or ceases to register or is removed, the Council shall estimate the discharge for the period since the previous reading of such flow meter based on:

- a) the average of the previous 12 months' readings; or
- b) an estimation from any previous equivalent period for which reliable flow metering is available; or
- c) any other reasonable factors where it can be shown by the occupier that estimation based on the method in a) above would be unreasonable.

13.2.2 Where a flow meter has been tampered with, the Council (without prejudice to other remedies available) may declare the reading void and estimate the discharge as provided in clause 13.2.1.

13.2.3 Where no flow meter or similar device is required as a condition of consent granted under this Bylaw, the Council may estimate the discharge of trade waste on the following basis:

- a) the volume of water supplied to the trade premises, taking into account the proportion of that volume which is estimated to be discharged to the wastewater system; or
- b) the characteristic of the discharge measured at a previous time during similar operating conditions; or
- c) the characteristic measured during the immediately preceding charging period.

### **13.3 Sampling and Analysis**

13.3.1 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;
- b) A discharge is to be classified as Permitted, Controlled, Conditional, or Prohibited (refer to section 10.0); or
- c) Trade waste charges are applicable to that discharge.

13.3.2 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.

13.3.3 All Authorised Officers or agents of the Council 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;

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- 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.

13.3.4 The Council will notify (which may include leaving a message) the person discharging into the wastewater system that a reading or sample has been taken at the time the reading or sample is taken.

## 13.4 Monitoring

13.4.1 Where monitoring of any trade waste discharge is required as a condition of consent granted under this Bylaw, to ensure compliance with the conditions of consent, the Council:

- a) shall require the occupier to monitor the discharge of the trade waste; and
- b) may independently monitor the discharge of trade waste.

13.4.2 For the purposes of monitoring any trade waste discharge, sampling and analysis must be undertaken in accordance with:

- a) the methods set out in Schedule 9 or other method approved by the Council; and
- b) by a laboratory approved by the Council.

13.4.3 The consent holder may request that any independent sample taken by the Council under clause 13.4.1 a) shall be divided into three equal parts and that one part be delivered within 24 hours of completion of sampling to each of:

- a) the consent holder; and
- b) an Authorised Officer of the Council or approved laboratory for analysis;
- c) an approved alternative laboratory for retention for a period of 20 working days from the date of receipt, in a manner which preserves as far as reasonably possible the characteristics of the sample.

13.4.4 Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute shall be submitted to an independent expert nominated by the Council. The expert's ruling shall be final. Each party shall bear their own costs and contribute equally to the costs of an independent expert.

13.4.5 Where a dispute arises that is not related to the validity of the methods or procedures used for sampling or analysis, the dispute must be submitted to an arbitrator for resolution. The arbitration shall be by one arbitrator to be agreed upon by the parties and if they should fail to agree within 21

days from the date upon which the dispute arises, then to be appointed by the President of the Arbitrators' and Mediators' Institute of New Zealand Inc. Each party must bear their own costs and contribute equally to the costs of an arbitrator.

13.4.6 The Council will hold an annual review meeting with iwi of the District to review actions and consents issues under this bylaw, including but not limited to:

- Classification of trade waste and consents issued;
- Controls that have been placed on trade waste discharges including conditions;
- Any cancellations of trade waste discharges;
- Monitoring actions including sampling and analysis results;
- Any enforcement actions.

### 13.5 Tanker Wastes

13.5.1 Tanker wastes shall not be discharged into the Council's wastewater system by any person or consent holder, if such discharge would not comply with the Liquid and Hazardous Wastes Code of Practice.

13.5.2 The Council may accept tanker wastes for discharge at an approved site. Any person discharging tanker wastes must:

- a) Hold a trade waste consent to discharge domestic septic tank or industrial wastes;
- b) If requested by the Council, supply Safety Data Sheets (SDS) to the Council detailing the contents of the waste;
- c) If requested by the Council, present a complete manifest detailing the waste contents and characteristics of the particular waste intended for discharge to the Council's wastewater system;
- d) If requested by the Council, obtain tests 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 collect or transport the waste to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;
- f) Have given 24 hours' notice for the disposal of wastes other than those sourced from domestic septic tanks, unless otherwise agreed or consented to;
- g) Log all wastes disposal into the "Waste Track" software system, or any other similar system, at such time as the system is operative; and
- h) Pay for the discharge in accordance with consent conditions and applicable trade waste charges.

13.5.3 Any person illegally disposing of, or causing to be disposed, tanker 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.

## **14.0 Bylaw Administration**

### **14.1 Review of Decisions**

14.1.1 If any person is dissatisfied with any decision by an Authorised Officer made under this Bylaw, that person may, by notice delivered to the Chief Executive Officer of the Council not later than 20 working days after the decision by the Authorised Officer is served upon that person, request the Chief Executive Officer to review any such decision and such a decision shall be final.

14.1.2 The Council will undertake a review and provide a determination as soon as reasonably practicable. The Council will provide in writing, the outcome of the review and shall include reasons for its determination.

14.1.3 Nothing in this clause shall affect any right of appeal under the Act.

### **14.2 Accidents and Non-compliance**

14.2.1 The person discharging shall inform the Council as soon as practicable after the discovery of any accident including spills or process mishaps which may cause a breach of this Bylaw.

14.2.2 In the event of any accident occurring when the person holds a conditional consent, the Council may review the consent under clause 12.5 or may require the consent holder, within 20 working days of the date such requirement is notified to the consent holder in writing, to review the Emergency Management Plan and re-submit it for approval by the Council.

14.2.3 In the event of an accident occurring on the premises of a permitted discharge, the Council may require the person discharging to apply for a controlled or conditional consent or agreement.

### **14.3 Charges and Payments**

#### **14.3.1 Charges**

14.3.1.1 In accordance with section 150 and section 151 of the Act, the Council may from time to time, by resolution using the procedures required by the Act, fix administrative charges payable by occupiers of trade premises. Applicable fees

and charges will be contained within the current Fees and Charges Schedule.

14.3.1.2 The consent holder shall be liable to pay all fees and charges determined by the Council under clause 14.3.1.3, and in accordance with the categories set out in Schedule 7, for the discharge of trade wastes and any related material.

14.3.1.3 Charges may relate to the following matters:

- a) Uniform Annual Charges – an annual management fee to cover the Council’s costs associated with (but not limited to):
  - i) administration;
  - ii) compliance monitoring; and/or
  - iii) inspection of premises;
- b) volume of flow;
- c) load-based charges for certain pollutants;
- d) providing the facilities to receive, treat, reuse and dispose of trade waste; and
- e) any other activities required to achieve the purpose of this Bylaw.

14.3.1.4 If the trade waste discharge requires consent for a conditional discharge, a method of calculating charges, wastewater flow, and pollutant loads will be determined by the Council in granting such consent in accordance with Schedule 7 of this Bylaw.

14.3.1.5 The occupier shall be deemed to be continuing the discharge of trade waste and shall be liable for all charges, until such time as the consent is cancelled or terminated in accordance with clauses 12.6.1 or 12.6.2 of this Bylaw.

## **14.3.2 Invoicing**

14.3.2.1 All charges determined in accordance with clause 14.3.1 shall be invoiced in accordance with the Council’s standard commercial practice. The invoice shall provide each person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.

## **14.3.3 Failure to Pay**

14.3.3.1 All fees and charges payable under this Bylaw shall be recoverable as a debt. If the person discharging fails to pay

any fees and charges under this Bylaw the Council may cancel the right to discharge in accordance with clause 12.6.1 h).

#### **14.3.4 Recovery of Costs**

14.3.4.1 The Council may recover costs under the Act relating to section 150 and section 151, wilful damage or negligent behaviour (section 175) and remedying damage arising from a breach of this Bylaw (section 176).

#### **14.4 Penalties for Non-compliance**

14.4.1 The property owner or the business owner OR both shall be subject to penalty charges for non-compliance as per the Council's Fees and Charges Schedule.

#### **14.5 Authorised Officers**

14.5.1 An Authorised Officer shall possess and display, on demand, formal proof of identification as an Authorised Officer of the Council.

14.5.2 An Authorised Officer may, at any reasonable time enter any premises believed to be discharging trade waste in order to determine the characteristics of any trade waste discharge by:

- a) taking readings and measurements;
- b) taking samples of any solid, liquid or gaseous material or any combination of such materials being discharged; and/or
- c) observing accidental occurrences and clean-up.

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

#### **14.6 Transfer or termination of rights and responsibilities**

14.6.1 A trade waste consent granted under this Bylaw, shall be issued in the name of the occupier and the occupier named in any consent shall not, without the written approval of the Council:

- a) allow trade waste, wastewater or water from any other premises to be discharged through the premises of the occupier to any sewer or wastewater system;
- b) in particular and not in limitation of the above, allow wastewater from any other party to be discharged at their point of discharge;
- c) transfer to any other party the rights and responsibilities provided for under this Bylaw or any consent, except in accordance with clause 14.5.2.

- 14.6.2 A consent holder may transfer a trade waste consent or an existing Trade Waste Agreement under this Bylaw upon application to the Council. A transfer may be granted upon the change of ownership of any business or premises if the characteristics of the trade waste authorised for discharge under that trade waste consent are to remain unchanged. The Council retains the right to refuse such a transfer and to seek information, at the consent holder's expense, in assessing the possibility of a transfer of consent.
- 14.6.3 Approval of a transfer or renewal of a trade waste consent on change of ownership of premises shall not be unreasonably withheld by the Council, if the characteristics of the wastewater remain unchanged.
- 14.6.4 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.
- 14.6.5 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.
- 14.6.6 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 at the date of termination.

## **15.0 Trade Waste Agreements**

- 15.1 The Council may, at any time and at its complete discretion, enter into a written agreement for the discharge and reception of trade wastes (including for the discharge of controlled and conditional trade wastes) with any occupier upon such terms and conditions as agreed between the Council and occupier. Any such agreement may be made in addition to or in place of a trade waste consent.
- 15.2 Subject to clauses 15.3 and 15.4 of this Bylaw, every duly executed agreement for the discharge and reception of trade waste between an occupier and the Council existing at the date this Bylaw comes into force shall continue on the same terms and conditions as if it were a Trade Waste Agreement, entered into under clause 15.1 of this Bylaw.
- 15.3 Where an existing trade waste agreement is silent as to its term, that agreement may be terminable on six months' written notice by the Council and the occupier shall thereafter be required to apply for a trade waste consent in accordance with



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this Bylaw, and/or enter into a new Trade Waste Agreement under clause 15.1 of this Bylaw.

- 15.4 Where, in the opinion of the Council, an existing trade waste agreement does not incorporate adequate sampling or monitoring or charging provisions, the Council may impose additional requirements in accordance with section 13.0 of this Bylaw by written notice to the occupier. The occupier shall comply with any such requirements within a reasonable timeframe to be set by the Council at its discretion.

## 16.0 Offences

- 16.1 Every person commits a breach of this Bylaw who:
- a) Does, or causes anything that is contrary to this Bylaw;
  - b) Omits or neglects to do anything which ought to be done by them at the time and in the manner provided in this Bylaw;
  - c) Does not refrain from doing anything which under this Bylaw they are required to abstain from doing;
  - d) Knowingly permits any condition or thing to exist contrary to any provision contained in this Bylaw;
  - e) Refuses or neglects to comply with any notice or direction given to them under this Bylaw;
  - f) Obstructs or hinders any Authorised Officer in the exercise of any power conferred upon them by this Bylaw; or
  - g) Fails to divulge their full name, address and date of birth or other relevant information when required to do so by an Authorised Officer.
- 16.2 Every person who is convicted of an offence against this Bylaw is liable on summary conviction to a fine not exceeding \$200,000.

This Bylaw was made by the South Taranaki District Council on 24 June 2024.

THE COMMON SEAL of the SOUTH  
TARANAKI DISTRICT COUNCIL was  
hereunto affixed by resolution of the  
said Council in the presence of:

..... Mayor

..... Chief Executive

# Para Pākihi Ture-ā-Rohe

# Trade Waste Bylaw

## SCHEDULE 1: PERMITTED TRADE WASTE

### Explanatory note:

- 1) Permitted trade waste must also meet the controlled substances standards and may not have any of the prohibited characteristics in Schedule 4.
- 2) A discharge from any trade premises, including the types of premises listed below, consisting of a 24 hour flow volume greater than 5 cubic metres, is a discharge of controlled trade waste.

1.1 Trade waste discharged from any of the following premises is presumed to be permitted trade waste:

Industry/ Activity	Source of Discharge	Typical Pre-Treatment Requirements
General	<ul style="list-style-type: none"> <li>• Offices</li> <li>• General retail (excluding food premises, cafes or coffee lounges)</li> <li>• Chemists / pharmacists</li> <li>• Schools, day care facilities, polytechnics, universities (excluding those with laboratories or catering facilities)</li> <li>• Motels (without restaurant)</li> <li>• Churches and community halls (without catering facilities)</li> </ul>	Nil
Swimming pools	<ul style="list-style-type: none"> <li>• Swimming pool / spa pools with maximum instantaneous flow not exceeding 2.0L/s</li> </ul>	pH control, flow balancing

## SCHEDULE 2: CONTROLLED TRADE WASTE

### Explanatory note:

- 1) Controlled trade waste must also meet the controlled substances standards, unless otherwise approved by the Council in a trade waste consent or a trade waste agreement.
- 2) Controlled trade waste must not have any of the prohibited characteristics in Schedule 4.
- 3) A discharge of trade waste from any trade premises, including those listed below, consisting of a 24 hour flow volume of greater than 20 cubic metres is a discharge of conditional trade waste.

2.1 Trade waste discharged from any of the following premises is presumed to be controlled trade waste:

Industry/ Activity	Source of Discharge	Typical Pre-Treatment Requirements
Apparel	<ul style="list-style-type: none"> <li>• Dry Cleaners</li> <li>• Laundromats</li> </ul>	pH control, temperature control, flow balancing, screening
Automotive / engineering	<ul style="list-style-type: none"> <li>• Mechanical workshops</li> <li>• Service stations</li> <li>• Car wash</li> <li>• Painting and panel beaters</li> </ul>	Corrugated plate interceptor, gravity separator, hydrocyclone, or other similar systems No open areas allowing rainwater discharge to sewer
Clothing manufacturing	<ul style="list-style-type: none"> <li>• Clothing manufacture</li> </ul>	pH control, temperature control, flow balancing, screening
Food retail / preparation	<ul style="list-style-type: none"> <li>• Cafes, coffee lounges, bakeries, take away premises, restaurants</li> <li>• Butchers, fishmongers, delis</li> <li>• Supermarkets, fruit and vegetable stores •</li> <li>Schools, polytechnics, universities (with catering facilities)<sup>1</sup></li> <li>• Hotels (with restaurant)</li> <li>• Churches or marae (with catering facilities)</li> </ul>	Grease trap, temperature control, flow balancing, screening
Residential care	<ul style="list-style-type: none"> <li>• Residential care facilities (retirement homes, hospices)</li> </ul>	Grease trap, flow balancing, screening
Medical and X-ray facilities	<ul style="list-style-type: none"> <li>• Dentists</li> <li>• Doctor's surgeries</li> <li>• Veterinary clinics</li> <li>• Chiropractors</li> </ul>	Amalgam separators, silver recovery unit, offsite removal of developer solution
Other	<ul style="list-style-type: none"> <li>• Large/public swimming or spa pools with maximum instantaneous flow equal to or greater than 2.0L/s</li> </ul>	pH control, flow balancing
	<ul style="list-style-type: none"> <li>• Funeral parlours, mortuaries</li> </ul>	pH control, temperature control, flow balancing, screening
	<ul style="list-style-type: none"> <li>• Barber, hairdresser</li> </ul>	Screening
	<ul style="list-style-type: none"> <li>• Florist</li> </ul>	Screening, no herbicides to sewer
	<ul style="list-style-type: none"> <li>• Photo processors (modular units only)</li> </ul>	pH control, silver recovery, oxidation

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<sup>1</sup>Note: where schools, polytechnics and universities also have science laboratories, additional pre-treatment devices (screening and off-site disposal of hazardous materials) may be required.

## SCHEDULE 3: CONDITIONAL TRADE WASTE

### Explanatory note:

- 1) Conditional trade waste must also meet the controlled substances standards, unless otherwise approved by the Council in a trade waste consent or a trade waste agreement.
- 2) Conditional trade waste must not have any of the prohibited characteristics in Schedule 4.

3.1 Trade waste discharged from any of the following premises is presumed to be conditional trade waste:

Industry/ Activity	Source of Discharge	Typical Pre-Treatment Requirements
Automotive / machinery washing	<ul style="list-style-type: none"> <li>• Truck washes</li> <li>• Equipment and container washing facilities</li> </ul>	Grease separation, screening, no open areas allowing rainwater discharge to sewer
Building, ceramic or paper products manufacturing	<ul style="list-style-type: none"> <li>• Manufacturing of paper and paper products</li> <li>• Manufacturing of clay, glass, plaster, masonry, asbestos or other mineral products</li> <li>• Concrete batching plants</li> </ul>	pH control, temperature control, flow balancing, grease separation, oxidation
Chemical manufacturing	<ul style="list-style-type: none"> <li>• Manufacturing of fertiliser or soil amendment products</li> <li>• Manufacturing of chemicals (including industrial), and of chemical, petroleum, coal, rubber and plastic products</li> </ul>	Acid hydrolysis, pH control, grease separation, screening, sedimentation, flocculation, oxidation, anti-foam dosing, offsite sediment removal
Food production and processing	<ul style="list-style-type: none"> <li>• Food manufacturing and warehousing</li> <li>• Commercial bakeries</li> <li>• Recycling of food or food products</li> </ul>	Grease separation, pH control, temperature control, flow balancing, screening
	<ul style="list-style-type: none"> <li>• Beverage manufacturing</li> </ul>	pH control, temperature control, flow balancing
	<ul style="list-style-type: none"> <li>• Meat processing, abattoirs and rendering</li> <li>• Dairy products processing and rennet manufacturing</li> <li>• Fish and shellfish processing</li> </ul>	Temperature control, grease separation, screening, oxidation, solids removal
Laboratories and healthcare	<ul style="list-style-type: none"> <li>• Hospitals</li> <li>• Scientific laboratories</li> </ul>	Screening, off-site disposal of screening waste and hazardous materials
Metal production and processing	<ul style="list-style-type: none"> <li>• Electroplaters</li> <li>• Galvanisers</li> <li>• Foundries</li> <li>• Metal surfacing</li> <li>• Manufacturing of fabricated metal products, machinery and equipment</li> <li>• Spray painting facilities</li> </ul>	Sedimentation, flocculation, clarification, pH control, temperature control, cyanide destruction, screening, off-site sediment removal
Printing	<ul style="list-style-type: none"> <li>• Photo printing and publishing</li> <li>• Printers</li> </ul>	pH control, silver recovery, oxidation, flow balancing
Textile production	<ul style="list-style-type: none"> <li>• Textile fibre and textile processing</li> <li>• Tanneries and leather finishings</li> </ul>	pH control, temperature control, flow balancing, screening,

	<ul style="list-style-type: none"> <li>• Footwear manufacturing</li> </ul>	grease separation, oxidation, sedimentation, flocculation, clarification, off-site sediment removal
Waste management	<ul style="list-style-type: none"> <li>• Sanitary and cleaning services</li> <li>• Solid waste treatment (landfill leachate discharge)</li> <li>• Water and wastewater treatment</li> </ul>	pH control, temperature control, flow balancing, screening, grease separation
Other	<ul style="list-style-type: none"> <li>• Premises with commercial wastemasters</li> </ul>	Grease separation, screening, off-site disposal of solid wastes
	<ul style="list-style-type: none"> <li>• Stock sale yards</li> </ul>	Screening, flow balancing
	<ul style="list-style-type: none"> <li>• Timber treatment yards</li> </ul>	Screening, flow balancing, sedimentation, flocculation, clarification, pH control, off-site sediment removal
	<ul style="list-style-type: none"> <li>• Manufacturing, storage, transport or use of hazardous materials</li> </ul>	Screening, flow balancing, sedimentation, flocculation, clarification, pH control, off-site sediment removal

## SCHEDULE 4: PROHIBITED TRADE WASTE

Prohibited trade waste is trade waste within the classification of trade waste in clause 10.4 of this Bylaw and having any of the prohibited characteristics set out below. Prohibited characteristics are present if their concentration exceeds background levels.

The background level in relation to any substance means the extent to which that substance is present (if at all) in the municipal water supply used on the trade premises, or in any other water supply that is approved by the wastewater authority or the Council for the purpose of discharging waste.

### 4.1 Prohibited characteristics

4.1.1 Any discharge has prohibited characteristics if it has any solid, liquid or gaseous matter or any combination or mixture of such matter which by themselves or in combination with any other matter:

- a) interfere with the free flow of wastewater in the wastewater system; or damage any part of the wastewater system; or
- b) in any way, directly or indirectly, cause the quality of the effluent or residual or 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 1991, or water right, permit or other governing legislation; or
- c) prejudice the occupational health and safety of wastewater workers; or
- d) after treatment be toxic to fish, animal or plant life in the receiving waters; or
- e) cause malodorous gases or substances that causes the discharge of any wastewater treatment plant to receiving waters to be coloured; or
- f) cause or give rise to the release of toxic odours to air at concentrations that are harmful to humans and/or which do not comply with the Regional Air Quality Plan, unless otherwise authorised by a resource consent.

4.1.2 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; or
- b) dry solids, solids longer than 30 mm, heavy solids which settle at a rate faster than 50 mm/minute, fibrous material, sheet films, and anything which may react to form a solid mass;
- c) liquid, solid or gas which could be flammable or explosive in the wastes, 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 hazards either spontaneously or in combination with sewage; or
- d) asbestos; or
- e) the following organo-metal compounds:
  - i) tin (as tributyl and other organotin compounds); or



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- ii) chromium (as organic compounds); or
  - iii) mercury (as organic compounds); or
  - iv) cadmium (as organic compounds).
- f) genetic wastes, being all wastes that contain or are likely to contain genetically altered material from premises where the genetic alteration of any material is conducted; or
- g) any health care wastes covered by NZS 4304 or any pathological or histological wastes; or
- h) radioactivity levels not compliant with the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material; or
- i) any organochlorine pesticides; or
- j) any pharmaceutical liquid waste containing cytotoxic ingredients.

## SCHEDULE 5: CONTROLLED SUBSTANCE LIST

This Schedule sets the standards for compliance for any trade waste discharged to a wastewater system.

### 5.1 Physical characteristics

#### 5.1.1 Temperature

5.1.1.1 The temperature shall not exceed 50°C. A lower maximum temperature may be required for large volume discharges.

#### 5.1.2 Solids

5.1.2.1 Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm and gross solids shall have an acquiescent settling velocity not exceeding 50 mm/minute.

5.1.2.2 The suspended solids content of any trade waste shall not exceed a maximum concentration of 2000 g/m<sup>3</sup>.

5.1.2.3 The settleable solids content of any trade waste shall not exceed 50 mL/L.

5.1.2.4 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. Subject to specific approval, any discharge with a total dissolved solids concentration of 10,000 g/m<sup>3</sup> will not be accepted.

5.1.2.5 Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant shall not be present.

#### 5.1.3 Oil and grease

5.1.3.1 There shall be no free or floating layer.

5.1.3.2 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 wastewater, throughout the range of pH 6.0 to pH 10.0.

5.1.3.3 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 6.0 to pH 10.0.

5.1.3.4 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 wastewater throughout the range of pH 6.0 to pH 10.0.

#### **5.1.4 Solvents and other organic liquids**

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

#### **5.1.5 Emulsions of paint, latex, adhesive, rubber, plastic**

5.1.5.1 Where such emulsions are not treatable these may be discharged into the Council wastewater system subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> or the concentration agreed with the Council.

5.1.5.2 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 e.g. reduces % ultraviolet transmissivity.

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

#### **5.1.6 Radioactivity**

5.1.6.1 Radioactivity levels shall not exceed the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material.

#### **5.1.7 Colour**

5.1.7.1 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 in respect of its ultimate discharge into any receiving environment or the respective discharge resource consent under the Resource Management Act 1991.

### **5.2 Chemical characteristics**

#### **5.2.1 pH value**

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

## 5.2.2 Organic strength

5.2.2.1 The biochemical oxygen demand of any waste may be restricted where the capacity for receiving and treating biochemical oxygen demand is limited. A biochemical oxygen demand restriction may be related to mass limits.

5.2.2.2 The biochemical oxygen demand shall not exceed 1000 g/m<sup>3</sup>. For significant industry this may be reduced to 600 g/m<sup>3</sup>.

5.2.2.3 The chemical oxygen demand shall not exceed 2000 g/m<sup>3</sup>.

## 5.2.3 Maximum concentrations

5.2.3.1 The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in tables 5.1, 5.2 and 5.3.

**Table 5.1 - General chemical characteristics**

Characteristic	Maximum concentration (g/m <sup>3</sup> )
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 5.2 - Heavy metals**

Metal	Maximum concentration (g/m <sup>3</sup> )	Metal	Maximum concentration (g/m <sup>3</sup> )
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.05
Barium	15	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.05	Selenium	10
Chromium	5	Silver	2
Cobalt	10	Thallium	10
Copper	10	Tin	20
Lead	10	Zinc	10

**Table 5.3 - Organic compounds and pesticides**

Compound	Maximum concentration (g/m <sup>3</sup> )
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) including 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

## 5.2.4 Pharmaceutical Waste

5.2.4.1 Pharmacies must not discharge more liquid pharmaceutical waste per month than the volumes listed below. The volume limit is based on the concentration of active ingredients in the product.

**Table 5.4 – Liquid Waste from Pharmacies**

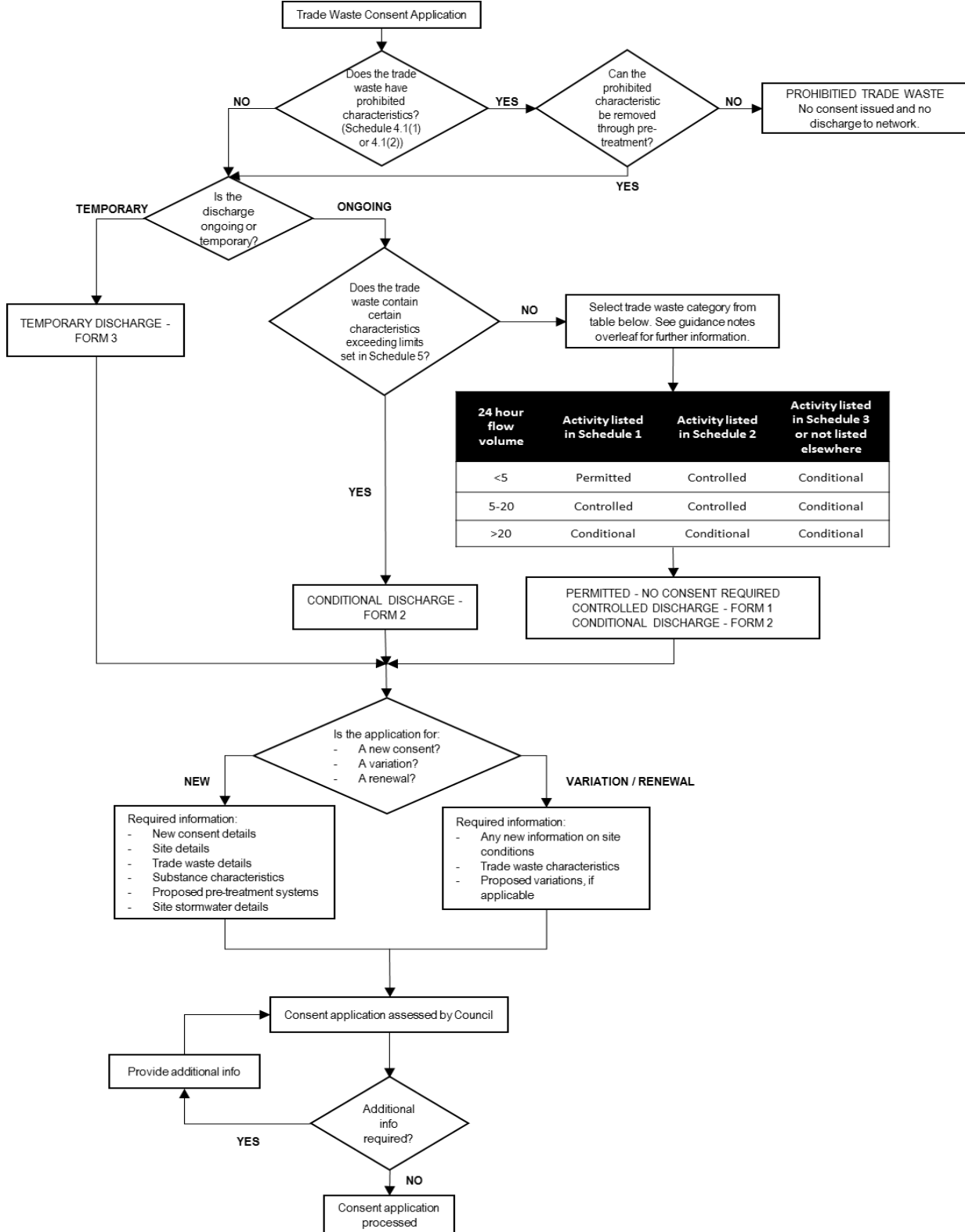
Volume Limit	Active Concentration
10 litres	125mg/5ml

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5 litres	250mg/5ml
3 litres	Above 250mg/5ml

## SCHEDULE 6: CONSENT APPLICATION PROCEDURE



Guidance notes:

PERMITTED DISCHARGE	CONTROLLED DISCHARGE FORM 1	CONDITIONAL TRADE WASTE FORM 2	TEMPORARY DISCHARGE FORM 3	PROHIBITED TRADE WASTE
-No consent required	<ul style="list-style-type: none"> <li>- Standard conditions apply</li> <li>- Uniform Annual Charge applies</li> <li>- Self-monitoring may be required</li> <li>- Water metering to determine flow</li> <li>- Pre-treatment device may be required</li> </ul>	<ul style="list-style-type: none"> <li>- Special conditions apply</li> <li>- Uniform Annual Charge applies</li> <li>- Pollutant flow/load based charges may apply</li> <li>- Self-monitoring may be required, audited by Council</li> <li>- Wastewater flow measurement devices may be required</li> <li>- Pre-treatment device may be required</li> </ul>	<ul style="list-style-type: none"> <li>- Conditional consent</li> <li>- One-off discharge</li> <li>- Volumetric measurement</li> <li>- Possible pollutant load measurement</li> </ul>	- No consent issued and no discharge to network



## SCHEDULE 7: TRADE WASTE CHARGE CATEGORIES

### 7.1 Charging System

- 7.1.1 The charging method involves assessing the full life costs of the wastewater infrastructure, treatment plant, the disposal system and costs associated with the administration, management and monitoring of trade waste and this Bylaw. Charges are then allocated from either a uniform annual charge and, for a conditional trade waste consent, a possible unit cost for flow and the various pollutants targeted for removal. The total treatment costs are built up by allocating costs to the reticulation network, individual treatment process units, the disposal system, administration and management.
- 7.1.2 Flow and load based charges will apply to trade waste customers who have a significant pollutant load discharging into the Council wastewater system. Council staff will monitor these customers typically on a frequent basis, and results will be used to determine trade waste charges on a flow and pollutant load basis. Self-monitoring may be acceptable for some trade waste discharges.
- 7.1.3 The unit charge rates and uniform annual charge will be reviewed by the Council and set by Council resolution from time to time in accordance with the Local Government Act 2002.

Details of the charging system structure are provided below:

### 7.2 Charging Categories

- 7.2.1 There are three charging categories, which are based on the type of trade waste discharged to the Council wastewater system:

Charging Category	Description
Permitted Trade Waste	No trade waste charge for a discharge of permitted trade waste.
Controlled Trade Waste	A uniform annual charge to recover the reasonable costs incurred by the Council, in respect of the granting of consents and associated administration including services given and inspections.
Conditional Trade Waste	A uniform annual charge to recover the reasonable costs incurred by the Council in respect of the granting of consents, services given and inspections and if appropriate a flow and/or load based charge relevant to the particular customer and the additional costs incurred by the Council in accepting and treating such waste into the Council's wastewater system.

## 7.3 Tanker Waste Charges

- 7.3.1 Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on trade waste category.
- 7.3.2 Payment based on the defined form(s) and may be related to the waste characteristics of the substance(s) in \$/kg and/or \$/m<sup>3</sup>.

## 7.4 Assessment of Charges

- 7.4.1 In determining the basis of charges the following process is proposed:
- For the first year the Council will estimate the costs likely to be associated with administering this Bylaw and allocate these over the above categories;
  - Over the first year actual costs are recorded with an annual review of charges undertaken and the charges per category amended as appropriate.

## 7.5 Trade Waste Charging Parameters

- 7.5.1 In the following table the Council states what parameters it may charge under the tenure of this Bylaw.
- 7.5.2 A wide range of parameters has been provided in the following table to leave options open and promote awareness for future changes in the Council wastewater system requirements.

### A. Administrative Charge Parameters

Category	Description
A1 Connection fee	Payable on application for connection to discharge.
A2 Compliance monitoring	The cost of sampling and analysis of trade waste discharges.
A3 Disconnection fee	Payable following a request for disconnection from Council wastewater system.
A4 Trade Waste application fee	Payable on an application for a trade waste consent.
A5 Re-inspection fee	Payable for each re-inspection visit by the Council where a notice served under this Bylaw has not been complied with by the trade waste discharger
A6 Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Council wastewater system.
A7 Temporary Discharge fee	Payable prior to receipt of a temporary discharge.
A8 Uniform Annual Charge	An annual management fee for a trade waste discharge to cover the Council's costs associated with: <ul style="list-style-type: none"> <li>a. administration;</li> <li>b. general compliance monitoring;</li> </ul>

	c. general inspection of trade waste premises; d. use of the Council wastewater system.
A9 Rebates for trade premises	Reduction in fees is provided for in section 150(2). Section 150(4) of the Local Government Act 2002 states that the fees prescribed by the Council shall not provide for the Council to recover more than the reasonable cost incurred by the Council for the matter for which the fee is charged.
A10 New or additional trade premises	Pay the annual fees and a pro rata proportion of the various trade waste charges relative to flows and loads.

## B. Flow and/or Load-based Charge Parameters

Category	Description
B1 Volume	Payment based on the volume discharged in $\$/m^3$ . The magnitude of the unit charge is based on the annual costs associated with maintaining the wastewater network and flow costs associated with the Council wastewater system.
B2 Flow Rate	Payment based on the flow rate discharged in $\$/s$ . The magnitude of the unit charge is based on the annual costs associated with maintaining the wastewater network and flow costs associated with the Council wastewater system.
B3 Suspended Solids	Payment based on the mass of suspended solids in $\$/kg$ . This charge is related to primary treatment, a portion of sludge treatment and disposal, and a portion of the odour control costs for the site.
B4 Organic loading	Biochemical oxygen demand or chemical oxygen demand in $\$/kg$ . The charge unit can be calculated from the cost of organic load removal in the secondary treatment process, and other associated costs based on the treatment plant cost allocation system.
B5 Nitrogen	Payment based on the defined form(s) of nitrogen in $\$/kg$ . Related to the cost of nitrogen removal in the secondary treatment system and other associated costs, as defined from treatment plant cost allocation system.
B6 Phosphorous	Payment based on the defined form(s) of phosphorous in $\$/kg$ .
B7 Metals	Payment based on the defined form(s) of the metal(s) in $\$/kg$
B8 Transmissivity	A charge based on the inhibiting nature of the trade waste to ultraviolet light used by the Council's disinfection process.
B9 Screenable solids	Payment based on the mass of screenable solids in $\$/kg$ .
B10 Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) in $\$/kg$ and/or $\$/m^3$ .

B11 Incentive rebate	A rebate for discharging materials beneficial to the Council's wastewater system in \$/kg and/or \$/m <sup>3</sup> .
B12 Depreciation	Capital costs related to the Council wastewater system are operationalised as a depreciation cost normally spread across the volume and mass charges
B13 Capital Contributions	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a conditional consent discharge. Typically, this would be included under a trade waste agreement with a reduction in load-based charges.

## C. Tanker Waste Charges

Category	Description
C1 Tanker Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on trade waste category.
C2 Toxicity	Payment based on the defined form(s) of the toxic substance(s) in \$/kg and/or \$/m <sup>3</sup> .

## 7.6 Charging Formula

7.6.1 The Council may charge volume or load-based charges as specified in Table B. An example of the proposed formula for calculation of the load-based trade waste charge is as set out below. Flow measurement and sample results will be used for the purposes of calculating the trade waste charge using this formula.

$$(F \times F_c) + (SS \times SS_c) + (COD \times COD_c) + \text{Other parameters as appropriate}$$

Where:

F = The flow for the period.

F<sub>c</sub> = The unit flow charge (\$\_\_\_\_\_) per m<sup>3</sup>.

SS = The mass of suspended solids discharged for the period.

SS<sub>c</sub> = The SS charge (\$\_\_\_\_\_) per kg.

COD = The mass of chemical oxygen demand discharged for the period.

COD<sub>c</sub> = The COD charge (\$\_\_\_\_\_) per kg.

## SCHEDULE 8: PRE-TREATMENT MANAGEMENT GUIDELINES

If the occupier's wastewater discharge requires a form of pre-treatment device, the occupier may be required to provide evidence of maintenance to the Council. The required evidence and the frequency with which it must be provided shall be determined by the Council when assessing the occupier's trade waste consent application and both will be specified in the occupier's trade waste consent.

The table below presents a simplified list of pre-treatment requirements for customers when applying for the trade waste discharge consents.

### Pre-Treatment Devices

Source	Typical Characteristics of Wastewater	Typical Pre-Treatment Required	Cleaning and Reporting Frequency	Evidence Required
<b>Automotive / Engineering</b>				
Car Washes	Oil	Corrugated Plate Interceptor	Monthly	Contractor grease/solids removal record (e.g. invoice) or other cleaning record
Engine Reconditioning Auto Workshop	Grease Solids	Gravity Separator	Bi-monthly	
Painting	Hydrocarbons	Hydrocyclone	Six Monthly	
Panel Beaters	Metals	Other similar systems	Annually	
Service Stations	Detergent			
<b>Food Preparation</b>				
Cafeteria	Temperature	Temperature Control	Monthly	Contractor oil and grease or solids removal records
Fast Food	Oil and Grease	Flow Balancing	Bi-monthly	
Institution kitchen	BOD	Grease Trap	Six Monthly	
Shopping Centres	Solids	Screening	Annually	
Supermarkets				

Butcher				
Fishmonger				
Apparel				
Dry Cleaning	Temperature	pH Control	Monthly	Contractor solids removal records.
Laundromats	pH Peak Flows Solids	Temperature Control Flow Balancing Screening	Bi-monthly Six Monthly Annually	System operational and monitoring records
Dental Practices				
Dental	Mercury Silver	Amalgam Separators Silver Recovery Unit Offsite Removal of Developer Solution	Monthly-Annually	Contractor removal records. Amalgam separators fitted and operating to appropriate ISO standards.

Sampling and reporting frequency will be specified in each Consent, and will depend on the level of compliance and number of reporting results received.

## SCHEDULE 9: SAMPLING AND FLOW MONITORING PROCEDURE

### 9.1 Sampling Procedure

- 9.1.1 Sampling procedures shall be undertaken in accordance with NZS 5667-10:1998 or ISO 5667-10:1992; water quality sampling Part 10: Guidance in Sampling of Wastewater, or any standard that succeeds it, or another Council-approved methodology.
- 9.1.2 When sampling to evaluate compliance with controlled substance limits, spot or grab samples are sufficient. Sampling for compliance with the mass discharge of pollutants or to evaluate load-based trade waste charges shall be based on composite sampling.
- 9.1.3 The frequency, timing and number of composite samples for evaluating trade waste charges will be determined by the Council and will be based on the significance of the trade waste load relative to the treatment plant design load.
- 9.1.4 Typically not less than 10 (ten) 24 hourly composite samples will be used to determine annual load based trade waste charges.

The following sub-sections provide some information from NZS 5667.

### 9.2 Sampling Equipment

- 9.2.1 The laboratory responsible for analysing the samples should be consulted about the type of container that should be used for sample collection, storage and transportation. The container needs to prevent losses due to adsorption, volatisation and contamination by foreign substances.
- 9.2.2 The simplest equipment used for taking samples consists of a clean bucket, ladle, or wide-mouthed container of known volume (greater than 100 mL) that may be mounted on a handle of a suitable length.
- 9.2.3 The sampling location shall be the first manhole or other access point upstream of the point of discharge, unless a location giving more representative samples can be found. The location of the access point shall be in accordance with the New Zealand Building Code.

## 9.3 Sampling Method

### 9.3.1 Grab or Spot Samples

A grab or spot sample is a discrete sample taken randomly (with regard to time and/or location) from the trade waste where the whole sample volume is taken at once. Grab or spot samples are useful for determining the wastewater composition at a certain time.

### 9.3.2 Composite Samples

A composite sample is two or more samples mixed together, from which the average result of a desired characteristic may be obtained. Composite samples are prepared by mixing a number of grab samples or by collection of a continuous fraction of a waste stream (either flow-proportional or time-proportional).

## 9.4 Frequency and Number of Samples

9.4.1 Analyses shall be based on samples taken at regular intervals during the control period, as specified in the occupier's trade waste consent. The number of samples taken during each control period should be determined by the Council.

9.4.2 If the identification of the nature and magnitude of peak load are important, sampling should be restricted to those periods when peak loads are known to occur. Allowances should be made for daily, weekly and seasonal wastewater quality variations.

9.4.3 The stability of the sample may often limit the duration of the sampling period. In such cases, reference should be made to the specific analytical techniques to be undertaken and the receiving laboratory should be consulted, in order that correct preservative measures can be used.

9.4.4 A sampling chain of custody form should as a minimum include:

- name of the trade premises;
- trade waste consent number;
- sampling point;
- date of sampling;
- time, start and stop, of sampling; and/or
- details of the sampling method.



## **9.5 Flow Monitoring Procedure**

### **9.5.1 Flow Monitoring Method**

9.5.1.1 Flow monitoring shall be undertaken in accordance with AS 3778-5.3:2007 or ISO/TR 9824:2007 or BS EN 14154-3:2005+A2:2011, or any standards that succeed these, or another Council-approved methodology.

9.5.1.2 The flow meter equipment and monitoring methodology should be selected based on the physical and hydraulic characteristics of the proposed discharge and monitoring site, the objectives of the measurement, and operations and maintenance considerations. Consideration should also be given to the position and nature of the instrument housing, bearing in mind the need for safe and easy access, protection from all anticipated water levels, human or animal interference and the elements.

### **9.5.2 Flow Meter Calibration**

9.5.2.1 The consent holder shall arrange for in situ calibration of the flow metering equipment and instrumentation in accordance with NZS 10012 Part 1, or other Council approved method, upon installation and at least once a year thereafter to ensure its performance.

9.5.2.2 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 must be submitted to the Council.

## SCHEDULE 10: REFERENCED DOCUMENTS

### **New Zealand Standards**

NZS 4304:2002 Management of healthcare waste  
NZS 5465:2001 Self-containment for motor caravans and caravans  
NZS 9201: Model general bylaws  
Part 22:1999 Wastewater drainage

### **Joint Australian/New Zealand Standards**

AS/NZS 5667: Water quality – Sampling  
Part 1:1998 Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples  
Part 10:1998 Guidance on sampling of wastewaters

### **British Standards**

BS 3680: Measurement of liquid flow in open channels  
Part 11A:1992 Free surface flow in closed conduits – Methods of measurement  
Part 11B:1992 Free surface flow in closed conduits – Specification for performance and installation of equipment for measurement of free surface flow in closed conduits  
BS 5728: Measurement of flow of cold potable water in closed conduits  
Part 3:1997 Methods for determining principal characteristics of single mechanical water meters (including test equipment)  
BS 6068: Water quality  
Part 6: Sampling  
Section 6.10:1993 Guidance on sampling of wastewaters  
BS EN 25667-1: 1994 Water quality. Sampling. Guidance on the design of sampling programmes  
BS 6068-6.1:1981  
BS EN 25667-2: 1993 Water quality. Sampling. Guidance on sampling techniques  
BS 6068-6.2:1991  
BS EN 5667-3: 2003 Water quality. Sampling. Guidance on the preservation and handling of water  
BS 6068-6.3:2003 samples

### **New Zealand Legislation**

Building Act 2004  
Hazardous Substances and New Organisms Act 1996 and associated Regulations  
Health Act 1956  
Health and Safety at Work Act 2015  
Land Transport Rule Dangerous Goods 1999 Rule 45001  
Local Government Act 2002  
Resource Management Act 1991 and associated Regulations  
South Taranaki Wastewater Bylaw 2013

## Other Publications

### **Agricultural and Resource Management Council of Australia and New Zealand (ARMCANZ) and Australia New Zealand Environment and Conservation Council (ANZECC)**

Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste) 12 (1994)

Document available from Australian Water Association (AWA) [www.awa.asn.au](http://www.awa.asn.au)

### **American Water Works Association**

Standard methods for the examination of water and wastewater 20th Edition (1999)

Document available from American Water Works Association [www.awwa.org](http://www.awwa.org)

### **Building Industry Authority**

New Zealand Building Code (NZBC) 1992 and Approved Documents

Document available from Building Industry Authority (BIA) [www.bia.govt.nz](http://www.bia.govt.nz)

### **Ministry for the Environment (MfE)**

Landfill Acceptance Criteria (2004)

The New Zealand Waste Strategy (2002)

Documents available from Ministry for the Environment New Zealand [www.mfe.govt.nz](http://www.mfe.govt.nz)

### **National Radiation Laboratory (NRL)**

NRL C1 Code of safe practice for the use of unsealed radioactive materials (1996).

Document available from National Radiation Laboratory [www.nrl.moh.govt.nz](http://www.nrl.moh.govt.nz)

### **New Zealand Water and Wastes Association (NZWWA)**

Guidelines for the Safe Application of Biosolids to Land in New Zealand (2003)

Liquid and Hazardous Wastes Code of Practice (2003)

Documents available from NZWWA [www.waternz.org.nz](http://www.waternz.org.nz)

### **New Zealand Water Environment Research Foundation (NZWERF)**

New Zealand Municipal Wastewater Monitoring Guidelines (2002)

Document available from New Zealand Water Environment Research Foundation (NZWERF) [www.nzwerf.org](http://www.nzwerf.org)

### **Sydney Water Corporation**

Trade Waste Policy (2004)

Document available from Sydney Water Corporation [www.sydneywater.com.au](http://www.sydneywater.com.au)

### **United States Environment Protection Agency (US EPA)**

Method 9095A Paint Filter Liquids Test (1996)

Document available from United States Environmental Protection Agency

[www.epa.gov](http://www.epa.gov)

# Para Pākihi Ture-ā-Rohe

# Trade Waste Bylaw

## Bylaw History

Action	Description	Decision Date	Decision Number	Commencement
New	Adoption of new Trade Waste Bylaw	06/06/2017	71/17	01/07/2017
New	Adoption of new Trade Waste Bylaw	24/06/2024	105/24	01/07/2024