

# Trade Wastes Bylaw 2008

## Explanatory Note

The objective of this bylaw is to regulate the disposal of Trade Waste into the Council's sewerage reticulation system, and to:

- (a) Ensure the protection of Wastewater Authority Personnel and the general public.
- (b) To protect the ability of the Wastewater Authority to meet the requirements of the Resource Management Act and in particular their resource consents for the discharge of treated Sewage and also the placement of sludge and Biosolids on land.
- (c) To provide for an equitable spread of costs between domestic and Trade Waste discharges.
- (d) To protect the investment in the existing and any future infrastructure, treatment plant and disposal facilities.
- (e) To ensure compatibility between liquid, solid and gaseous phases of Trade Waste discharges. This compatibility can relate to such matters as meeting landfill acceptance criteria for solids and sludges and meeting resource consents for emissions to air as well as the Trade Waste discharge itself, into the sewer.
- (f) To ensure Trade Waste dischargers consider, and where appropriate and practicable implement, waste minimisation and Cleaner Production techniques to reduce the quantity and improve the quality of their Trade Waste discharges.



Western Bay of Plenty District Council

# Trade Wastes Bylaw 2008

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## Western Bay of Plenty District Council

# Trade Wastes Bylaw 2008

## Authority

Pursuant to the powers vested in it under sections 145 and 146 of the Local Government Act 2002 the Western Bay of Plenty District Council makes this Bylaw.

### 1. Introduction

This bylaw regulates the discharge of Trade Waste to a Sewerage System operated by the Council in its role as a Wastewater Authority.

#### 1.1 Title and Commencement

This bylaw is the Western Bay of Plenty District Council Trade Wastes Bylaw 2008. It comes into force on 4 August 2008

#### 1.2 Repeal

The Trade Waste Bylaw 1993, is repealed.

#### 1.3 Scope of the bylaw

##### 1.3.1 The bylaw provides for the –

- (a) Acceptance of long-term, intermittent, or Temporary Discharge of Trade Waste to the Sewerage System;
- (b) Establishment of three grades of Trade Waste: Permitted, Conditional and Prohibited;
- (c) Evaluation of individual Trade Waste discharges against specified criteria;
- (d) Correct storage of materials in order to protect the Sewerage 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 Sewerage System;
- (g) Sampling and monitoring of Trade Waste discharges to ensure compliance with the bylaw;
- (h) Wastewater Authority 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 Waste and the associated costs of administration and monitoring;
- (j) Administrative mechanisms for the operation of the bylaw; and



- (k) Establishment of waste minimisation and management programmes (including sludges) for Trade Waste producers.

### 1.3.2 Compliance with other Acts

Nothing in this bylaw derogates from any of the provisions of the Health Act 1956, the Health and Safety in Employment Act 1992, the 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.

### 1.3.3 Trade premises and other users to which the bylaw applies

This bylaw applies to all Trade Premises within the Western Bay of Plenty District where Trade Wastes are discharged or sought or likely to be discharged to the Sewerage System operated by the Wastewater Authority (WWA) or its agents. The bylaw also applies to Tankered Wastes collected for the purpose of discharge to the Sewerage Systems operated by the WWA or its agents.

Pursuant to s. 196 of the Local Government Act 2002 the WWA may refuse to accept any type of Trade Waste which is not discharged or disposed of in accordance with this bylaw.

## 1.4 Savings

All approvals, permits, and other acts of authority (including any resolutions of the Council) which originated under the Western Bay of Plenty District Council Trade Wastes Bylaw 1993, and all applications, and other acts of parties and generally all documents, matters, acts, and things which so originated and are continuing at the commencement of this Bylaw, continue for the purposes of this Bylaw to have full force and effect.

The revocation of the Western Bay of Plenty District Council Trade Wastes Bylaw 1993 does not prevent any legal proceedings, criminal or civil, being taken to enforce those bylaws and such proceedings continue to be dealt with and completed as if the bylaws had not been revoked.

## 1.5 Application of General Bylaw, Chapter 1

The provisions of the Western Bay of Plenty District Council General Bylaw 2008, Chapter 1 Introduction and any bylaw passed in amendment or substitution of that Chapter are implied into and form part of this Bylaw.

## Making of this Bylaw

The initial resolution to make this bylaw was passed by the Western Bay of Plenty District Council at a meeting of the Council held on 1 May 2008 and was confirmed following consideration of submissions received during the special consultative procedure, by a resolution of the Council at a subsequent meeting of the Council held on 31 July 2008.

The Common Seal of the Western Bay of Plenty District Council was affixed pursuant to a resolution of the Council on 31 July 2008 in the presence of:

\_\_\_\_\_  
General Manager

Seal

\_\_\_\_\_  
Date





## 1.6 Referenced documents

### New Zealand Standards

|                  |  |
|------------------|--|
| NZS 4304:2002    | Management of healthcare waste                   |
| NZS 5465:2001    | Self containment for motor caravans and caravans |
| NZS 9201 23:2004 | 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 waste waters  |

### 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 waste waters   |
| 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 (HSNO) 1996 and associated Regulations  
Health Act 1956  
Health and Safety in Employment Act 1992  
Land Transport Rule Dangerous Goods 1999 Rule 45001  
Local Government Act (LGA) 2002  
Resource Management Act (RMA) 1991 and associated Regulations

### **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)

### **Department of Building and Housing**

New Zealand Building Code (NZBC) 1992 and Approved Documents  
Document available from the Department of Building and Housing (DBH) [www.dbh.govt.nz](http://www.dbh.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 New Zealand Water & Wastes Association (NZWWA) [www.nzwwa.org.nz](http://www.nzwwa.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)

## **1.7 Definitions**

The definitions in the Western Bay of Plenty District Council General Bylaw 2008 apply unless otherwise provided in this Bylaw. For the purposes of this bylaw, and unless inconsistent with the context, the following definitions apply:



**ACCESS POINT** is 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 must be in accordance with the New Zealand Building Code.

**ANALYST** means a testing laboratory Approved in writing by an Authorised Officer on behalf of the WWA.

**APPROVAL** or **APPROVED** means Approval or Approved in writing by the WWA, either by resolution of the Council or by an Authorised Officer.

**AUTHORISED OFFICER** means any officer appointed by the Council as an enforcement officer under s. 177 of the Local Government Act 2002 as an enforcement officer with powers of entry as prescribed by sections 171-174.

**BIOSOLIDS** means 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. The term Biosolid / Biosolids is used generically throughout this document to include products containing Biosolids (e.g. composts).

**CHARACTERISTIC** means any of the physical or chemical Characteristics of a Trade Waste and may include the level of a characteristic.

**CLEANER PRODUCTION** means 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 minimize and manage Trade Waste by –

- (a) Using energy and resources efficiently, avoiding or reducing the amount of wastes produced;
- (b) Producing environmentally sound products and services;
- (c) Achieving less waste, fewer costs and higher profits.

**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 Trade Waste which has conditions placed upon the Consent Holder by the WWA.

**CONSENT** means a Consent in writing given by the WWA and signed by an Authorised Officer authorizing a Person to discharge Trade Wastes to the Sewerage System.

**CONSENT HOLDER** means 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 the WWA's Sewerage 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.

**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 onto or into which it is discharged; or as described or contained in the Resource Management Act.
- (c)

**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 Sewerage System.



**COUNCIL** means the Western Bay of Plenty District Council.

**DISCHARGE** means discharge trade wastes to, or into a sewer whether directly or indirectly by means of any drain, and “the discharge” has a corresponding meaning.

**DISCONNECTION** means the physical cutting and sealing of any of the WWA's water services, utilities, drains or Sewer for use by any Person.

**DISTRICT** means the district of Western Bay of Plenty District Council.

**DOMESTIC SEWAGE** means Foul Water (with or without matter in solution or suspension therein) discharged from Premises used solely for residential purposes, or wastes of the same character discharged from other Premises; but does not include any solids, liquids, or gases that may not lawfully be discharged into the Sewerage System and may include geothermal water.

**FOUL WATER** 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 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).

**HAZARDOUS WASTES** means hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.

There are no infringement offences yet in the LGA **LONG TERM COUNCIL COMMUNITY PLAN (LTCCP)** means a long term council community plan adopted under s. 93 of the LGA.

**MANAGEMENT PLAN** means the 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 that may be discharged to the WWA Sewerage System over any stated period from any single Point of Discharge or collectively from several points of discharge.

**MAXIMUM CONCENTRATION** means the instantaneous peak concentration that may be discharged at any instant in time.  
**METER** includes any device or apparatus for measuring flow.

**MONITORING EQUIPMENT** includes 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.

**OCCUPIER** means the Person occupying Trade Premises connected to the Sewerage System.

**PERMITTED DISCHARGE** means a Trade Waste discharge that has been approved by, or is acceptable to, the Wastewater Authority and as long as it has the physical and chemical characteristics which comply with the requirements of the Wastewater Authority standard as defined in Schedule 1A of this bylaw.

**PERSON** includes a corporation sole and also a body of Persons whether incorporated or unincorporated.

**POINT OF DISCHARGE** is the boundary between the public Sewer and a Private Drain but for the purposes of monitoring, sampling and testing, must be as designated in the Trade Waste Consent.

**PRE-TREATMENT** means any processing of Trade Waste designed to reduce or vary any characteristic in a waste before discharge to the Sewerage System in order to comply with a Trade Waste Consent.



**PREMISES** means either –

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been 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 is available; or
- (c) Land held in public ownership (e.g. reserve) for a particular purpose; or
- (d) Individual units in buildings which are separately leased or separately occupied.

**PRIVATE DRAIN** means that section of drain between the Premises and the point of connection to the Wastewater Authority's Sewerage System.

**PROHIBITED TRADE WASTES** means a Trade Waste that has prohibited

**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 WWA.

**SEWAGE** means Foul Water and may include Trade Wastes.

**SEWAGE SLUDGE** means the material settled out and removed from Sewage during the treatment process.

**SEWER** means 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.

**SEWERAGE SYSTEM** means the collection, treatment and disposal of Sewage and Trade Wastes, including all sewers, pumping stations, storage tanks, Sewage treatment plants, outfalls, and other related structures operated by the WWA and used for the reception, treatment and disposal of Trade Wastes.

**SIGNIFICANT INDUSTRY** is a term to indicate the relative size of a given industry compared to the capacity of the Sewerage System (including Sewage treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the Sewerage System. Loads can be the conventional loadings of BOD<sub>5</sub> 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 Sewerage System, the on-going system operation and/or the quality of the treated effluent that is discharged.

**STORMWATER** means surface water run-off resulting from precipitation.

**TANKERED WASTE** is 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.

**TEMPORARY DISCHARGE** means 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.

**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
- (d) Any other Premises discharging other than Domestic Sewage; and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.

**TRADE WASTE** is any liquid, with or without matter in suspension or solution, that is or may be discharged from a Trade Premises to the WWA's Sewerage System in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include Condensing or Cooling waters; Stormwater which cannot be practically separated, or Domestic Sewage.



**WASTEWATER AUTHORITY (WWA)** means the Western Bay of Plenty District Council including its authorised agents, responsible for the collection, treatment and disposal of Sewage.

**WORKING DAY** means 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.

### 1.8 Abbreviations

|                   |   |
|-------------------|---|
| \$/kg             | dollars per kilogram  |
| \$/L/s            | dollars per litre per second                                |
| \$/m <sup>3</sup> | dollars per cubic metre                                     |
| °C                | degrees Celsius   |
| ANZECC            | Australian New Zealand Environment and Conservation Council |
| B                 | boron   |
| BOD <sub>5</sub>  | Biochemical Oxygen Demand                                   |
| Br <sub>2</sub>   | bromine   |
| Cl <sub>2</sub>   | chlorine  |
| CN                | cyanide   |
| COD               | Chemical Oxygen Demand                                      |
| DAF               | dissolved air floatation                                    |
| DP                | deposited plan  |
| DS                | dry solids  |
| F                 | fluoride  |
| FOGs              | fats, oils and greases                                      |
| g/m <sup>3</sup>  | grams per cubic metre                                       |
| GST               | goods and services tax                                      |
| H <sub>2</sub> S  | hydrogen sulphide   |
| HAHs              | halogenated aromatic hydrocarbons                           |
| HCHO              | formaldehyde  |
| HCN               | hydrogen cyanide  |
| Hr                | hour  |
| HSNO              | Hazardous Substances and New Organisms Act                  |
| IANZ              | International Accreditation New Zealand                     |
| kg/day            | kilogram per day  |



|                    |   |
|--------------------|---|
| L                  | litre   |
| L/s                | litre per second                                  |
| LGA                | Local Government Act 2002                         |
| LTCCP              | long term council community plan                  |
| m <sup>3</sup>     | cubic metre                                       |
| max.               | maximum   |
| MBAS               | methylene blue active substances                  |
| MfE                | Ministry for the Environment                      |
| mg/L               | milligram per litre                               |
| mL/L               | millilitre per litre                              |
| mm                 | millimetres                                       |
| MSDS               | material safety data sheets                       |
| N                  | nitrogen  |
| NH <sub>3</sub>    | ammonia   |
| NH <sub>3</sub> -N | ammoniacal nitrogen                               |
| P                  | phosphorus  |
| PAHs               | polycyclic (or polynuclear) aromatic hydrocarbons |
| PBBs               | polybrominated biphenyls                          |
| PCBs               | polychlorinated biphenyls                         |
| pH                 | measure of acidity/alkalinity                     |
| RMA                | Resource Management Act                           |
| s                  | second  |
| s.                 | section   |
| s. s               | sections  |
| SBR                | sequencing batch reactor                          |
| SO <sub>4</sub>    | sulphate  |
| SS                 | suspended solids concentration                    |
| UV                 | ultra violet                                      |
| UVT                | ultra violet transmission                         |
| WC                 | water closet                                      |
| WWA                | wastewater authority                              |



## 1.9 General

### 1.9.1 Gender

In this bylaw one gender includes all genders, the singular includes the plural, and the plural includes the singular.

## 2. Compliance with the Bylaw

### 2.1 Control of discharges

#### 2.1.1 General

No Person may –

- (a) Discharge, or allow to be discharged, any Trade Waste to the Sewerage System except in accordance with the provisions of this bylaw;
- (b) Discharge, or allow to be discharged, a Prohibited Trade Waste into the Sewerage System;
- (c) Add or permit the addition of Condensing or Cooling Water to any Trade Waste which discharges into the Sewerage System unless specific approval is given in a Consent; or
- (d) Add or permit the addition of stormwater to any Trade Waste which discharges into the Sewerage System unless specific approval is given in a Consent.

#### 2.1.2 Failure to comply

In the event of failure to comply with 2.1.1 (a) – (d) the WWA may physically prevent discharge to the Sewerage System if a reasonable alternative action cannot be established with the discharging party or parties.

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

- (a) All Persons on Trade Premises must take all reasonable steps to prevent the accidental entry of any of the materials listed in 2.2(c) of this bylaw from entry into the Sewerage System as a result of leakage, spillage or other mishap.
- (b) No Person may store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by HSNO or any of the materials listed in 2.2(c) in a manner that may cause the substance or material to enter the Sewerage System and cause harmful effects.
- (c) Materials referred to in 2.2 (a) and (b) are those:
  - (i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials
  - (ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream



- (iii) Likely to be deleterious to the health and safety of the WWA's staff, Approved contractors and the public or be harmful to the Sewerage System.

### **3. Trade Waste Discharges and Consents**

#### **3.1 Classification of trade waste discharges**

##### **3.1.1 Classification types**

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

- (a) Permitted (No Consent)
- (b) Conditional (Consent required); or
- (c) Prohibited (not consentable).

NOTE – See the definitions in 1.5.

##### **3.1.2 Non acceptance**

The WWA is not obliged to accept any Trade Waste. No application for a Trade Waste Consent will be approved where the Trade Waste discharge would contain, or is likely to contain, Characteristics which are prohibited. (See schedule 1B)

#### **3.2 Application for a trade waste consent**

##### **3.2.1 Formal application**

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

- (a) Discharge into the Sewerage System any Trade Waste (either continuously, intermittently or temporarily); or
- (b) Vary the Characteristics of a Consent to discharge that has previously been granted; or
- (c) Vary the conditions of Consent to discharge that has previously been granted; or
- (d) Significantly change the method or means of Pre-treatment for discharge under an existing Consent

Must, if required by the WWA, complete an application in the prescribed form for the Consent of the WWA (see Appendix A), for the discharge of that Trade Waste, or for the proposed variations.

##### **3.2.2 Communication**

The WWA reserves the right to deal with the owner as well as the Occupier of any Trade Premises.



### **3.2.3 Separate areas**

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

### **3.2.4 True and Accurate Information**

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

### **3.2.5 Verification**

The WWA may require a Consent application to be supported by an independent report/statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant.

### **3.2.6 Application Fee**

Every Consent application must be accompanied by a Trade Waste application fee in accordance with the Schedule of Rates and Charges.

## **3.3 Processing of an application**

The WWA will acknowledge the application in writing within 10 Working Days of the receipt of the application.

## **3.4 Information and analysis**

### **3.4.1 Additional Information**

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

- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- (b) Require the applicant to submit a Management Plan to the satisfaction of the WWA;
- (c) Whenever appropriate have the discharge investigated and analysed as provided for in clauses 5.1 and 5.3 of this bylaw.

### **3.4.2 Notification**

The WWA will notify the applicant of any requirement under clause 3.4.1 within 10 Working Days of receipt of the application.

## **3.5 Consideration of an application**



Within 15 Working Days (or extended as necessary by the WWA) of receipt of an application complying with this bylaw and/or all requirements under clause 3.4, whichever is the later, the WWA will, after considering the matters in clause 3.6, 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 Consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of Consent for the discharge; or
- (c) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

### **3.6 Consideration criteria**

In considering any application for a Trade Waste Consent to discharge from any Trade Premises or Tankered Waste into the Sewerage System, and in imposing any conditions on such a Consent, the WWA must take into consideration the quality, volume, and rate of discharge of the Trade Waste from such Premises or tanker in relation to –

- (a) The health and safety of WWA staff, Council's agents and the public;
- (b) The limits and/or maximum values for Characteristics of Trade Waste as specified in Schedules 1A and 1B of this bylaw;
- (c) The extent to which the Trade Waste may react with other Trade Waste or Foul Water to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Sewerage System etc.;
- (d) The flows and velocities in the Sewer, or Sewers and the material or construction of the Sewer or Sewers;
- (e) The capacity of the Sewer or Sewers and the capacity of any Sewage treatment works, and other facilities;
- (f) The nature of any Sewage treatment process and the degree to which the Trade Waste is capable of being treated in the Sewage treatment works;
- (g) The timing and balancing of flows into the Sewerage System;
- (h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of Sewage Sludges, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- (i) The effect of the Trade Waste discharge on the ultimate receiving environment;
- (j) The conditions on resource consents for the Sewerage System and the residuals from it;
- (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the Sewerage System, the Sewage Treatment Process and the environment;
- (l) Consideration for other existing or future discharges;
- (m) Amenability of the Trade Waste to Pre-treatment;



- (n) Existing Pre-treatment works on the Premises and the potential for their future use;
- (o) The use of Cleaner Production techniques and waste minimisation practices;
- (p) Requirements and limitations related to Sewage Sludge disposal and reuse;
- (q) The Control of Stormwater;
- (r) The Management Plan if any; and
- (s) Tankered Waste being discharged at an Approved location/s.

### 3.7 Conditions of trade waste consent

Any Consent to discharge may be granted subject to such conditions that the WWA may impose, including but not limited to –

- (a) The particular public Sewer or Sewers to which the discharge will be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified Characteristics of the discharge, including concentrations and/or Mass Limits determined in accordance with 3.8;
- (d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) The temperature of the Trade Waste at the time of discharge;
- (g) The provision by, or for the Consent Holder, at the Consent Holder's expense, of screens, grease traps, silt traps or other Pre-treatment works to control Trade Waste discharge Characteristics to the consented levels;
- (h) The provision and maintenance at the Consent Holder's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the Consent Holder's expense;
- (j) The method or methods to be used for measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any Trade Waste charges applicable to that discharge;
- (k) The provision and maintenance by, and at the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the Premises, and for the testing of such meters;
- (l) The provision and maintenance, at the Consent Holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;



- (m) At times specified, the provision in a WWA Approved format by the Consent Holder to the WWA of all flow and/or volume records and results of analyses (including Pre-treatment by-products e.g. Sewage Sludge disposal);
- (n) The provision and implementation of a Management Plan;
- (o) A risk assessment of damage to the environment due to an accidental discharge of a chemical;
- (p) Waste minimisation and management;
- (q) Cleaner Production techniques;
- (r) Remote control of discharges;
- (s) Third party treatment, carriage, discharge or disposal of by-products of Pre-treatment of Trade Waste (including Sewage Sludge disposal);
- (t) A t to provide a bond or insurance in favour of the WWA where failure to comply with the Consent could result in damage to the WWA's Sewerage System, its treatment plants, or could result in the WWA being in breach of any statutory obligation; and
- (u) Remote monitoring of discharges.

### **3.8 Duration**

#### **3.8.1 Permitted discharges**

Permitted Discharges remain in force indefinitely until –

- (a) Cancellation under 2.1.2 or 3.10; or
- (b) The quantity and nature of the discharge changes significantly. (For a temporary discharge see Appendix C); or
- (c) In the opinion of the WWA the discharge changes or is likely to change to such an extent that it becomes a Conditional or Prohibited Trade Waste; or
- (d) The WWA changes the Trade Waste management procedures by implementation of changed Trade Wastes Bylaw conditions or any amendment to, or replacement of, its Trade Wastes Bylaw; or
- (e) The conditions on resource consents for the Sewerage System and the residuals from it change; or
- (f) The circumstances in clause 6.2 apply.

In all cases, after appropriate consultation, the Person discharging must apply within 10 Working Days of this change occurring for a conditional Consent, in accordance with clause 3.2 of this bylaw. This application must be approved prior to the occurrence of any new discharge.

#### **3.8.2 Conditional consents**

Subject to clauses 3.10 and 6.1 conditional Consents under this bylaw expire at the end of a term not exceeding two years, except –



- (a) Conditional Consents may be given for a term not exceeding five years to a Consent Holder who at the time of application satisfies the WWA that:
  - (i) The nature of the trade activity, or the process design and/or management of the Premises are such that the Consent Holder has a demonstrated ability to meet the conditions of the Consent during its term; and/or
  - (ii) Cleaner Production techniques are successfully being utilised, or that a responsible investment in Cleaner Production equipment or techniques is being made; and/or
  - (iii) Significant investment in Pre-treatment facilities has been made, such that a longer period of certainty for the amortizing of this investment is considered reasonable; and/or
  - (iv) The reissuing of a consent can not be unreasonably withheld.

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

- (a) The level of Consent Holder compliance, including any accidents including spills or process mishaps.
  - (b) Matters pertaining to the WWA's resource consents for the Sewerage System.
  - (c) Matters pertaining to the WWA's environmental policies and outcomes.
  - (d) New control and treatment technologies and processes.
  - (e) Any of the matters outlined in section 4.
  - (f) Matters pertaining to the WWA's legal obligations.
- (b) In all cases where either the Consent Holder or the owner of the Premises changes, or there is a change of use, a new application for a Conditional Trade Waste Consent must be made. It is the responsibility of the Consent Holder to lodge the new application. Approval of a Trade Waste Consent on change of ownership of the Premises must not be unreasonably withheld if the Characteristics of the Trade Waste remain unchanged; and
  - (c) The conditions on resource consents for the Sewerage System and the residuals from it change.

### **3.9 Technical review and variation**

#### **3.9.1 Amend or modify specifications**

The Council may from time to time by resolution, amend or modify specifications of prohibited waste identified in Schedule 1B hereto, where those amendments will have minor effect, and any such specification must be deemed to be so amended as from a date specified in that resolution.

#### **3.9.2 Vary conditions - WWA**

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



### 3.9.3 Vary conditions – Consent Holder

A Consent Holder may at any time during the term of a consent, by written application to the WWA, seek to vary any condition of Consent.

### 3.9.4 Lapse of consent

Where the effect of any amendments made under Clause 3.9.1 to any specification of prohibited waste would render the discharge of trade wastes of a kind previously discharged with consent of the Council unlawful, that consent is deemed to lapse 28 days after the coming into operation of the amendment.

## 3.10 Cancellation of the right to discharge

### 3.10.1 Suspension or cancellation on notice

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

- (a) For the failure to comply with any condition of the Consent; or
- (b) For the failure to maintain effective control over the discharge; or
- (c) For the failure to limit in accordance with the requirements of a Consent the volume, nature, or composition of Trade Waste being discharged; or
- (d) In the event of any negligence which, in the opinion of the WWA, 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; or
- (e) If any occurrence happens that, in the opinion of the WWA, poses a serious threat to the environment; or
- (f) In the event of any breach of a resource consent held by the Council issued under the Resource management Act 1991; or
- (g) For the failure to provide and when appropriate update a Management Plan as required for a conditional Consent; or
- (h) For the failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence; or
- (i) For the failure to pay any charges under this bylaw; or
- (j) If any other circumstances arise which, in the opinion of the WWA, render it necessary in the public interest to cancel the right to discharge.

If, in the opinion of WWA, any process changes require more than 20 Working Days, reasonable time may be given to comply with the Consent conditions.

### 3.10.2 Immediate cancellation



Further to clause 3.10.1 any Trade Waste Consent or discharge may at any time be immediately cancelled by the WWA on giving to the Consent Holder or Person discharging written notice of immediate cancellation if –

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

## **4. Trade Waste Approval Criteria**

### **4.1 Pre-treatment**

The WWA may approve a Trade Waste consent discharge (see Appendix D for appropriate form) subject to the provision of appropriate Pre-treatment systems to enable the Person discharging to comply with the bylaw. Such Pre-treatment systems must be provided, operated and maintained by the Person discharging at their expense.

Refuse or garbage grinders, and macerators must not be used to dispose of solid waste from Trade Premises to the Sewerage System unless approved by the WWA.

The Person discharging must not, unless approved by the WWA, add or permit the addition of any potable, Condensing, Cooling Water or Stormwater to any Trade Waste stream in order to vary the level of any Characteristics of the waste.

NOTE – Condensing and Cooling Water may not be discharged as of right to a Stormwater drain or natural waterway without the Consent of the appropriate authority.

### **4.2 Mass limits**

A Conditional Trade Waste Consent to discharge may impose controls on a Trade Waste discharge by specifying Mass Limits for any Characteristic.

Any Characteristic permitted by Mass Limit will also have its Maximum Concentration limited to the value scheduled unless approved otherwise.

When setting Mass Limit allocations for a particular Characteristic the WWA will consider –

- (a) The operational requirements of and risk to the Sewerage System, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- (b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of Biosolids or Sewage Sludge;



- (c) Conditions in the Sewerage System near the Trade Waste discharge point and elsewhere in the Sewerage System;
- (d) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- (e) Whether or not the applicant uses Cleaner Production techniques within a period satisfactory to the WWA;
- (f) Whether or not there is any net benefit to be gained by the increase of one Characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- (g) Any requirements of the WWA to reduce the pollutant discharge of the Sewerage System;
- (h) How great a proportion the mass flow of a Characteristic of the discharge will be of the total mass flow of that Characteristic in the Sewerage System;
- (i) The total mass of the Characteristic allowable in the Sewerage System, and the proportion (if any) to be reserved for future allocations; and
- (j) Whether or not there is an interaction with other Characteristics which increases or decreases the effect of either Characteristic on the Sewer reticulation, treatment process, or receiving water (or land).

## **5. Sampling, Testing and Monitoring**

### **5.1 Flow metering**

#### **5.1.1 Measurement**

Flow metering may be required by the WWA –

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

#### **5.1.2 Operations and Maintenance**

The Consent Holder is responsible for the supply, installation, reading and maintenance of any meter required by the WWA for the measurement of the rate or quantity of discharge of Trade Waste. These devices are subject to the Approval of the WWA, but remain the property of the Consent Holder.

#### **5.1.3 Records**

Records of flow and/or volume must be available for viewing at any time by the WWA, and must be submitted to the WWA at prescribed intervals by the Consent Holder in a format Approved by the WWA.



#### 5.1.4 Location of Meter

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

#### 5.1.5 Calibration of Meter

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

#### 5.1.6 Adjustments

If any meter, after being calibrated, is found to have an error greater than that specified in 5.1.5 as a repeatable measurement, the WWA may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the WWA but not exceeding 12 months, and the Consent Holder must pay or be credited a greater or lesser amount according to such adjustment.

### 5.2 Estimating discharge

#### 5.2.1 General

Where no meter or similar apparatus is warranted, the WWA 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.

#### 5.2.2 Estimate

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

#### 5.2.3 Tampering

Where in the opinion of the WWA, a meter has been tampered with, the WWA (without prejudice to the other remedies available) may declare the reading void and estimate the discharge as provided in clauses 5.2.1 and 5.2.2.

### 5.3 Sampling and analysis

#### 5.3.1 General

As determined by the WWA sampling, testing and monitoring may be undertaken to determine if –

- (a) A discharge complies with the provisions of this bylaw; or



- (b) A discharge is to be classified as a Permitted, Conditional, or Prohibited, refer to clause 3.1; or
- (c) A discharge complies with the provisions of Schedule 1A for Permitted Discharge and any Consent to discharge; or
- (d) Trade Waste Consent charges are applicable to that discharge.

### 5.3.2 Monitoring Costs

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

### 5.3.3 Entry to Premises

All Authorised Officers of the Council, may in accordance with the powers of entry under the LGA, enter any Premises believed to be discharging Trade Waste in order to determine any characteristics of any actual or potential discharge, and to ensure compliance with this Bylaw and any Consent, by –

- (a) Taking readings and measurements;
- (b) Carrying out an inspection; and/or
- (c) Taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

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

## 5.4 Monitoring

### 5.4.1 Monitoring for compliance

The WWA is entitled to monitor and audit any Trade Waste discharge for compliance with a Consent or the Contents of this Bylaw. Whether for a Permitted Discharge or a conditional Consent discharge monitoring may be carried out as follows –

- (a) The WWA or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- (b) The sampling procedure will be appropriate to the Trade Waste and the analysis;
- (c) 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 must 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.
- (d) Where a dispute arises as to whether the methods or procedures used were those appropriate to the circumstances, the question must, if the Occupier so requires in writing, be submitted by the Council to any independent analysis with IANZ accreditation whose ruling is final.



- (e) The WWA 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;
- (f) The WWA 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
- (g) The WWA will audit the Trade Waste Consent conditions including any Management Plans.

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

#### 5.4.2 Sampling methodology

Unless otherwise instructed, where practicable, a series of not less than three samples must be taken, the total number of samples and the times at which the same are taken, must be such as in the opinion of the *Authorised Officer* are necessary having regard to possible fluctuations in strength and volume of the *trade wastes*.

Separate determinations may be made in respect of each sample or a single determination made from a composite of all such samples.

For the purposes of clause 6.1 the Characteristics of any Trade Wastes or the concentration of any ingredients in it, must be determined from not less than three samples. Each such sample after the first being taken at an interval of not less than one minute from taking of the last preceding sample.

Where the *Authorised Officer* causes a sample or series of samples to be taken of any *trade wastes* the sample or series must be taken by the *Authorised Officer* and the *Authorised Officer* must as soon as practicable and after taking a series of samples, notify the *Occupier* in writing of the *Authorised Officer's* intention to have the sample analysed.

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

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

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

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

Council may if so requested by the *Occupier* concerned supply without charge for doing so a copy of the analysis to the *Occupier*.

### 5.5 Tankered Wastes

- 5.5.1 Tankered Wastes must not be discharged into the WWA's Sewerage System by any Person or Consent Holder except in compliance with the Liquid and Hazardous Wastes Code of Practice.



- 5.5.2 The WWA may accept Tankered Wastes for discharge at an Approved location. Tankered Wastes must:
- (a) Be transported by the holder of a Consent to discharge domestic septic tank or industrial wastes;
  - (b) Have material safety data sheets (MSDS) supplied to the WWA detailing the contents of a waste;
  - (c) Be tested to determine their character if the contents of the waste are not known. Specialist advice on Pre-treatment or acceptance may be required. The cost of all testing and advice will be borne by the Consent Holder; and
  - (d) Not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the WWA.
- 5.5.3 To prevent cross-contamination between tanker loads, the tanker must be thoroughly washed prior to collecting a load for disposal into the Sewerage System.
- 5.5.4 24 hours notice must be given for the disposal of wastes other than those sourced from domestic septic tanks.
- 5.5.5 Any Person illegally disposing of, or causing to be disposed, Tankered Waste either by incorrect disclosure of contents (Characteristics and/or amount) or dumping into the WWA's Sewerage System other than at the prescribed location will be in breach of the bylaw.

## 5.6 Disinfected/super chlorinated water

Any water used during the repair and construction of water mains must be de-chlorinated prior to the discharge into the Sewerage System. Application for a Temporary Discharge Consent must be made. Such water must not be disposed of to Stormwater or adjacent water courses without appropriate approvals.

## 6. Bylaw Administration

### 6.1 Review of decisions

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 of the Council not later than 20 Working Days after the decision by the Authorised Officer is served on that Person, request the Chief Executive to review any such decision.

The decision of the Chief Executive is final.

### 6.2 Accidents and non-compliance

The Person discharging must inform the WWA immediately on discovery of any accident including spills or process mishaps which may cause a breach of this bylaw.

In the event of any accident occurring when the Person holds a conditional Consent, then the WWA may review the Consent under clause 3.9 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 Contingency Management Procedures and, if there is one, re-submit for Approval the Management Plan with the WWA.

In the event of an accident occurring on the Premises of a Permitted Discharge, the WWA may require the Person discharging to apply for a conditional Consent.



## **6.3 Charges and payments**

### **6.3.1 Charges**

The Council may recover fees and charges in accordance with the LGA. Schedule 1C outlines the basis for the charge and Schedule 1D a regime of possible charges. Charges under this bylaw will be levied quarterly or such greater or lesser charging periods as advised by Council and the Person discharging concerned must pay the charges assessed within one calendar month after each period. Council reserves the right to set separate charges for different sewage catchment areas within their district.

### **6.3.2 Invoicing**

All charges determined in accordance with 6.3.1 will be invoiced. The invoice will 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.

### **6.3.3 Cease to discharge**

The Person discharging is deemed to be continuing the discharge of Trade Waste and will be liable for all charges, until notice of Disconnection is given.

### **6.3.4 Failure to pay**

All fees and charges payable under this bylaw are recoverable as a debt. If the Person discharging fails to pay any fees and charges under this bylaw the WWA may cancel the right to discharge in accordance with clause 3.10.

## **6.4 Authorised officers**

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

Any Authorised Officers may, in accordance with the powers of entry under the LGA, enter any Premises believed to be discharging Trade Wastes to determine any Characteristic of any discharge, and to ensure compliance with this Bylaw and any Consent, by –

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

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

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



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

### **6.5.1 General**

A Trade Waste Consent to discharge will be issued in the name of the given Consent Holder. The Consent Holder must not, unless written approval is obtained from the WWA –

- (a) Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the Consent;
- (b) Allow a Point of Discharge to serve another Premises, or the Private Drain to that point to extend by pipe or any other means to serve another Premises; or
- (c) In particular and not in limitation of the above, allow Sewage from any other party to be discharged at their Point of Discharge.

NOTE – This clause does not relate to Permitted Discharges.

### **6.5.3 Disconnection**

The Person discharging must give 48 hours notice in writing to the WWA 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 must be within seven Working Days. The Person discharging must notify the WWA of the new address details for final invoicing.

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

### **6.5.4 Cease to Occupy Premises**

When a Person discharging ceases to occupy Premises from which Trade Wastes are discharged into the Sewerage System any Consent granted is terminated but without relieving the Person discharging from any obligations existing at the date of termination.

## **6.6 Service of documents**

### **6.6.1 Delivery or post**

Any notice or other document required to be given, served or delivered under this bylaw to a Person discharging may (in addition to any other method permitted by law) be given or served or delivered by being –

- (a) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the Person discharging at the Person discharging's last known place of residence or business;
- (b) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the Person discharging at any address for service specified in a Consent to discharge;
- (c) Where the Person discharging is a body corporate, sent by pre-paid ordinary mail, courier, or facsimile, or email to, or left at its registered office; or
- (d) Personally served on the Person discharging.



### 6.6.2 Service

If any notice or other document is –

- (a) Sent by post it will be deemed received on the first day (excluding weekends and public holidays) after posting;
- (b) Sent by facsimile or email and the sender's facsimile or email machine produces a transmission report indicating that the facsimile or email was sent to the addressee, the report will be prima facie evidence that the facsimile or email was received by the addressee in a legible form at the time indicated on that report; or
- (c) Sent by courier and the courier obtains a receipt or records delivery, the receipt or record of delivery will be prima facie evidence that the communication was received by the addressee at the time indicated on the receipt or records, or left at a conspicuous place at the Trade Premises or is handed to a designated Person(s) nominated by the Consent Holder then that is deemed to be service on, or delivery to the Consent Holder at that time.

### 6.6.3 Signature

Any notice or document to be given, served or delivered must be signed by an Authorised Officer.

## 6.7 Offences

Every Person discharging or Consent Holder or owner or Occupier of Trade Premises who –

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

Commits an offence under s. 239 of the LGA, and is liable to a fine as specified in s. 242 of the LGA.

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

## 6.8 Transitional provisions

### 6.8.1 Applications

Any application for a Consent to discharge Trade Waste made under the Trade Wastes Bylaw 1993 for which a Consent has not been granted at the time of this new bylaw coming into force is deemed to be an application made under clause 3.2 of this bylaw.



## Making of this Bylaw

The initial resolution to make this bylaw was passed by the Western Bay of Plenty District Council at a meeting of the Council held on 1 May 2008 and was confirmed following consideration of submissions received during the special consultative procedure, by a resolution of the Council at a subsequent meeting of the Council held on

The Common Seal of the Western Bay of Plenty District Council was affixed pursuant to a resolution of the Council on  
in the presence of:

\_\_\_\_\_  
Chief Executive Officer

Seal

\_\_\_\_\_  
Date





**SIGNATURE BLOCK**

.....  
(Full name)

.....  
(Position)

1. I am duly authorised to make this application.  
2. I believe that all the information contained in this application is true and correct.

Signature: .....

Date: .....

**FOR OFFICE USE ONLY**

**APPLICATION NUMBER**  
.....

**APPLICATION RECEIVED AND CHECKED BY**  
Inspector/Clerk:.....Date:.....

Permitted     Controlled     Conditional

**PROPERTY LINK IDENTIFICATION NUMBER**  
.....

**BUILDING CONSENT NUMBER**  
.....

**TRADE WASTE CONSENT**  
Approved By:.....  
No:.....Date:.....

**APPLICATION FEE**

|       |    |       |
|-------|----|-------|
|       | \$ | _____ |
| GST   | \$ | _____ |
| Total | \$ |       |

Cashier Receipt: .....

File No: .....



## APPENDIX B

### DESCRIPTION OF TRADE WASTE AND PREMISES

| DESCRIPTION OF TRADE WASTE AND PREMISES – PLEASE PRINT CLEARLY                          |   |
|---|---|
| 1 PREMISES & GENERAL  |   |
| 1.1 Trade name and street address<br>.....<br>.....<br>.....<br>Phone: ..... Fax: ..... | 1.10 List any substances contained in Schedule 1A or 1B of the bylaw<br>which are stored, used, or generated on the premises.<br>.....<br>..... |



|   |   |
|---|---|
| <p>1.2 Name and Address of owner/occupier<br/> Name: .....<br/> Address: .....<br/> .....<br/> .....</p> <p>1.3 Contact for enquiries (if different from above)<br/> Name: .....<br/> Address: .....<br/> .....<br/> .....</p> <p>1.4 Total volume of wastes:<br/> Average daily volume .....m<sup>3</sup><br/> Maximum volume in any 8 hr period .....m<sup>3</sup><br/> Maximum daily volume .....m<sup>3</sup><br/> Seasonal fluctuation (range) .....</p> <p>1.5 General characteristics of wastes: TYPICAL RANGE<br/> Temperature .....<br/> BOD<sub>5</sub> (mg/L) .....<br/> COD (mg/L) .....<br/> Suspended solids (mg/L) .....<br/> pH .....<br/> Fat, oil and grease .....<br/> TKN .....<br/> Total Nitrogen .....<br/> Total Phosphorus .....</p> <p>1.6 The source of water used on the premises is:<br/> (a) from.....Council.....m<sup>3</sup>/working day<br/> (b) from other sources (<i>state source</i>).....m<sup>3</sup>/working day<br/> .....</p> <p>1.7 The wastes do/do not, contain condensing water or storm water and the layout of drains on the premises is/is not, such as to reasonably exclude the possibility of such becoming mixed with trade wastes.</p> <p>1.8 It is/is not proposed that domestic wastewater and trade waste should be discharged at the same point of discharge.</p> <p>1.9 The proposed method for flow measurement is:<br/> <input type="checkbox"/> A permanent installation of suitable flow measuring equipment<br/> <input type="checkbox"/> Based on water usage as measured by meter<br/> <input type="checkbox"/> Other (<i>specify</i>)</p> | <p>Describe mitigation measures employed to prevent accidental spillages of these substances from entering the public sewer or storm water system.<br/> .....<br/> .....</p> <p>1.11 Site plans of the premises are attached which clearly show the location of the following as appropriate:<br/> <input type="checkbox"/> Process areas      <input type="checkbox"/> flow measuring devices<br/> <input type="checkbox"/> Trade waste drains      <input type="checkbox"/> emergency spill<br/> <input type="checkbox"/> Stormwater drains      <input type="checkbox"/> emergency spill<br/> <input type="checkbox"/> Other (<i>specify</i>)</p> <p>Main trade waste pre-treatment systems<br/> <input type="checkbox"/> Screens      <input type="checkbox"/> pH control<br/> <input type="checkbox"/> flow balance      <input type="checkbox"/> grease traps<br/> <input type="checkbox"/> chemical treatment      <input type="checkbox"/> biological treatment</p> <p>1.12 Detailed drawings and descriptions for the following are attached as appropriate:<br/> <input type="checkbox"/> Pre-treatment systems<br/> <input type="checkbox"/> Flow measuring devices<br/> <input type="checkbox"/> Emergency spill containment<br/> <input type="checkbox"/> Sampling points<br/> <input type="checkbox"/> Method of flow meter calibration</p> <p>1.13 An independent waste audit of the premises has/has not been carried out by:<br/> .....</p> <p>1.14 A discharge Management Plan is/is not attached<br/> .....</p> <p>1.15 The health and safety requirements and security arrangements for wastewater authority staff entering the premises are as follows: (<i>specify</i>)</p> |
|---|---|





# APPENDIX C

## APPLICATION FOR TEMPORARY DISCHARGE

|   |
|---|
| <b>THE WASTEWATER AUTHORITY OF THE<br/>WESTERN BAY OF PLENTY DISTRICT COUNCIL<br/>APPLICATION FOR TRADE WASTE DISCHARGE</b> |
| PLEASE PRINT CLEARLY  |

**APPLICANT**

Phone: .....

After Hours Contact:.....

Phone: .....

Fax: .....

Applicant responsible for liquid waste

|                          |                      |
|--------------------------|----------------------|
| <input type="checkbox"/> | Transportation       |
| <input type="checkbox"/> | Generation           |
| <input type="checkbox"/> | Licensed transporter |

**LIQUID WASTE**

Quantity:.....m<sup>3</sup>

Source: .....

Process in which waste is produced:  
.....

General characteristics:

BOD5:..... mg/L

COD:..... mg/L

Suspended solids:..... mg/L

pH:.....

Fat, oil and grease:..... mg/L

TKN:..... mg/L

Total N:..... mg/L

Total P:..... mg/L

List any characteristics which are likely to be greater than 50% of concentrations stipulated in Schedule 1A of the Trade Waste Bylaw.....

**GENERATOR/TRANSPORTER OF LIQUID WASTE**  
(delete applicant's responsibility)

Name: .....

Company: .....

Address: .....

Phone: .....

Fax: .....

**APPLICATION SOUGHT FOR**

One discharge

A number of discharges of the same kind of liquid waste over a period of one year.

**PROPOSED POINT OF DISPOSAL**

.....

If from premises to public sewer, what is existing trade waste consent number?  
.....

**PROPOSED TIMING OF DISPOSAL**

Time:.....

Date:.....

**ANALYSIS**

Appended

Not required

**DECLARATION**

We hereby certify that the above liquid waste is accurately described

Applicant:.....

Transporter/Generator:.....

Date.....



**FOR OFFICE USE ONLY**

|   |   |
|---|---|
| <b>APPLICATION NUMBER</b><br>.....  | <b>TEMPORARY DISCHARGE FEE</b><br><br>\$.....<br><br>GST<br>\$.....<br><br>TOTAL<br>..... |
| <b>APPLICATION</b><br>Received by:..... Date:.....<br>Discharge: <input type="checkbox"/> Approved<br><input type="checkbox"/> Not approved<br>By: .....<br>Date: ..... | Cashier Receipt:.....   |
| <b>TEMPORARY DISCHARGE</b><br>If approved:<br>Where discharged:.....<br>Time and date:.....<br>If not approved:<br>Where referred to:.....<br>.....<br>.....            | File No:.....   |



# APPENDIX D

## CONSENT FORM

|  |  |
|--|--|
| <p><b>THE WASTEWATER AUTHORITY OF THE<br/>WESTERN BAY OF PLENTY DISTRICT COUNCIL<br/>CONSENT TO DISCHARGE TRADE WASTE<br/>TO THE PUBLIC SEWER</b></p> <p>Pursuant to the Council Trade Wastes Bylaw 2008</p> |  |
|--|--|

To: .....  
(Consent holder trade name)

Address:.....  
(Street address of trade premises)

Phone: ..... Fax: .....

Name: .....  
(Contact name)

Address:.....  
(Address for charging and service of documents)

.....  
(Trade activity)

|  |  |
|--|--|
| <p>In response to, and in terms of, the information declared in your application of..... to discharge Trade Waste from the above premises, the consent of the WWA is hereby given for the term and subject to the conditions set out below:</p> <ol style="list-style-type: none"> <li>1. That this consent relates to a proposed new discharge/an existing non-consented discharge/renewal of a consent/variation to an existing consent.</li> <li>2. That this is a permitted conditional consent.</li> <li>3. That the provisions of the .....Council Trade Waste Bylaw 2008 .....are complied with at all times.</li> <li>4. That this consent is valid for a period of..... years and will expire on.....</li> <li>5. That the Trade Waste discharged under this consent must consist only of wastes from the following processes:<br/>.....<br/>.....<br/>.....<br/>.....</li> </ol> | <p>6. That this consent is subject to the specific conditions set out in Schedule 1A which is attached.</p> <p>For and on behalf of the WWA of the .....<br/>.....Council</p> <p>Authorised Officer:<br/>Name: .....</p> <p>Signature:.....</p> <p>Date: .....</p> <div style="background-color: #cccccc; padding: 5px; text-align: center;"> <p><b>FOR OFFICE USE ONLY</b></p> <p>Consent No: .....</p> <p>Application No: .....</p> <p>File No: .....</p> </div> |
|--|--|



Western Bay of Plenty District Council

# Trade Wastes Bylaw 2008

## SCHEDULE 1A

### Permitted Discharge Characteristics

#### 1A.1 Introduction

- 1A.1.1 The nature and levels of the characteristics of any Trade Waste discharged into the WWA system must comply at all times with the following requirements, except where the nature and levels of such Characteristics are varied by the WWA as part of an Approval to discharge a Trade Waste.
- 1A.1.2 The WWA must take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the WWA believes are appropriate.
- 1A.1.3 An additional column in tables 1A.2, 1A.2 and 1A.3 for Mass Limits may be added as required.
- 1A.1.4 The nature and levels of any characteristic may be varied to meet any new resource Consents or other legal requirements imposed on the WWA, refer to 3.9 of the bylaw.

#### 1A.2 Physical Characteristics

##### 1A.2.1 Flow

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

##### 1A.2.2 Temperature

The temperature must not exceed 40°C.

##### 1A.2.3 Solids

- (a) Non-faecal gross solids must have a maximum dimension which must not exceed 15mm.
- (b) The suspended solids content of any Trade Waste must have a Maximum Concentration which must not exceed 1000g/m<sup>3</sup>.
- (c) The settleable solids content of any Trade Waste must not exceed 50mL/L.
- (d) The total dissolved solids concentration in any Trade Waste must be subject to the Approval of the WWA having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- (e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Sewage in the drainage system or treatment plant must not be present.



#### 1A.2.4 Oil and grease

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

#### 1A.2.5 Solvents and other organic liquids

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

#### 1A.2.6 Emulsions of paint, latex, adhesive, rubber, plastic

- (a) Where such emulsions are not treatable these may be discharged into the Sewer subject to the total suspended solids not exceeding 100g/m<sup>3</sup> or the concentration agreed with the WWA.
- (b) The WWA 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 WWA treatment plant e.g. reduces % UVT (ultra violet transmission).
- (c) Such emulsions of both treatable and non-treatable types, must be discharged to the Sewer only at a concentration and pH that prevents coagulation and blockage at the mixing zone in the public Sewer.

#### 1A.2.7 Radioactivity

Radioactivity levels must not exceed National Radiation Laboratory Guidelines.

#### 1A.2.8 Colour

No waste may 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.

### 1A.3 Chemical characteristics

#### 1A.3.1 pH value

The pH must be between 6.0 and 9.0 at all times.



### 1A.3.2 Organic Strength

- 1A.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>) of any waste may require restriction where the capacity for receiving and treating BOD<sub>5</sub> is limited. A BOD<sub>5</sub> restriction may be related to Mass Limits.  
Where there is no WWA treatment for organic removal the BOD<sub>5</sub> must not exceed 1,000g/m<sup>3</sup>. For Significant Industry this may be reduced to 600 g/m<sup>3</sup>.



Table 1A.1 – General chemical characteristics  
(Mass limits may be imposed, refer to 4.2)

| Characteristics                                 | Maximum Concentration<br>(g/m <sup>3</sup> ) |
|---|--|
| MBAS (Methylene blue active substances)         | 500  |
| Ammonia (measured as N)                         |  |
| - free ammonia                                  | 50   |
| - ammonia salts                                 | 200  |
| Kjeldhal 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  |
| Fluoride (as F)                                 | 30   |
| Cyanide – weak acid dissociable (as CN)         | 1  |

Table 1A.2 – Heavy metals

| Metal     | Maximum concentration<br>(g/m <sup>3</sup> ) | Metal      | Maximum concentration<br>(g/m <sup>3</sup> ) |
|-----------|--|------------|--|
| 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  |



**Table 1A.3 – Organic compounds and pesticides**  
(Mass limits may be imposed, refer to 4.2)

| Compound  | Maximum concentration (g/m <sup>3</sup> ) |
|---|---|
| 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 <sup>(1,2)</sup>                      |

1. Excludes pesticides not registered for use in New Zealand
2. These compounds must be accepted up to the given maximum concentration only when specifically approved



Western Bay of Plenty District Council

# Trade Wastes Bylaw 2008

## SCHEDULE 1B

### PROHIBITED CHARACTERISTICS

#### 1B.1 Introduction

This schedule defines Prohibited Trade Wastes.

#### 1B.2 Prohibited characteristics

1B.2.1 Any discharge has prohibited Characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:

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

1B.2.2 A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1A unless specifically approved for that particular Consent.

1B.2.3 A discharge has a prohibited characteristic if it has any amount of:

- (a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
- (b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Sewage;
- (c) Asbestos;



- (d) The following organo-metal compounds –  
Tin (as tributyl and other organotin compounds);
- (e) Any organochlorine pesticides;
- (f) Genetic wastes, as follows –  
All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from Premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
- (g) Any health care waste prohibited for discharge to Sewerage System by NZS 4304 or any pathological or histological wastes; or
- (h) Radioactivity levels in excess of the National Radiation Laboratory Guidelines.



## Western Bay of Plenty District Council

## Trade Wastes Bylaw 2008

## SCHEDULE 1C

## SYSTEM OF CHARGING IN RESPECT OF VOLUME AND STRENGTH OF TRADE WASTES AND SPECIAL WASTES

1. Trade wastes producers will be charged the actual cost involved in treating the trade wastes received by Council into the sewer or treatment plant which is in excess of the amount of waste they are entitled to discharge by way of the Uniform Annual Charge.
2. The total cost to Council of receiving, conveying, treating and disposing of wastewater from within its district is made up of capital, maintenance, operating consumables, labour, and administration costs.
3. The costs for each Discharger of wastewater are apportioned to volume, Biochemical Oxygen Demand (BOD<sub>5</sub>), Inert Suspended Solids (ISS), Volatile Suspended Solids (VSS), total nitrogen (TN) and total phosphorous (TP) of discharged wastewater, and summed to give the total costs of reticulation to, and treatment at, the treatment plant.
4. The annual volume in cubic metres of all sewage, wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each subsequent financial year, is designated as Q (m<sup>3</sup>/year).
5. The annual BOD<sub>5</sub> in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year must be designated as B<sub>w</sub> (kg/year).
6. The annual ISS in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year must be designated as D<sub>w</sub> (kg/year).
7. The annual VSS in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year must be designated as E<sub>w</sub> (kg/year).
8. The annual TN in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year must be designated as F<sub>w</sub> (kg/year).
9. The annual TP in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year must be designated as G<sub>w</sub> (kg/year).
10. The estimated annual cost of receiving and disposing of (but not treatment) all such sewage during each subsequent financial year is designated as C<sub>1</sub> (\$).
11. The estimated annual costs to the Council for treatment of all sewage during each financial year is designated as C<sub>2</sub> (\$), and apportioned to volume, BOD<sub>5</sub>, ISS, VSS, TN and TP on a site specific basis relating to wastewater treatment processes. The estimated current apportionment of costs is shown below, however Council reserves the right to amend the basis of apportionment based on actual operational costs incurred in a given financial year.

| WWTP         | % of total operational treatment cost apportioned to |                  |     |     |     |     |
|--------------|--|------------------|-----|-----|-----|-----|
|              | Volume   | BOD <sub>5</sub> | ISS | VSS | TN  | TP  |
| Katikati*    | 64.5   | 26.6             | 5.4 | 2.3 | 0.6 | 0.6 |
| Te Puke*     | 64.2   | 28.6             | 4.5 | 1.9 | 0.4 | 0.4 |
| Waihi Beach* | 64.1   | 26.3             | 5.9 | 2.5 | 0.6 | 0.6 |
| Other WWTP   | To be confirmed on an individual basis               |                  |     |     |     |     |



\* Based on existing treatment processes and discharge consent requirements; to be revised following future upgrades

12. Charges in respect of volume of wastes must be based on either the measured volume of wastewater discharged from the premises or the volume estimated from the measured volume of water entering the premises during the period corresponding most closely with each financial year. This volume must be designated as V (m<sup>3</sup>/year).
13. The charges in respect of BOD<sub>5</sub>, ISS, VSS, TN and TP must be based on the measured composition of wastewater discharged from the premises during the period corresponding most closely with each financial year. This BOD<sub>5</sub>, ISS, VSS, TN and TP must be respectively designated B<sub>T</sub>, D<sub>T</sub>, E<sub>T</sub>, F<sub>T</sub>, and G<sub>T</sub> (kg/year).
14. The charge provided for in Clause 6.3.1 for each financial year levied by the Council on the Occupier must be calculated using the following formula:

Annual Trade Waste Charge =

$$\left( C_1 \times \frac{V}{Q} \right) + \left[ C_2 \times \left[ \left( \frac{V}{Q} \times \text{Volume} \right) + \left( \frac{B_T}{B_W} \times \text{BOD} \right) + \left( \frac{D_T}{D_W} \times \text{ISS} \right) + \left( \frac{E_T}{E_W} \times \text{VSS} \right) + \left( \frac{F_T}{F_W} \times \text{TN} \right) + \left( \frac{G_T}{G_W} \times \text{TP} \right) \right] \right]$$

Where Volume, BOD<sub>5</sub>, ISS, VSS, TN and TP should be replaced by the relevant percentages shown in (11) above.

In calculating any such charge any domestic sewage discharged from the premises affected must be deemed to be trade wastes.

Definition:

|                |   |
|----------------|---|
| C <sub>1</sub> | Estimated annual cost (\$) of receiving + disposing of all sewage               |
| C <sub>2</sub> | Estimated annual cost (\$) for treating all sewage                              |
| V              | Vol of waste IN/OUT of premises – m <sup>3</sup> /year                          |
| Q              | Volume measure into WWTP - m <sup>3</sup> /year                                 |
| Vol            | Taken out from a table on page 45, depending on the location, e.g. KK, TP or WB |
| B <sub>T</sub> | Kg/year of BOD discharge from the premises                                      |
| B <sub>W</sub> | Kg/year of BOD received at WWTP   |
| BOD            | Biochemical Oxygen Demand   |
| D <sub>T</sub> | Kg/year of ISS discharge from the premises                                      |
| D <sub>W</sub> | Kg/year of ISS received at WWTP   |
| ISS            | Inert Suspended Solid   |
| E <sub>T</sub> | Kg/year of VSS discharge from the premises                                      |
| E <sub>W</sub> | Kg/year of VSS received at WWTP   |
| VSS            | Volatile Suspended Solid  |
| F <sub>T</sub> | Kg/year of TN discharge from the premises                                       |
| F <sub>W</sub> | Kg/year of TN received at WWTP  |
| TN             | Total Nitrogen  |
| G <sub>T</sub> | Kg/year of TP discharge from the premises                                       |
| G <sub>W</sub> | Kg/year of TP received at WWTP  |
| TP             | Total Phosphorous   |

\* Reference Schedule 1D (A8)

15. Pursuant to Clause 5, the Occupier must also be levied all reasonable costs incurred by Council to measure the discharge volume or characterise the discharged wastewater as required to determine (12) and (13) above.
16. Council reserves the right to amend this trade waste charging system as required to recover actual operational costs relating to wastewater reticulation, treatment and disposal.



## Western Bay of Plenty District Council

## Trade Wastes Bylaw 2008

## SCHEDULE 1D

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 Local Government Act (LGA).

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

| <b>A. Administrative Charges</b>                                       |  |
|--|--|
| <b>Category</b>  | <b>Description</b>   |
| 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 Sewerage System.  |
| A4 Trade Waste application fee   | Payable on an application for a trade waste discharge.   |
| A5 Re-inspection Fee   | Payable for each re-inspection visit by the WWA 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 sewerage system.   |
| A7 Temporary discharge fee   | Payable prior to receipt of Temporary Discharge.   |
| A8 Annual Trade Waste Charges (UAC) as per formula in Schedule 1c (14) | An annual management fee for a trade waste discharge to cover the WWA's costs associated with for example: <ul style="list-style-type: none"> <li>(a) Administration</li> <li>(b) General compliance monitoring</li> <li>(c) General inspection of Trade Waste Premises</li> <li>(d) Use of the sewerage System</li> </ul> <p>This charge may vary depending on the Trade Waste sector and category of the discharger.</p> |
| A9 Rebates for Trade Premises within the district                      | Reduction of fees is provided for in s. 150(2). Section 150(4) of the LGA states that the fees prescribed by the Council must 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>In no event must the resultant charge be less than the Council's sewerage charge for the equivalent period.</p>                                 |
| 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>B Trade Waste Charges</b>   |  |
| <b>Category</b>  | <b>Description</b>   |
| B1 Volume  | Payment based on the volume discharged \$/m <sup>3</sup>   |
| B2 Flow rate   | Payment based on the flow rate discharged \$/L/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 the WWA'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 the WWA's Sewerage 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. |
| <b>C</b> | <b>Tankered Waste Charges</b> |   |
| C1       | Tankered 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>                                 |