



**CENTRAL  
HAWKE'S BAY**  
DISTRICT COUNCIL

**PART 23**

# **Trade Waste BYLAW**

Superseding CHBDC: Part 23: 2018

13 May 2021

*Together we Thrive! E ora ngātahi ana!*

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## INTRODUCTION

### OVERARCHING PURPOSE

To achieve a holistic and integrated approach to three waters management in the District that is consistent with Council's District Plan, other Policies, Plans, Strategies and Objectives and also reflect the principles of the Te Mana o Te Wai. The following overarching purposes have been set for all four water services bylaws (Water Supply, Stormwater, Wastewater and Trade Waste):

1. **Meet Legislation Requirements**  
Proactively meet all Council's statutory requirements relating to the provision of three waters services.
2. **Integrated Approach**  
Adopt an integrated and holistic approach, ki uta ki tai, to the Three Waters (water supply, wastewater including Trade Waste and stormwater) that recognises the interconnections between each of the waters and promotes their sustainable use and management.
3. **Environmental Responsibilities**  
Facilitate environmentally responsible practices by raising awareness of how the Three Waters interact and effect the District's natural environment. Additionally, ensure that Council meet its own responsibilities in terms of resource consent requirements set by the Hawke's Bay Regional Council.
4. **Sustainable Practices**  
Encourage and incentivise the community and businesses to adopt practices that lead to the enhancement of the environment and the sustainable management of water resources including water and product stewardship, rainwater harvesting, waste minimisation and Cleaner Production.
5. **Support Sustainable Growth**  
Support the sustainable provision of three waters infrastructure to enable future growth while minimising or eliminating impacts on the environment.
6. **Achieve Project Thrive Values**  
Develop and implement Three Water Bylaws to give effect to 'Project Thrive' values in particular trust, honesty, respect, innovation, and valuing people.
7. **Te Mana o te Wai**  
Recognise the fundamental concept of Te Mana o te Wai as prescribed under the National Policy Statement for Freshwater Management 2020 and in particular the need to restore and preserve the balance between the water, the wider environment, and the community.
8. **Tangata Whenua Status**  
Recognise the status of tangata whenua as Kaitiaki.
9. **Durable Infrastructure**  
Develops and maintain durable and resilient infrastructure that achieves Council's levels of service in an efficient and cost-effective manner.
10. **Safety and Health**  
Ensure the protection, safety and health of Council staff and the community when using or operating the water supply system, and the wastewater and stormwater networks.
11. **Obligations**  
Define the obligations of residential occupiers and businesses including Trade Waste occupiers and the public at large in relation to the Council's water supply, wastewater and stormwater networks.
12. **Discharge Controls**  
Regulate wastewater and stormwater discharges, including Trade Waste, and hazardous substances, into the wastewater and stormwater networks.

### 13. **Equitable Costs**

Provide a system for the equitable share of Council's water services costs between Trade Waste dischargers, other businesses and domestic customers.

## **OBJECTIVES**

Further to the overarching purpose of the specific objectives for this bylaw is to control and monitor Trade Waste discharges into the wastewater system (public sewers) in order to:

- a) protect public health and the environment;
- b) protect the wastewater system infrastructure;
- c) protect wastewater system workers;
- d) ensure compliance with resource consent conditions related to the wastewater treatment plant;
- e) provide a basis for monitoring discharges from industry and trade Premises;
- f) provide a basis for charging Trade Waste users of the wastewater system to cover the cost of conveying, treating and disposing of or reusing their wastes;
- g) ensure that the costs of treatment and disposal are shared fairly between Trade Waste and municipal dischargers;
- h) promote Cleaner Production;
- i) encourage waste minimisation; and
- j) encourage water conservation

## **CONTEXT**

In Central Hawke's Bay, there are currently six public Wastewater collection and treatment systems located at Otane, Waipawa, Waipukurau, Takapau, Porangahau, and Te Paerahi.

Trade Waste is any liquid that is or may be discharged from a trade Premises or tanker to the Council's wastewater system of a non-domestic nature.

Wastewater is collected from public and private Premises within these systems into the public sewer system. This wastewater is conveyed to the District's wastewater treatment plants for treatment and is then discharged to the environment. This Bylaw controls the management, treatment and discharge of this wastewater.

Council has responsibility to provide reliable, safe, effective and efficient collection, management and disposal of wastewater and Trade Waste to ensure that the capacity of available facilities is optimised and that neither public health nor the environment is compromised.

Renewal of wastewater assets which convey and treat Trade Waste is an ongoing process. Pipelines, manholes, pumping stations and treatment plants are renewed as necessary and as funding allows.

Compliance with Resource Consents is also monitored and includes reporting to Hawke's Bay Regional Council.

## PART 23 – TRADE WASTE

### 1. TITLE

This bylaw shall be known as the Central Hawke's Bay District Council Trade Waste Bylaw 2021.

### 2. COMMENCEMENT

This bylaw comes into force on 13 May 2021.

### 3. REPEAL

This bylaw supersedes and repeals the Central Hawke's Bay District Council Trade Waste Bylaw 2018 and all amendments of that bylaw.

### 4. APPLICATION OF THE BYLAW

This bylaw shall apply to the Central Hawke's Bay District.

### 5. DEFINITIONS

Reference should be made to Part 1 Introductory Bylaw and to the legislation referred to under Referenced Documents, for any other definitions not included in this Part.

For the purposes of this bylaw the following definitions shall apply:

<b>Access Point</b>	a place where access may be made to a private drain 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.
<b>Analyst</b>	a testing laboratory approved in writing by an authorised officer on behalf of Council.
<b>Approval or Approved</b>	approved in writing by the Council, either by resolution of Council or by an Authorised Officer.
<b>Approved Location</b>	a location for the discharge of tankered waste as identified in a condition of a Consent.
<b>Authorised Officer</b>	any officer of the Council or other person authorised under the Local Government Act 2002 and authorised by the Council to administer and enforce its Bylaws.
<b>Biosolids</b>	sewage sludge derived from a sewage 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.
<b>Characteristic</b>	any of the physical or chemical properties of a Trade Waste.
<b>Change in Activity</b>	any change on a Trade Premises which may impact on the volume or concentration of Trade Waste contaminants discharged, or the characteristics of a Trade Waste discharge.
<b>Cleaner Production</b>	the implementation on trade Premises of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimise and manage Trade Waste by: <ul style="list-style-type: none"> <li>a) using energy and resources efficiently, avoiding or reducing the amount of wastes produced;</li> <li>b) producing environmentally sound products and services; and</li> <li>c) achieving less waste, fewer costs and higher profits.</li> </ul>

<b>Condensing Water or Cooling Water</b>	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.
<b>Conditional Trade Waste</b>	Trade Waste which has conditions placed upon the consent holder by Council.
<b>Consent</b>	a consent in writing given by Council and signed by an authorised officer authorising a person to discharge Trade Wastes to the wastewater system.
<b>Consent Holder</b>	the person occupying trade Premises who has obtained a consent to discharge or direct the manner of discharge of Trade Waste from any Premises to Council's wastewater system, and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.
<b>Contaminant</b>	the same meaning as in the Resource Management Act 1991.
<b>Contingency Management Procedures</b>	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.
<b>Council</b>	the Central Hawke's Bay District Council or any officer authorised by Council or delegated to act on its behalf.
<b>Customer</b>	a person who either discharges or has obtained a consent to discharge or direct the manner of discharge of Wastewater or Trade Waste from any Premises to Council's public wastewater network. The Customer may be an Owner or an Occupier.
<b>Discharge</b>	the discharge of Trade Wastes into a sewer whether directly or indirectly by means of any drain, and "the discharge" has a corresponding meaning.
<b>Disconnection</b>	the physical cutting and sealing at the point of discharge from a Premises.
<b>District</b>	the Central Hawke's Bay District.
<b>Domestic Wastewater</b>	either that Wastewater which is discharged from Premises used solely for residential activities or wastes of the same character discharged from other Premises, provided that the characteristics of the Wastewater are an Acceptable Discharge; but does not include any solids, liquids, or gases that may not lawfully be discharged into the wastewater system and may include geothermal water.
<b>Fees and Charges</b>	the list of items, terms and prices for services associated with the discharge of Trade Waste as approved by the Council in accordance with the Local
<b>Flow Meter</b>	any device or apparatus used to measuring flow.
<b>Foul Water</b>	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 condition 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).



<b>Grease Converter</b>	grease traps which may use chemicals, bacteria, enzymes or other means which are not passive or mechanical to remove fats, oils or greases from Trade Waste.
<b>Hazardous <u>Substance</u></b>	hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.
<b>Holding Tank</b>	a tank installed on a Premises to store wastewater from that Premises, and intended to be emptied regularly by a tanker. This excludes septic tanks where the septic tank forms part of an on-site wastewater treatment process that is fully contained within the Premises, and excludes retention tanks where the retention tank is part of a communal wastewater treatment process.
<b>Management Plan</b>	the plan for the management of operations on a 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.
<b>Mass Limit</b>	the total mass (of any characteristic) that may be discharged to the Council wastewater system over any stated period from any single Point of Discharge, or collectively from several points of discharge.
<b>Maximum Concentration</b>	the peak concentration that may be discharged at any instant in time.
<b>Monitoring Equipment</b>	any device or combination of devices considered appropriate by Council to measure and record, either on-site or remotely, concentration, temperature or pH or any other factor used to determine Trade Wastes strength.
<b>Occupier</b>	the person occupying trade Premises connected to the wastewater system and includes any agent, manager, foreman or other persons acting or apparently in the general management or control of trade Premises.
<b>Owner</b>	the Person who owns the Premises.
<b>Permitted Discharge</b>	a Trade Waste discharge that has been approved by, or is acceptable to, the Council and as long as it complies with the requirements of clause 7.1.1 of this bylaw.
<b>Person</b>	the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate.
<b>Point of Discharge</b>	the boundary between the public sewer and a private drain but for the purposes of monitoring, sampling and testing, shall be as designated in the Trade Waste Consent.
<b>Pre-Treatment</b>	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.
<b>Premises</b>	either: <ul style="list-style-type: none"><li>a) a property or allotment which is held under a separate record of title or for which a separate record of title may be issued and in respect to which a building consent has been or may be issued; or</li><li>b) a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a record of title is available; or</li><li>c) land held in public ownership (e.g. reserve) for a particular purpose; or</li></ul>



	d) individual units in buildings which are separately leased or separately occupied.
<b>Private Drain</b>	that section of drain between the Premises and the point of connection to the Council's wastewater system. This section of drain is owned and maintained by the Customer (or group of Customers).
<b>Prohibited Trade Wastes</b>	a Trade Waste that has prohibited characteristics as defined in Schedule B and does not meet the conditions of Schedule A. The waste is not acceptable for discharge into the Council's wastewater system.
<b>Record of Title</b>	a record of title created under section 12 under the Land Transfer Act 2017.
<b>Sewage</b>	the main public sewer pipes, manholes and lateral connections that carry away Wastewater or Trade Wastes from the Point of Discharge. The public sewer is owned and maintained by Council.
<b>Sewage Sludge</b>	the material settled out and removed from sewage during the treatment process.
<b>Sewer</b>	any sewer of the Council for the reception and discharge of domestic sewage or Trade Wastes and includes any sewer under the control of the Council.
<b>Significant Industry</b>	to indicate the relative size of a given industry compared to the capacity of the wastewater system which services that industry. Industry size relates to volume and/or loads discharging into the sewage system. Loads can be the conventional loadings of BOD and SS or some other particular Contaminant (e.g. boron, chromium) which will have an effect or the propensity to have an effect on the sizing of the sewage system, the on-going system operation and/or the quality of the treated effluent that is discharged.
<b>Stormwater</b>	surface water run-off resulting from rainfall, such as runoff from hard stand areas or a roof.
<b>Tanker Waste</b>	water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic sewage discharged directly from house buses, caravans, buses and similar vehicles.
<b>Temporary Discharge</b>	any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from Premises subject to an existing consent.
<b>Trade Premises</b>	Any: <ul style="list-style-type: none"> <li>a) Premises used or intended to be used for any industrial or trade purpose; or</li> <li>b) 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;</li> <li>c) other Premises from which a contaminant is discharged in connection with any industrial or trade process</li> <li>d) other Premises discharging other than domestic sewage; and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.</li> </ul>
<b>Trade Waste</b>	any liquid that is or may be discharged from a trade Premises or tanker to the Council's wastewater system of a non-domestic nature.
<b>Trench Waster</b>	groundwater resulting from excavation works.

**Warning Notice** a written notice given by the Council to an Owner or Occupier when the Council has reasonable grounds to believe that a condition of a Consent is being breached and which specifies:

- a) the nature of the alleged breach;
- b) the steps required to be taken to remedy the breach; and
- c) the period within which the breach must be remedied.

**Wastewater System** the collection, treatment and disposal of wastewater and Trade Wastes, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and other related structures operated by Council and used for the reception, treatment and disposal of Trade Wastes.

**Working Day** any day of the week other than:

- a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day; and
- b) a day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

## 6. CONTROL OF DISCHARGES

### 6.1. GENERAL

6.1.1. No person shall:

- a) discharge, or allow to be discharged, any Trade Waste to the wastewater system except in accordance with the provisions of this bylaw;
- b) discharge, or allow to be discharged, a Prohibited Trade Waste into the wastewater system;
- c) add or permit the addition of any potable, Condensing or Cooling Water to any Trade Waste which discharges into the wastewater system unless specific approval is given in a consent;
- d) add or permit the addition of Stormwater to any Trade Waste which discharges into the wastewater system unless specific approval is given in a consent; or
- e) use refuse or garbage grinders or macerators to dispose of solid waste from trade Premises to the wastewater system unless specific approval is given in a consent.

6.1.2. In the event of failure to comply with clause 6.1.1 (a) to (e) Council may physically prevent discharge to the wastewater system if, in the view of the Council, no reasonable alternative action can be established with the person(s).

6.1.3. Any waste from a holding tank to be tankered to the wastewater treatment plant must have Council written approval prior to transferring to the treatment plant. The waste characteristics must be known and supplied to Council.

### 6.2. STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS OR HARMFUL MATERIALS

6.2.1. All persons on trade Premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in clause 6.2.3 (c) of this bylaw from entry into the wastewater system as a result of leakage, spillage or other mishap.

6.2.2. No person may store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous waste or any of the materials listed in clause 6.2.3 (c) in a manner that might cause the material to enter the wastewater system and cause harmful effects.

6.2.3. Materials referred to in clause 6.2.1 and 6.2.2 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 in the wastewater system; or

- c) likely to be deleterious to the health and safety of Council's staff, approved contractors and the public or be harmful to the wastewater system.

### **6.3. ACCIDENTAL ENTRY OF TRADE WASTE DISCHARGES**

- 6.3.1. The person discharging shall inform Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of this bylaw
- 6.3.2. In the event of any accident occurring when the person holds a conditional consent, Council may require the consent holder, within twenty (20) working days of having provided notice in writing, to review any relevant Contingency Management Procedures and re-submit a reviewed Management Plan for approval to Council.

## **7. CLASSIFICATION OF TRADE WASTE DISCHARGES**

- 7.1.1. All Trade Waste discharges to the wastewater system will be classified by the Council as one of the following types:
  - a) Permitted;
  - b) Conditional; or
  - c) Prohibited.
- 7.1.2. Any person that discharges or proposes to discharge Trade Waste, must contact Council to determine if a Trade Waste discharge is permitted, conditional or prohibited. Trade Waste must not be discharged into the wastewater system before Council has determined whether a consent is required.
- 7.1.3. Applications to council are required for conditional Trade Waste discharges, for a Change in Activity, to renew an expired consent and to vary a condition of an existing consent.

### **7.2. PERMITTED TRADE WASTE DISCHARGES**

- 7.2.1. A Trade Waste discharge is classified as permitted where the discharge:
  - a) Does not exceed a 24-hour flow volume of 5 m<sup>3</sup> and a flow rate of 2.0 L/s at any time, at the point of discharge;
  - b) Complies with the characteristics specified in Schedule A; and
  - c) Is not tankered waste.
- 7.2.2. Any person that discharges or proposes to discharge Trade Waste which is likely to be permitted in accordance with clause 7.2.1, must contact Council to confirm the classification and register the permitted discharge.
- 7.2.3. The person discharging must provide a safe access point for sampling that meets health and safety requirements.

### **7.3. CONDITIONAL TRADE WASTE DISCHARGES**

- 7.3.1. A Trade Waste discharge is classified as conditional where the discharge is not classified as permitted or prohibited.
- 7.3.2. No person may discharge a Trade Waste classified as conditional without first obtaining a Trade Waste Consent.
- 7.3.3. Conditional Trade Waste discharge consents may not be granted for a term exceeding five (5) years.

#### **7.4. PROHIBITED TRADE WASTE DISCHARGES**

- 7.4.1. A Trade Waste discharge is classified as prohibited if the discharge comprises any characteristic specified in Schedule B.
- 7.4.2. No application for a Trade Waste Consent shall be approved where the Trade Waste discharge would contain, or is likely to contain, characteristics which are prohibited. (See Schedule B)

**Note:** Council will determine if a Trade Waste discharge is prohibited and may provide further information on what is required to become a conditional discharge.

## **8. APPLICATION FOR A CONDITIONAL TRADE WASTE CONSENT**

### **8.1. APPLICATION TO DETERMINE THE CLASSIFICATION AND TO OBTAIN OR VARY A CONSENT**

- 8.1.1. Every application for a Trade Waste consent must be made on the prescribed form (see Council's website) and be accompanied by a Management Plan and the applicable fee payable in accordance with Council's Schedule of Fees and Charges.
- 8.1.2. On receipt of an application Council will determine if a Trade Waste discharge is permitted, conditional or prohibited in accordance with clause 7.
- 8.1.3. In considering any application for a Trade Waste Consent, the Council will take into consideration any matters it considers relevant including the following:
- a) the source, characteristics, quality, variability, volume, and rate and timing of the discharge;
  - b) the health and safety of Council staff, Council's agents and the public;
  - c) any pre-treatment of the discharge;
  - d) any actual or potential effects on the wastewater system;
  - e) the limits and / or maximum values for characteristics of Trade Waste as specified in Schedule A and B of this bylaw;
  - f) the extent to which the Trade Waste may react with other Trade Waste or wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system etc.;
  - g) any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewage sludges, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
  - h) the effect of the Trade Waste discharge on the ultimate receiving environment;
  - i) the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the wastewater system, the sewage treatment process and the environment;
  - j) consideration for other existing or future discharges;
  - k) any existing Pre-treatment works on the Premises and the potential for their future use;
  - l) Cleaner Production techniques and waste minimisation practices;
  - m) any requirements and limitations such as contaminant masses and/or concentrations related to sewage sludge disposal and reuse;
  - n) the control of Stormwater;
  - o) any Management Plan;
  - p) Tankered Waste being discharged at an Approved Location/s; and
  - q) The availability of alternative collection, treatment, and disposal systems; and
  - r) The compliance history of the applicant.
- 8.1.4. On the receipt of any application for a Trade Waste Consent to discharge from a Premises, or to alter an existing discharge, Council may:

- a) require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- b) whenever appropriate have the proposed discharge investigated and analysed as provided for in clause 9 Council shall notify the applicant of any requirement under clause 8.7.2 within ten (10) working days of receipt of the application.

## **8.2. DECISION ON APPLICATION**

- 8.2.1. Within fifteen (15) working days (or extended as necessary by Council) of receipt of an application complying with this bylaw and / or all requirements under clause 8, the Council shall action one of the following in writing:
- a) grant the application as a Permitted Trade Waste and inform the applicant of the decision by issuing the appropriate notice;
  - b) grant the application as a Conditional Trade Waste discharge consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to the discharge; or
  - c) decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

## **8.3. CONDITIONS OF TRADE WASTE CONSENT**

- 8.3.1. Any Trade Waste Consent to discharge may be granted subject to any conditions as the Council sees fit, including but not limited to:
- a) the particular public sewer or sewers to which the discharge will be made;
  - b) the maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
  - c) the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and / or Mass Limits determined in accordance with clause 8.5;
  - 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 provision by, or for, the consent holder, at the consent holder's expense, of on-site detention, screens, or other Pre-treatment works to control Trade Waste discharge characteristics to the consented levels;
  - f) the provision and maintenance at the consent holder's expense of inspection chambers, manholes or other apparatus or devices to provide safe and reasonable access to drains for sampling and inspection;
  - g) the provision and maintenance of a sampling, monitoring, analysis and testing programme and flow measurement requirements, at the consent holder's expense;
  - h) the method or methods to be used for measuring flow rates and / or volume and taking samples of the discharge for use in determining the amount of any Trade Waste charges applicable to that discharge;
  - i) the provision and maintenance by, and at the expense of, the consent holder, of such meters (including smart meters) or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the Premises, and for the testing of such meters;
  - j) at times specified, the provision in a Council approved format by the consent holder to Council of all flow and / or volume records and results of analyses (including Pre-treatment by-products e.g. sewage sludge disposal);
  - k) at times specified, the provision of a reviewed Management Plan;
  - l) requirement to provide a bond or insurance in favour of Council where failure to comply with the consent could result in damage to Council's wastewater system, its treatment plants, or could result in Council being in breach of any statutory obligation;



- m) A consent holder must provide a safe access point for sampling that meets health and safety requirements;
- n) remote monitoring of discharge; and
- o) conditions specific to tankered waste, in accordance with clause 8.4.

#### **8.4. CONDITIONS OF TRADE WASTE CONSENT (TANKERED)**

8.4.1. Council may accept Tankered Wastes for discharge at an Approved Location, if Council has granted a conditional Trade Waste consent for that Tankered Waste.

8.4.2. Tankered Wastes shall:

- a) be transported by a consent holder to discharge domestic septic tank or industrial wastes or trade wastes at an Approved Location;
- b) be collected, transported and discharged in a manner compliant with the Liquid and Hazardous Wastes Code of Practice.
- c) have material safety data sheets (MSDS) supplied to Council detailing the contents of the waste;
- d) be tested to determine their character (if the contents of the waste are not known). Specialist advice on Pre-treatment or acceptance may be required. The cost of all testing and advice sought shall be borne by the consent holder;
- e) not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by Council;
- f) to prevent cross-contamination between tanker loads, if the tanker is carrying waste other than domestic septic tank sewage, it shall be thoroughly washed prior to collecting another load for disposal at the Approved Location; and
- g) have 24 hours' notice given for the disposal of wastes other than waste sourced from domestic septic tanks or grease traps.

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

8.4.4. A conditional Trade Waste consent for tankered waste may be granted subject to any conditions as the Council sees fit, including but not limited to:

- a) the Approved Location where the discharge will be made;
- b) the requirement to record load details, including the volume and contents, of the tankered waste, and for this information to be provided to the Council at a defined frequency or on request;
- c) a requirement to hold public liability insurance, where failure to comply with the Trade Waste consent could result in damage to the wastewater system or could result in the Council being in breach of any statutory obligation;
- d) the term of the Trade Waste consent;
- e) the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- f) at times specified, the provision of all flow and / or volume records and results of analyses (including Pre-treatment by-products e.g. sewage sludge disposal) in a Council approved format, by the consent holder, to Council;
- g) a requirement to provide a bond or insurance in favour of Council where failure to comply with the consent could result in damage to Council's wastewater system, its treatment plants, or could result in Council being in breach of any statutory obligation;
- h) monitoring and sampling requirements; and
- i) any other condition necessary to ensure the efficient operation of the wastewater system.

## 8.5. MASS LIMITS

- 8.5.1. A Conditional Trade Waste Consent to discharge may impose conditions on a Trade Waste discharge by specifying Mass Limits for any characteristic.
- 8.5.2. When setting Mass Limit allocations for a particular characteristic Council may consider:
- the operational requirements of and risk to the wastewater system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
  - whether or not the levels proposed pose a threat to the planned or actual beneficial re-use of Biosolids or sewage sludge;
  - conditions in the wastewater system near the Trade Waste discharge point and elsewhere in the wastewater system;
  - the extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
  - whether or not the applicant uses Cleaner Production techniques within a period satisfactory to Council;
  - whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
  - any requirements of Council to reduce the pollutant discharge of the wastewater system;
  - how great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater system;
  - the total mass of the characteristic allowable in the wastewater system, and the proportion (if any) to be reserved for future allocations; and
  - whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the sewer reticulation, treatment process, or receiving water (or land).

## 8.6. PRE-TREATMENT

- 8.6.1. The Council may, as a condition of a Trade Waste consent, require provision of an appropriate pre-treatment system to reduce or vary any characteristic of any Trade Waste before discharge to the wastewater system. Without limitation to the activities for which pre-treatment may be required, the Council will require pre-treatment of discharges from the following:
- dental facilities;
  - food preparation facilities;
  - vehicle wash facilities, service station forecourts, automotive dismantlers, car crushing facilities, metal merchants, vehicle washing events;
  - activities resulting in the discharge of trench water; and
  - Significant Industry.

**Note:** *The type of pre-treatment system will depend on the nature of the discharge. Typical types of pre-treatment include:*

- pH correction
- Screening
- Dissolved air floatation (DAF)
- Filter Bags
- Grease removal systems

## 8.7. REVIEW OF A TRADE WASTE DISCHARGE

- 8.7.1. The Council may review a Trade Waste consent at any time in the following circumstances:
- failure to comply with any condition of a Trade Waste consent;



- b) failure to maintain effective control over the Trade Waste discharge;
- c) failure to provide or update a Management Plan as required by a conditional consent;
- d) development and availability of any new control and treatment technologies;
- e) a change in the characteristics of Trade Waste discharge;
- f) a change in the activity being undertaken on site;
- g) new information on the Trade Waste discharge becomes available, not known to the Council at the time of its decision on the Trade Waste consent;
- h) any change in the Council's legal requirements to discharge contaminants from the wastewater system (i.e. resource consents), or other relevant legislative requirements, or plant treatment processes;
- i) to manage mass limits of organic contaminants (cBOD<sub>5</sub> or COD limits); or
- j) in the event of any negligence which, in the opinion of Council, threatens the safety of, or threatens to cause damage to any part of the sewer system or the treatment plant or threatens the health or safety of any person;
- k) if any occurrence happens that, in the opinion of Council, poses a serious threat to the environment; or
- l) in the event of any breach of a resource consent held by the Council issued under the Resource Management Act 1991.

8.7.2. The Council will give the consent holder written notice of its intention to undertake a review; describing why the review is considered necessary and will provide the consent holder with an opportunity to submit information for the Council to consider before it makes its decision on the review.

8.7.3. The Council as a result of the review may, by decision in writing:

- a) Change the Trade Waste discharge classification;
- b) Allow the Trade Waste discharge and / or consent to continue unchanged;
- c) Vary the conditions of the Trade Waste consent;
- d) Issue a Warning Notice
- e) Suspend the Trade Waste consent for a specified period; or
- f) Cancel the Trade Waste consent.

8.7.4. A consent holder may at any time during the term of a consent, by written application to Council, seek to vary any condition of consent, as provided for in clause 8.3 of this bylaw.

The Council may suspend or cancel a Trade Waste consent or right to discharge at any time following twenty (20) working days' notice to the consent holder or person discharging any Trade Waste.

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

## **9. SAMPLING, TESTING AND MONITORING**

### **9.1. GENERAL MONITORING**

9.1.1. The Council may sample, test and monitor Trade Waste discharges, and/or may require that a discharge be sampled, tested and monitored, by the consent holder and/or person discharging to determine:

- a) whether a discharge complies with the provisions of this bylaw or a Trade Waste consent;
- b) the classification of the discharge (refer to clause 7);
- c) if a discharge complies with the provisions of Schedule A for Permitted Discharge;
- d) if Trade Waste discharge consent charges are applicable and the calculation of fees and charges that apply;
- e) the most efficient means of operating the Wastewater System.

9.1.2. Monitoring may include:

- a) Determination of Trade Waste volumes;
- b) Sampling and analysis of Trade Waste discharges;
- c) Inspection of any pre-treatment system;
- d) Auditing of any plans for the maintenance of the pre-treatment system;
- e) Auditing of any Trade Waste consent conditions including management plans; or
- f) Inspection of the nature and characteristics of the discharge.
- g) Auditing the sampling analysis carried out by an analyst or a self-monitoring Trade Waste discharger.
- h) Smart meters on flow meters

**Note:** All costs of monitoring shall be met by the consent holder.

9.1.3. The Council may increase the frequency of its monitoring, if there are reasonable grounds to suspect that a discharge is occurring in a manner that contravenes this bylaw or a Trade Waste consent.

9.1.4. If a sample is to be taken in the course of monitoring, the Council will carry out the following procedures:

- a) Council or its authorised agent may take a sample and arrange for this sample to be analysed in an approved laboratory by agreed / approved analytical methods;
- b) where the occupier has provided a meter, monitoring equipment or other apparatus for measuring the volume or composition of Trade Wastes passing into a sewer due regard shall be had by the Council in making a composite sample, or when they are arriving at the average value from separate samples, for differences in the volume of Trade Wastes at the time of taking of separate samples;
- c) Council will audit the sampling and analysis carried out by a self-monitoring Trade Waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- d) Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
- e) Council will audit the Trade Waste Consent conditions including any Management Plans.

9.1.5. All costs of monitoring shall be met by the discharger at the discretion of Council either through direct payment to the laboratory or to the Council.

## 9.2. SAMPLING AND ANALYSIS

9.2.1. The consent holder must provide an access point for samples to be taken using an automatic sample machine.

9.2.2. Any sample taken must be representative of the discharge to allow for the variability of what it is discharging daily.

9.2.3. The sampling, taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of Council, or the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by Council. The person discharging shall be responsible for all reasonable costs.

9.2.4. The discharger must provide Council a certificate with every monitoring record, and that certificate shall:

- a) Describe the source of any sample, the time and date it was taken, and the method used to take it;
- b) Certify that the sample has been taken in accordance with the provisions of this Bylaw or the relevant Trade Waste discharge consent;
- c) Describe the findings of any analysis, their source and methods used to determine them; and
- d) Certify that the analysis has been made in accordance with the provisions of this Bylaw or the relevant Trade Waste discharge consent.

- 9.2.5. When an analyst appointed by the consent holder or person with a right to discharge Trade Waste fails for whatever reason, to carry out their functions, then the Council may appoint an independent analyst to carry out those functions.
- 9.2.6. Where any dispute arises as to the validity of the methods or procedures used for sampling or analysis, with the approval of the Council, the dispute may be submitted to a mutually agreed independent arbitrator for resolution.
- 9.2.7. All authorised officers may, acting in accordance with section 172 of the Local Government Act 2002, enter any Premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:
- a) taking readings and measurements;
  - b) carrying out an inspection; and / or
  - c) taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

### **9.3. FLOW METERING**

- 9.3.1. The consent holder shall be responsible for the supply, installation, reading and maintenance of any meter required by Council as a condition of a consent for the measurement of the rate or quantity of discharge of Trade Waste. Any such devices shall be subject to the approval of Council, but shall remain the property of the consent holder.
- 9.3.2. Records of flow and / or volume shall be available for viewing at any time by Council, and shall be submitted to Council at prescribed intervals by the consent holder in a format approved by Council.
- 9.3.3. Meters shall be located in a position approved by Council which provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters shall be located in the correct position according to the manufacturer's installation instructions.
- 9.3.4. The consent holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and method approved by Council upon installation and at least once every five years thereafter or whenever the flowmeter is moved, modified or replaced to ensure its performance. The meter accuracy should be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ . A copy of independent certification of each calibration result shall be submitted to Council.
- 9.3.5. Should any meter, after being calibrated, be found to have an error greater than that specified in clause 9.3.4 as a repeatable measurement, Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of Council but not exceeding twelve (12) months, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

### **9.4. ESTIMATING DISCHARGE**

- 9.4.1. Where no meter or similar apparatus is required as a condition of consent, Council may require that a percentage of the water supplied to the Premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.
- 9.4.2. Should any meter be out of repair or cease to register, or be removed, Council may estimate the discharge for the period since the previous reading of such meter on the basis of the average of discharges during the previous 12 months, or any other factor it considers relevant, and may determine the charges payable according to that estimate.
- 9.4.3. Any person who tampers with a meter installed to comply with a requirement under this bylaw, or a consent, commits an offence against this bylaw. Where in the opinion of Council, a meter has been tampered with, Council may declare the reading void and estimate discharge as provided in clause 9.4.2.



## **9.5. DISINFECTED / SUPER CHLORINATED WATER**

- 9.5.1. Any water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the wastewater system. Such water shall not be disposed of to Stormwater or adjacent water courses without written approval from Council.

## **10. BYLAW ADMINISTRATION**

### **10.1. FEES AND CHARGES**

- 10.1.1. Council may prescribe fees and charges relating to matters provided for in this bylaw in accordance with section 150 of the Local Government Act 2002. Schedule C outlines the basis for charges which may be prescribed. Charges under this bylaw shall be levied every six months or such greater or lesser charging periods as advised by Council.
- 10.1.2. Council may set separate charges for different sewage catchment areas within the Central Hawke's Bay District.
- 10.1.3. All fees and charges determined in accordance with clause 10.1 shall be invoiced in accordance with 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. A consent holder must pay all fees and charges within one calendar month of receipt of an invoice.
- 10.1.4. 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 Council may suspend or cancel the right to discharge in accordance with clause 8.7.

### **10.2. TRANSFER OR TERMINATION OF RIGHTS AND RESPONSIBILITIES**

- 10.2.1. A Trade Waste Consent to discharge shall be issued in the name of the given consent holder. The consent holder shall not, unless written approval is obtained from Council:
- transfer to any other party the rights and responsibilities provided for under this bylaw, and under the consent;
  - change the activity on the site;
  - allow a Point of Discharge to serve another Premises, or the private drain to that point to extend by pipe or any other means to serve another Premises; or
  - allow sewage or Trade Waste from any other person to be discharged at the Point of Discharge specified in the person's consent.
- 10.2.2. A request for the transfer of a Trade Waste Consent on change of ownership of Premises shall not be unreasonably withheld if the characteristics of the Trade Waste remain unchanged to that prior to the change of ownership.
- 10.2.3. The person discharging shall give 48 hours' notice in writing to 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 (7) working days. The person discharging shall notify Council of the new address details for final invoicing.
- 10.2.4. On permanent disconnection and / or termination the person discharging may at Council's discretion be liable for Trade Waste charges to the end of the current charging period.
- 10.2.5. When a person discharging ceases to occupy Premises from which Trade Wastes are discharged into the wastewater system any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

## **11. OFFENCES AND ENFORCEMENT**

- 11.1.1. Every person who breaches this Bylaw, or breaches the conditions of any consent granted under this Bylaw or fails to comply with a notice served under this bylaw commits an offence and is liable upon conviction to a

fine as provided for under the Local Government Act 2002, and may be liable to penalties under other legislation.

- 11.1.2. In all cases Council may recover any actual and reasonable costs associated with damage or a nuisance to Council wastewater system or the operation of them and / or breach of this bylaw in accordance with s. 175 and s. 176 of the Local Government Act 2002 respectively.
- 11.1.3. A Trade Waste Discharge Consent may be cancelled by the Council by notice in writing if:
- a) the owner or occupier of the Premises to which the Consent relates is convicted of an offence under this Bylaw; or
  - b) the Council gives a Warning Notice and the Owner or Occupier of the Premises to which the Consent relates fails to take the steps required by the Council within the time period specified in the Warning Notice; or
  - c) the Council has issued a Warning Notice on three (3) occasions in the previous 12 months, notwithstanding that on each occasion the steps required by the Council have been taken within the time period specified in the notices.
- 11.1.4. The Council may
- a) Remove or alter any work or thing that is, or has been, constructed in breach of this bylaw; and
  - b) Recover the costs of removal or alteration from the person who committed the breach.

## **12. TRANSITIONAL PROVISIONS**

- 12.1.1. Any application for a Consent to Discharge Trade Waste made under the Trade Wastes Bylaw 2018 for which a consent has not been granted at the time of this new bylaw coming into force shall be deemed to be an application made under clause 8 of this bylaw.
- 12.1.2. Every existing Trade Waste Consent shall continue in force as if it were a consent under this bylaw until it reaches its expiry date provided that no consent shall run beyond five (5) years from the date at which it was granted.

## **13. BYLAW APPROVAL DATE**

The Common Seal of the Central Hawke's Bay District Council was attached, under Resolution (*Reference - Part 23 Trade Waste Bylaw:2021*) passed at a meeting of the Central Hawke's Bay District Council held on 13 May 2021 and will come into force 13 May 2021.

## SCHEDULE A – PERMITTED DISCHARGE CHARACTERISTICS

### Introduction

In order to be classified as a permitted discharge the nature and levels of the characteristics of any Trade Waste discharged into Council system must comply at all times with the following requirements.

### Physical Characteristics

Flow	<ul style="list-style-type: none"> <li>a) The 24 hour flow volume shall be less than 5 m<sup>3</sup>.</li> <li>b) The maximum instantaneous flow rate shall be less than 2.0 L/s.</li> </ul>
Temperature	<ul style="list-style-type: none"> <li>a) The temperature shall not exceed 40°C.</li> </ul>
Solids	<ul style="list-style-type: none"> <li>a) The Trade Waste discharge must not be macerated to meet the maximum dimension of 15mm.</li> <li>b) The suspended solids content of any Trade Waste shall have a Maximum Concentration which shall not exceed 1000 g/m<sup>3</sup>.</li> <li>c) The settleable solids content of any Trade Waste shall not exceed 50 mL/L.</li> <li>d) The total dissolved solids concentration in any Trade Waste shall be subject to the approval of 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.</li> <li>e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of sewage in the drainage system or treatment plant shall not be present.</li> </ul>
Oil and Grease	<ul style="list-style-type: none"> <li>a) There shall be no free or floating layer.</li> <li>b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage, throughout the range of pH 6.0 to pH 10.0.</li> <li>c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.</li> <li>d) Emulsified oil, fat or grease shall not exceed 100g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.</li> </ul>
Degreasers	<ul style="list-style-type: none"> <li>a) "Quick Break" is an approved degreaser</li> </ul>
Solvents and other Organic Liquids	<ul style="list-style-type: none"> <li>a) There shall be no free layer (whether floating or settled) of solvents or organic liquids.</li> </ul>
Radioactivity	<ul style="list-style-type: none"> <li>a) Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.</li> </ul>
Colour	<ul style="list-style-type: none"> <li>a) No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated sewage discharge consent.</li> </ul>

Pharmaceutical waste	<p>a) Pharmaceutical waste (excluding those containing cytotoxic compounds or material, which are prohibited) discharged does not exceed the following volumes and concentrations of active ingredients per calendar month:</p> <table border="1"> <thead> <tr> <th colspan="2">Liquid Pharmaceutical Waste</th></tr> <tr> <th>Volume limit per month *</th><th>Active concentration</th></tr> </thead> <tbody> <tr> <td>10 litres</td><td>125mg / 5ml</td></tr> <tr> <td>5 litres</td><td>250mg / 5ml</td></tr> <tr> <td>3 litres</td><td>Above 250mg / 5ml</td></tr> </tbody> </table> <p>* If the waste discharge is above these limits then the Trade Waste Consent will be Conditional not Controlled</p>	Liquid Pharmaceutical Waste		Volume limit per month *	Active concentration	10 litres	125mg / 5ml	5 litres	250mg / 5ml	3 litres	Above 250mg / 5ml
Liquid Pharmaceutical Waste											
Volume limit per month *	Active concentration										
10 litres	125mg / 5ml										
5 litres	250mg / 5ml										
3 litres	Above 250mg / 5ml										

### Chemical Characteristics

pH value	a) The pH shall be between 6.0 and 9.0 at all times
Organic Strength	<p>a) The Biochemical Oxygen Demand (BOD measured as cBOD<sub>5</sub>) or Chemical Oxygen Demand (COD) of any waste may require to be restricted where the capacity for receiving and treating organic contaminants in the wastewater system is limited. A cBOD<sub>5</sub> or COD restriction may be related to Mass Limits.</p> <p>b) The cBOD<sub>5</sub> content of any permitted Trade Waste shall have a Maximum Concentration which shall not exceed 500 g/m<sup>3</sup>.</p>

### General Chemical Characteristics

Characteristics	Maximum Concentration (g/m <sup>3</sup> )
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
- free ammonia	50
- ammonia salts	200
Kjeldahl nitrogen	150
Total Nitrogen	150
Total Phosphorous (as P)	50
Sulphate (measured as SO <sub>4</sub> )	200
Sulphite (measured as SO <sub>2</sub> )	10
Sulphide - as H <sub>2</sub> S on acidification	1
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
Flouride (as F)	30
Cyanide - weak acid dissociable (as CN)	1

### Heavy Metals

<i><b>Metal</b></i>	<i><b>Maximum Concentration (g/m<sup>3</sup>)</b></i>	<i><b>Metal</b></i>	<i><b>Maximum Concentration (g/m<sup>3</sup>)</b></i>
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.05
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	5
Cadmium	0.5	Selenium	10
Chromium	5	Silver	2
Cobalt	10	Thallium	10
Copper	5	Tin	20
Lead	5	Zinc	5

### Organic Compounds and Pesticides

<i><b>Compound</b></i>	<i><b>Maximum Concentration (g/m<sup>3</sup>)</b></i>
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	5
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered in New Zealand).	0.2 in total
Organophosphate pesticides	0.1



## SCHEDULE B – PROHIBITED DISCHARGE CHARACTERISTICS

### Introduction

This schedule defines Prohibited Trade Wastes.

- B.1** Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:
- (a) interfere with the free flow of sewage in the wastewater system;
  - (b) damage any part of the wastewater system;
  - (c) in any way, directly or indirectly, cause the quality of the treated sewage or residual Biosolids and other solids from any sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a consent issued under the Resource Management Act, or water right, permit or other governing legislation;
  - (d) prejudice the occupational health and safety risks faced by wastewater system workers;
  - (e) after treatment be toxic to fish, animals or plant life in the receiving waters;
  - (f) cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
  - (g) have a colour or colouring substance that causes the discharge from any sewage treatment plant to receiving waters to be coloured.
- B.2** Any amount of any liquid pharmaceutical waste containing cytotoxic ingredients.
- B.3** A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule A unless specifically approved for that particular consent.
- B.4** A discharge has a prohibited characteristic if it has any amount of:
- (a) harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
  - (b) liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
  - (c) asbestos;
  - (d) the following organo-metal compounds: Tin (as tributyl and other organotin compounds);
  - (e) any organochlorine pesticides;
  - (f) genetic wastes, as follows: All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from Premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
  - (g) any health care waste prohibited for discharge to wastewater system by NZS 4304 or any pathological or histological wastes; or
  - (h) radioactivity levels in excess of the National Radiation Laboratory Guidelines.
  - (i) Emulsions of Paint, Latex, Adhesive, Rubber or Plastic
- B.5** Any Condensing Water or Stormwater which can practically be removed, or any Trade Wastes to which either Condensing Water or Stormwater has been added.
- B.6** The use of grease converters is prohibited.

## SCHEDULE C – FEES AND CHARGES CATEGORIES

Fees and charges are set by Council resolution. This may be done by the annual planning process, fee setting or a similar transparent public process in accordance with the requirements of section 150 of the Local Government Act 2002.

In the following Table the Council states what categories they will charge, or may charge, under the tenure of this bylaw.

A. Administrative Charges		
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 Wastewater system.
A4	Trade Waste Discharge Consent Application Fee	Payable on an application for a Trade Waste Discharge.
A5	Trade Waste Discharge Registration Fee	Payable once Trade Waste discharge classification has been determined.
A6	Re-inspection Fee	Payable for each re-inspection visit by Council where a notice served under this bylaw has not been complied with by the Trade Waste discharger.
A7	Special Rates for Loan Charges	Additional rates for servicing loans raised for the purposes of constructing or improving the wastewater system.
A8	Temporary Discharge Fee	Payable prior to receipt of Temporary Discharge.
A9	Annual Trade Waste Charges	<p>An Annual Management Fee for a Trade Waste discharge to cover Council's costs associated with for example:</p> <ul style="list-style-type: none"> <li>• Administration</li> <li>• General compliance monitoring</li> <li>• General inspection of Trade Waste Premises</li> <li>• Use of the wastewater system</li> </ul> <p>This charge may vary depending on the Trade Waste sector and category of the discharger.</p>
A10	Rebates for Trade Premises within the District	<p>Reduction of fees is provided for in s. 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.</p> <p>In no event shall the resultant charge be less than the Council's wastewater charge for the equivalent period.</p>
A11	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>B Trade Waste Charges</b>		<b><i>Includes Trade Waste from Holding Tanks</i></b>
<i>Category</i>		<i>Description</i>
B1	Volume	Payment based on the volume discharged \$/m <sup>3</sup>
B2	Flow Rate	Payment based on the flow rate discharged \$/s
B3	Suspended Solids	Payment based on the mass of suspended solids \$/kg
B4	Organic Loading	Biochemical oxygen demand or chemical oxygen demand \$/kg.
B5	Nitrogen	Payment based on the defined form(s) of nitrogen \$/kg.
B6	Phosphorous	Payment based on the defined form(s) of phosphorous \$/kg.
B7	Metals	Payment based on the defined form(s) of the metal(s) \$/kg.
B8	Transmissivity	A charge based on the inhibiting nature of the Trade Waste to UV light used by Council's disinfection process.
B9	Screenable Solids	Payment based on the mass of screenable solids \$/kg.
B10	Toxicity Charge	Payment based on the defined form(s) of the toxic substance(s) \$/kg and/or \$/m <sup>3</sup>
B11	Incentive Rebate	A rebate for discharging materials beneficial to Council's Wastewater system \$/kg and/or \$/m <sup>3</sup>
B12	Depreciation	Operating cost related to capital and normally spread across the volume and mass charges.
B13	Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a conditional consent. (To be set through annual fees and charges process)
B14	Inorganic Suspended Solids	Payment based on the mass of inert suspended solids \$/kg.
B15	Volatile Suspended Solids	Payment based on the mass of volatile suspended solids \$/kg.
B16	rbBOD	Rebate for readily biodegradable biochemical oxygen demand \$/kg.
B17	Volume capex (Vc)	Payment based on volume \$/m <sup>3</sup> .
B18	Organic Loading capex (BODc)	Payment based on BOD, \$/kg,
B19	Nitrogen capex (TNc)	Payment based on the defined form(s) of nitrogen \$/kg.
B20	Phosphorus capex (TPc)	Payment based on the defined form(s) of phosphorus \$/kg.
B21	Inorganic Suspended Solids capex (ISSc)	Payment based on the mass of inorganic suspended solids \$/kg.
B22	Volatile Suspended Solids capex (VSSc)	Payment based on the mass of volatile suspended solids \$/kg.
<b>C Tankered Waste Charges</b>		
C1	Tanker Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependant on Trade Waste category.
C2	Toxicity	Payment based on the defined form(s) of the toxic substance(s) \$/kg and/or \$/m <sup>3</sup>