



Waitaki DISTRICT
COUNCIL

**Waitaki District Council
Trade Waste Bylaw 2009**

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REFERENCED DOCUMENTS

Reference is made to the following

New Zealand Standards

NZS 4304:2002	Management of healthcare waste
NZS 5465:2001	Self containment for motor caravans and caravans
NZS 9201	Model general bylaws
Part 22:1999	Wastewater drainage
Part 23:2004	Trade Waste

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 samples
BS 6068-6.3:2003	

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

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

Building Industry Authority

New Zealand Building Code (NZBC) 1992 and Approved Documents

Document available from Building Industry Authority (BIA) www.bia.govt.nz

Ministry for the Environment (MfE)

Landfill Acceptance Criteria (2004)

The New Zealand Waste Strategy (2002)

Documents available from Ministry for the Environment New Zealand www.mfe.govt.nz

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

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

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

Sydney Water Corporation

Trade Waste Policy (2004)

Document available from Sydney Water Corporation 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

FOREWORD

This Bylaw regulates the discharge of Trade Waste to a Sewerage System operated by Waitaki District Council.

The Bylaw is based on the Oamaru Trade Waste Bylaw 1994 and incorporates a number of principles contained within NZS9201: Part 23: 2004.

Waitaki District Council

TRADE WASTE Bylaw 2009

1.0 TITLE

The title of this Bylaw is the Waitaki District Council Trade Waste Bylaw 2009.

2.0 COMMENCEMENT

This Bylaw comes into force on 6 July 2008

3.0 REVOCATION

The Oamaru Trade Waste Bylaw 1994 is revoked on 6 July 2009

4.0 APPLICATION OF BYLAW

This Bylaw applies in the Waitaki District and regulates the discharge of trade wastes from premises or tankers to the Sewerage System operated by Council or its agents.

Pursuant to section 196 of the Local Government Act 2002 the Council may refuse to allow the discharge of any Trade Waste which does not comply with this bylaw.

5.0 SCOPE

This Bylaw provides for the:

- (a) Long-term, intermittent, or temporary discharge of trade waste to the sewerage system
- (b) Classification of trade waste as permitted, conditional or prohibited trade waste
- (c) Evaluation of individual trade waste discharges against specified criteria
- (d) Storage of materials in such a manner as to protect the sewerage system from spillage
- (e) Installation of flow meters, samplers or other devices to measure the flow and quality of trade waste discharges
- (f) Establishment of standards for pre-treatment of waste before it is accepted for discharge to the sewerage system
- (g) Sampling and monitoring of trade waste discharges
- (h) The Council to accept or refuse a discharge of trade waste
- (i) Charges to be set for 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
- (k) Establishment of waste minimisation and management programmes (including sludges) for trade waste producers

This Bylaw is to be read in conjunction with all other relevant Bylaws of the Waitaki District Council currently in force, except that where such reading would result in inconsistency the provisions of this Bylaw prevail.

6.0 INTERPRETATION

6.1 Compliance with Other Acts

Nothing in this bylaw derogates from any of the provisions of the Health Act, the Health and Safety in Employment Act, the Resource Management Act, the Building Act, the Hazardous Substances and New Organisms Act and its regulations or any other relevant statutory or regulatory requirements.

References to a repealed enactment include its replacement.

7.0 DEFINITIONS

7.1 Definitions

In this Bylaw, unless context otherwise requires:

ACT means the Local Government Act 2002 and its amendments.

ANALYST means an approved testing laboratory

APPROVAL or **APPROVED** means approval or approved in writing either by resolution of Council or by an authorised officer.

AUTHORISED OFFICER means any person appointed by the Council as an enforcement officer under section 177 of the Act having the powers of entry authorised by sections 171-174 of the Act.

CHARACTERISTIC means any physical, chemical or quantitative characteristic of a trade waste.

CONDENSING WATER means 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.

COOLING WATER has the same meaning as condensing water

CONDITIONAL means trade waste that has, or is likely to have, characteristics which exceed any of the characteristics listed in schedule 3A, but which does not have any prohibited characteristics listed in schedule 3C.

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CONSENT	means written authorisation given by the Council under this bylaw to discharge trade wastes to the waste water system.
CONSENT HOLDER	means a person occupying trade premises who has been granted a Consent, and includes any person who does any act on behalf or with the express or implied permission 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 (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
CONTINGENCY MANAGEMENT PROCEDURES	means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects on the environment of an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants into the sewerage system.
COUNCIL	means the Waitaki District Council or an Authorised Officer
DISCHARGE	means any act, whether deliberate, accidental, negligent or otherwise and whether an act of omission or commission, as a result of which trade waste enters the sewerage system.
DISCHARGE PERMIT	means the discharge permit, granted under the Resource Management Act 1991 and held by the Council, which authorises the Council's sewage treatment facility.
DISCONNECTION	means the physical cutting and sealing of any of the Council's water services, utilities, drains or Sewers.
DISTRICT	means the Waitaki District.
DOMESTIC SEWAGE	means liquid wastes (including matter in solution or suspension) 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 be lawfully discharged to the sewerage system.
FOUL WATER	means the waste water and other matter discharged from any sanitary fixture or sanitary appliance including machines for washing dishes and clothes.
HAZARDOUS SUBSTANCE	has the same meaning as in the Hazardous Substances and New Organisms Act 1996.

HAZARDOUS WASTE has the same meaning as hazardous substance.

MANAGEMENT PLAN means a plan for the management of operations at premises from which trade wastes are discharged, which may include provisions for cleaner production, waste minimization, discharge, contingency management procedures, and reference to any relevant industry code of practice.

MASS LOADING means the total mass of any characteristic that may be discharged to the Council's Sewerage System over any 24 hour period, or as Council may determine from time to time, from any single Point of Discharge or collectively from several points of discharge

MASS LOADING means the mass loading of any characteristic that may be discharged to the Sewerage System over any stated period from any single Point of Discharge or collectively from several points of discharge.

METER means any device or apparatus for measuring flow.

OCCUPIER means a person occupying trade premises that are connected to the sewerage system.

PERMITTED means trade waste having physical and chemical characteristics that comply with the all the standards in Schedule 3A of this bylaw, or a discharge the Council certifies in writing to be a permitted discharge.

PERSON includes a corporation sole and a body of persons whether corporate or unincorporate.

POINT OF DISCHARGE means the boundary between the public sewer and a private drain, or a point designated as a point of discharge in a trade waste consent for the purposes of monitoring, sampling and testing.

PRE-TREATMENT means any processing of trade waste before it is discharged to the sewerage system, which is designed to reduce or vary any characteristic in order to comply with a trade waste consent.

PRIVATE DRAIN means a drain connecting premises to the sewerage system.

PROHIBITED means trade waste that has any characteristic listed in schedule 3C.

PUBLIC SEWER means any Council sewer, and includes any public drain under the control of the Council by which domestic sewage or trade wastes may enter the sewerage system.

RECEIVING ENVIRONMENT means the environment to which the trade wastes and other sewage of the district will ultimately be discharged under normal operation of the sewerage system.

- 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 the pipework drainage system that conveys sewage.
- SEWERAGE SYSTEM** means the infrastructure, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and related structures operated by the Council and used for the reception, treatment and disposal of trade wastes or sewage.
- STORMWATER** means any rainwater, surface water, ground water, roof run-off or sub-surface drainage waters.
- TANKERED TRADE WASTE**
means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle, but does not include domestic sewage discharged directly from house buses, caravans, buses and similar vehicles.
- TEMPORARY DISCHARGE** means any discharge of an intermittent or short duration.
- TRADE PREMISES** means:
- (a) premises used or intended to be used for any industrial or trade purpose; or
 - (b) premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials, or for other waste management purposes, or for composting organic materials; or
 - (c) premises from which a contaminant is or may be discharged in connection with any industrial or trade process; or
 - (d) premises from which a contaminant other than domestic sewage is discharged, including land or premises wholly or mainly used for agricultural or horticultural purposes, or commercial food preparation, or
 - (e) premises from which waste having an adverse effect on the sewage system, wastewater treatment plant and associated processes is discharged.
- TRADE WASTE** means any liquid, with or without matter in suspension or solution, that is, or may be, or is prohibited from being, discharged from trade premises to the 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 which may include condensing or cooling waters, or stormwater which cannot practically be separated, or domestic sewage.
- WORKING DAY** means any day other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Labour Day and Otago Anniversary Day
- (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

7.2 Abbreviations

\$/kg	dollars per kilogram
\$/L/s	dollars per litre per second
\$/m ³	dollars per cubic metre
°C	degrees Celsius
ANZECC	Australian New Zealand Environment and Conservation Council
B	boron
BOD ₅	Biochemical Oxygen Demand
Br ₂	bromine
Cl ₂	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 ³	grams per cubic metre
GST	goods and services tax
H ₂ S	hydrogen sulphide
HAHs	halogenated aromatic hydrocarbons
HCHO	formaldehyde
HCN	hydrogen cyanide
hr	hour
HSNO	Hazardous Substances and New Organisms Act
kg/day	kilogram per day
L	litre
L/s	litre per second
m ³	cubic metre
max.	maximum

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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
NFR	Non filterable residue
N	nitrogen
NH ₃	ammonia
NH ₃ -N	ammoniacal nitrogen
P	phosphorus
PAHs	polycyclic (or polynuclear) aromatic hydrocarbons
PBBs	polybrominated biphenyls
PCBs	polychlorinated biphenyls
RMA	Resource Management Act
s	second
s.	section
s. s	sections
SBR	sequencing batch reactor
SO ₄	sulphate
SS	suspended solids concentration
TAs	territorial authorities
UV	ultra violet
UVT	ultra violet transmission
WC	water closet

8.0 MANAGEMENT OF TRADE WASTES

8.1 Council's Objectives

The Council's objectives are:

- (a) That where public sewers are available, permitted trade wastes, and conditional trade wastes subject to certain conditions, may be discharged to the sewerage system, provided that;
 - (i) If the sewerage system is of insufficient capacity, the Council may refuse to allow a discharge or may grant a consent to discharge subject to conditions.
 - (ii) The Council may determine to grant consent to discharge trade wastes and any conditions imposed on such consent having regard to the effects of the discharge on the waste water system and receiving environment, and the effects on absolute concentrations and/or mass loadings at the point of discharge.
 - (iii) The Council will not approve any application for a consent to discharge trade waste if the discharge contains, or is likely to contain, a characteristic which is prohibited, except where the Council is satisfied the prohibited characteristic can be treated adequately to avoid any adverse effects on the sewerage system, the receiving environment, and people and animals.

8.2 Classification of Trade Waste Discharges

For the purposes of this bylaw, discharges of trade waste are classified as either:

- (a) Permitted; or
- (b) Conditional; or
- (c) Prohibited

8.3 Storage, Transport, Handling and Use of Hazardous or Harmful Materials

- (a) Every occupier of trade premises commits an offence against this bylaw who, without authorisation in accordance with this bylaw, by any act or omission, causes or allows the entry into the sewer system of any hazardous substance or any:
 - (i) matter containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
 - (ii) matter likely to generate toxic, flammable, explosive or corrosive substances in quantities likely to be hazardous when mixed with waste water; or
 - (iii) matter likely to be injurious to the health and safety of the Council's staff, contractors or the public; or
 - (iv) matter likely to be harmful to the sewerage system

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- (b) Every contractor, employee and agent of every occupier on trade premises commits an offence who, without authorisation in accordance with this bylaw, causes the entry into the sewer system of any hazardous substance or any:
 - (i) matter containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
 - (v) matter likely to generate toxic, flammable, explosive or corrosive substances in quantities likely to be hazardous when mixed with waste water; or
 - (vi) matter likely to be injurious to the health and safety of the Council's staff, contractors or the public; or
 - (vii) matter likely to be harmful to the sewerage system

- (c) No person may store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance, or any matter listed in bylaw 8.3(a)(i-iv), in a manner that may allow that matter to enter the sewerage system and cause any harmful effect to the sewerage system or the receiving environment, or people and animals.

- (d) This bylaw applies in addition to the provisions of the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991

9.0 Control of Discharges

- 9.1.1 Permitted trade waste may be discharged in accordance with this bylaw.
- 9.1.2 No Person may cause or allow the discharge of a prohibited trade waste.
- 9.1.3 Conditional trade waste may not be discharged except in accordance with a consent.
- 9.1.4 No person may add or permit the addition of condensing or cooling water to any trade waste being discharged, except in accordance with a consent.
- 9.1.5 No Person may add or permit the addition of stormwater to any trade waste being discharged, except in accordance with a consent.
- 9.1.6 The Council may physically prevent any unauthorised discharge to the sewerage system
- 9.1.7 Consent to discharge trade waste to the sewerage system does not affect any additional obligation under any other legislation or regulation.

10.0 TRADE WASTE DISCHARGES AND CONSENTS

10.1 Application to Discharge Trade Waste

Anyone may apply to the Council:

- (a) For consent to discharge trade waste; or
- (b) To vary the conditions of a consent.

10.1.1 An application for consent, or to vary the conditions of an existing consent must be made in the form in part 1 of the first schedule to this Bylaw.

10.1.2 An application and any associated documentation submitted must be signed by the applicant. Any act done for, or on behalf of, the consent holder (whether for reward or not) in making any such application is deemed to be an act of the consent holder.

10.1.4 Separate applications may be required in respect of discharges from different departments or sections of trade premises or as a result of different industrial processes within trade premises.

10.2 Changes to Application Details

10.2.1 An application to amend a consent, including volume, composition, and rate of discharge will be processed as if it is an application for a new consent.

10.2.2 For the avoidance of doubt, notification of changes to the consent holder's contact details is not an application to amend a consent.

10.3 Consideration of Application and Decision

Within 20 working days of receipt of an application for consent to discharge trade waste or to alter an existing consent, the Council may:

- (a) Notify the applicant that it requires additional information which it considers necessary to reach an informed decision. Such information may include a report or statement completed by a suitably qualified, experienced and independent person; and
- (b) Require the applicant to submit a management plan to be approved by the Council; and
- (c) Where the Council considers it appropriate, investigate and analyse the discharge in accordance with clauses 10.15.1 and 10.15.3 of this bylaw.

The cost of preparing an application and providing any additional information required to support that application are to be borne by the applicant.

Within 20 working days of the receipt of an application or further information, which ever is the later, the Council may:

- (a) Grant consent to discharge a permitted trade waste, and inform the applicant of the decision by issuing a written consent; or
- (b) Grant consent to discharge a conditional trade waste subject to such conditions as it considers necessary, and inform the applicant by issuing a written consent; or

- (c) Decline the application and notify the applicant of the decision in writing, giving reasons for the decision.

10.4 Consideration Criteria

In considering any application for a consent to discharge trade waste or tankered waste into the sewerage system, and in imposing any conditions on a consent, the Council must take into consideration the quality, volume, and rate of discharge of the trade waste, having regard to:

- (a) The health and safety of Council staff, contractors and the public:
- (b) The limits and/or maximum values of any characteristics of the trade waste:
- (c) The extent to which the trade waste may react with other trade waste or foul water and produce an undesirable effect, including but not limited to the settlement of solids, production of odours, accelerated corrosion and deterioration of the sewerage system:
- (d) The flows and velocities in the sewerage system and the material or construction of the sewerage system:
- (e) The capacity and performance of the sewerage system and any other relevant 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 sewage to the receiving environment, the disposal of sewage sludge, any beneficial use of Bio-solids, and any discharge to air, including any requirement to comply with any resource consent, discharge permit or water classification held by or on behalf of the Council:
- (i) The effect of the discharge on the receiving environment:
- (j) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to people and animals, the sewerage system and the environment:
- (k) The effect on any other existing or future discharges:
- (l) Amenability of the trade waste to pre-treatment:
- (m) Existing pre-treatment works on the premises and the potential for their future use:
- (n) Cleaner production techniques and waste minimization practices:
- (o) Requirements and limitations of sewage sludge disposal and reuse:
- (o) Control of stormwater:
- (p) The existence and effect of a management plan:
- (q) Other tankered waste discharges for which consent has been granted.

10.5 Conditions of Consent

A consent to discharge conditional trade waste may be granted subject to any conditions the Council considers necessary, including conditions which may:

- (a) Specify the particular part of the sewerage system to which the discharge may be made; and
- (b) Limit the maximum daily volume and composition of the discharge and the maximum rate of discharge, and the duration of maximum discharge; and
- (c) Limit the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made; and

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- (d) Limit the acidity or alkalinity of the discharge; and
- (e) Limit the temperature of the discharge; and
- (f) Require the installation, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control the characteristics of the discharge; and
- (g) Require the provision and maintenance, at the consent holder's expense, of inspection chambers, manholes or other apparatus or devices to provide reasonable access for sampling and inspection; and
- (h) Forbid the discharge of any specified harmful elements; and
- (i) Require the installation and maintenance, at the consent holder's expense, of screens, grease traps, silt traps or other methods of preventing or controlling the discharge of solids or grease; and
- (j) Require the implementation of a programme of sampling, analysis and testing and flow measurement at the consent holder's expense; and
- (k) Determine the methods to be used for measuring flow rates, measuring volumes and taking samples of the discharge; and
- (l) Require the provision and maintenance, at the expense of the consent holder, of meters or devices to measure the volume or flow rate of any discharge; and
- (m) Require any meters or other devices to be calibrated and determine the method to be used for that calibration; and
- (n) Require the provision and maintenance, at the consent holder's expense, of services, including electricity, water, compressed air or otherwise, necessary to operate meters and similar devices; and
- (o) Require the consent holder to provide flow and/or volume records, and records and results of analyses (including analyses of pre-treatment by-products), and maintenance records at times specified by the Council; and
- (p) Require the consent holder to submit and implement a management plan; and
- (q) Require the consent holder to provide a risk assessment of damage to the environment due to an accidental discharge; and
- (r) Impose waste minimization and management practices; and
- (s) Require the use of cleaner production techniques; and
- (t) Require the implementation of facilities for the remote control of discharges; and
- (u) Specify third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal); and
- (v) Require the consent holder to permit the entry of authorised officers for the inspection of drains, screens, traps or other apparatus or devices in the drainage system and for taking samples and readings of meters or other recording or measuring apparatus; and
- (w) Require the consent holder to provide a bond or insurance in favour of the Council if failure to comply with the consent could result in damage to the sewerage system, or treatment plants, or could result in Council being in breach of any statutory obligation; and
- (x) Require remote monitoring of discharges; and
- (y) Require the payment of charges for the acceptance and disposal of trade wastes; and
- (z) Require dental facilities to install and maintain an amalgam trapping and disposal system.

10.6 Duration of Consent

10.6.1 Permitted trade waste

The period for which a consent to discharge permitted trade waste is valid, is unlimited unless:

- (a) Otherwise specified in a consent; or
- (b) Consent is cancelled in accordance with clause 10.9 of this bylaw; or
- (c) The amendment or replacement of this bylaw results in the classification of the discharge as a conditional or prohibited discharge; or
- (d) There is a change to the resource consents held by the Council authorising the sewerage system and/or the disposal of waste from that system.
- (e) The consent has not been exercised during the preceding 12 months.

10.6.2 Conditional Consents

- (a) The period for which a consent to discharge conditional trade waste may be granted is for any term not exceeding ten years specified in the consent.

10.6.3 Exercise of a consent while applying for a new consent

- (a) Nothing in this bylaw authorises the continuing discharge of trade waste when the status of the trade waste discharged (as permitted or conditional tradewaste) changes, whether that change results from a change in the characteristics of the discharge or from a change in the classification of the characteristics of the discharge, or for any other reason, except that:
- (b) When an application for a new discharge consent is submitted within 20 working days of the expiry of an existing consent, or other such period as the Council may determine is appropriate in the circumstances, the consent holder may continue to operate under the existing consent until the application for new consent is granted or declined.

10.7 Review of Decisions

If any person is dissatisfied with any decision made under this bylaw, that person may request the Chief Executive Officer to review the decision. Such request must be made in writing within 20 working days of the date of the decision. The Chief Executive Officer's decision is final.

10.8 Technical Review and Variation

10.8.1 New or varied conditions

The Council may at any time during the term of a trade waste consent, by written notice to the consent holder, vary any condition to such an extent as Council considers necessary to avoid any adverse effects on the sewerage system or the environment.

The Council may vary a consent when any new information becomes available relevant to that consent, or when necessary to ensure compliance with any resource consent authorising a discharge from the Council's treatment plant, or with any other requirement imposed on the Council.

A consent holder may seek to vary any condition of consent at any time during the term of a consent by written application to the Council.

10.9 Cancellation of the Right to Discharge

10.9.1 Suspension or Cancellation on Notice

The Council may suspend or cancel any consent or right to discharge at any time following 10 working days' notice to the consent holder or person discharging any trade waste in the event of:

- (a) failure to comply with a consent or any condition of consent; or
- (b) failure to maintain effective control over the discharge; or
- (c) negligence which, in the opinion of the Council, threatens the health or safety of any person or may cause damage to any part of the sewerage system or treatment plant; or
- (d) any occurrence that, in the opinion of the Council may cause an adverse effect on the environment; or
- (e) any breach of a relevant resource consent; or
- (f) failure to provide and maintain a management plan as required in a consent authorising a conditional discharge; or
- (g) failure to comply with a management plan during an unexpected, unscheduled or accidental event; or
- (h) refusal of the Council's request for permission to access the premises and to obtain samples of the discharge; or
- (i) failure to pay any fees or charges owing under this bylaw; or
- (j) any other circumstances which, in the opinion of the Council make it necessary in the public interest to cancel or suspend a consent or right to discharge; or
- (k) conviction of the consent holder for any offence under this Bylaw.

10.9.2 Summary Cancellation

At any time the Council may immediately cancel any consent to discharge trade waste by giving written notice of cancellation to the consent holder if:

- (a) The consent holder causes or allows the discharge of prohibited tradewaste; or
- (b) The Council is lawfully directed by a Court to cancel the Consent; or
- (c) The consent holder causes or allows any unlawful discharge; or
- (d) The discharge poses an immediate threat to the environment or public health; or
- (e) The discharge breaches a resource consent held by Council.

10.10 Fees and Charges

10.10.1 Fees and Charges

Fees and charges for the issue of consents and the provision of other services provided by the Council under this bylaw shall be set by resolution of the Council.

10.10.2 Disconnection

A consent holder is deemed be discharging trade waste and is liable for all the fees and charges for that discharge until the Council gives notice of disconnection.

10.10.3 Failure to Pay

Fees and charges payable under this bylaw are recoverable as a debt due to the Council.

10.11 Authorised Officers

Pursuant to sections 171 and 172 of the Local Government Act 2002, an authorised officer may enter premises from which, in the opinion of that officer trade wastes are being or have been discharged to and may:

- (a) Take readings and measurements
- (b) Observe accidental occurrences and clean-up

10.12 Transfer or Termination of Rights and Responsibilities

10.12.1

The holder of a consent to discharge trade waste:

- (a) must not cause or allow a point of discharge to serve any premises other than that for which a consent is held, or extend a private drain by pipe or any other means so that it serves another premises; and
- (b) must not cause or allow sewage from any place other than that for which the consent is held to be discharged at the point of discharge.

The holder of a consent may transfer that consent to another owner or occupier of the site for which the consent is granted, subject to the prior written approval of the Council. A transfer of consent without approval is invalid, and the transferor remains liable for any breach of the consent or this bylaw.

10.12.2

A consent holder must give 48 hours notice in writing to the Council of a requirement to disconnect a discharge and/or terminate a consent, except that where demolition or re-laying of a discharge drain is required, 7 working days notice in writing must be given.

On termination of a discharge or consent, the consent holder must notify the Council of the address to which a final invoice can be sent.

On permanent Disconnection and/or termination the consent holder may, at Council's discretion, be liable for trade waste charges to the end of the current charging period.

10.12.3

When a consent holder ceases to occupy premises from which trade wastes are discharged and a consent terminates the consent holder remains liable for all obligations existing under the consent at the date of termination.

10.13 Service of Documents

10.13.1 Delivery or Post

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

- (a) Sent by pre-paid ordinary mail, courier, facsimile, or email to the recipient at his or her last known place of residence or business; or
- (b) Sent by pre-paid ordinary mail, courier, facsimile, or email to the recipient at any address for service specified by him or her; or
- (c) Where the recipient is a body corporate, sent by pre-paid ordinary mail, courier, facsimile, or email to, or left at its registered office; or
- (d) Delivered to the recipient in person.

10.13.2 **Signature**

Any notice or document to be given, served or delivered must be signed by an authorised officer.

10.14 Accidents and Non-Compliance

The consent holder must inform the Council immediately of any accident including spills or process mishaps which may cause a breach of this bylaw.

In the event of an accident in relation to a discharge authorised by a consent, the Council may review that consent, or require the consent holder to review the contingency management procedures and re-submit the management plan to the Council within 20 working days.

10.15 Flow Metering

10.15.1

The Council may require the flow of a discharge to be metered when:

- (a) there is no relationship between a metered water supply to the premises, and the discharge of trade waste; or
- (b) the Council declines to approve a method of flow estimation; or
- (c) that discharge represents a significant proportion of the total flow or load discharged to the sewerage system.

10.15.2

The consent holder is responsible for the supply, installation, reading and maintenance of any meter or other device the Council considers necessary for the measurement of the rate or quantity of discharge.

Any meter or other device installed to measure the rate or quantity of discharge is subject to the Council's approval, but remains the property of the consent holder.

10.15.3

Records of flow and volume must be made available to the Council upon request at any reasonable time, and must be submitted to the Council in accordance with the consent.

10.15.4

Meters must be located in a position approved by the Council and installed according to the manufacturer's instructions.

10.15.5

The consent holder must ensure flow metering equipment and instrumentation is installed and calibrated by a person and method approved by the Council and is calibrated at least once a year from the date of installation.

A meter must be accurate to within 10%, with no greater deviation from the previous meter calibration than 5%. Independent certification of each calibration result must be submitted to Council within 20 working days of installation, and annually within 20 working days of the anniversary of the installation date.

Where any meter is found to be inaccurate by more than 10% the Council may adjust any fees or charges to take account of that inaccuracy. Such adjustments to fees or charges may be back-dated for such period not exceeding 12 months as the Council considers appropriate.

10.16 Estimating discharge

10.16.1

The Council may determine the installation of flow metering equipment is unnecessary and may instead impose fees or charges by estimating the rate or quantity of discharge as a proportion of the water supplied to premises or on any other such basis it considers appropriate.

10.16.2

If a meter is out of repair or ceases to register, or is removed, the Council may estimate the discharge. Such estimate may be based on previous readings and any other relevant information including seasonal variation. The consent holder must pay the fees and charges determined by the Council according to such estimate.

10.16.3

If the Council considers a meter has been tampered with, it may declare the reading void and charge fees according to its reasonable estimate of discharge, without prejudice to other remedies available.

10.17 Sampling and analysis

10.17.1

The Council may require the consent holder to undertake or allow sampling, testing and monitoring of any discharge to determine:

- (a) compliance with this bylaw; or
- (b) classification of the trade waste discharged as permitted, conditional, or prohibited; or
- (c) fees or charges applicable.

10.17.2

The taking, preservation, transportation and analysis of any sample must be undertaken by an authorised officer or agent of the Council, or by the consent holder in accordance with accepted industry standard methods, or by a method specifically approved by the Council. The consent holder or person responsible for the discharge must meet all reasonable costs of sampling. 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 at the cost of the consent holder or person responsible for the discharge.

10.18 Monitoring

10.18.1 Monitoring for Compliance

The Council may monitor and audit any discharge as follows:

- (a) The Council may cause a sample of a discharge to be taken and analysed in an approved laboratory by agreed or approved methods; or
- (b) The Council may audit the sampling and analysis carried out by or on behalf of a consent holder; or
- (c) The Council may audit compliance with consent conditions including any management plan.

All costs of monitoring and audit must be met by the consent holder or the person responsible for the discharge.

10.18.2 Sampling Methodology

A sample may be a single or a composite sample, split equally into three portions and distributed as follows:

- (a) One portion is to be retained by the consent holder; and
- (b) A second portion is to be analysed at a laboratory approved by the Council; and
- (c) A third portion is to be retained by the Council for 20 working days, and may be used for additional analysis if required.

The Council must have regard to any changes that could occur in retained samples, and those responsible for retained samples must adopt appropriate methods to mitigate against such changes where practicable.

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

10.19 Tankered Trade Wastes

No one may cause or allow a discharge of tankered trade wastes except with the Council's permission.

Any person may apply to the Council for permission to discharge tankered trade wastes at an approved location. Any person transporting or discharging tankered trade waste:

- (a) Must hold a consent to discharge domestic septic tank or industrial wastes; and
- (b) Must supply material safety data sheets (MSDS) to the Council detailing the contents of the waste; and
- (c) Must obtain tests to determine the characteristics of the waste where those characteristics are otherwise not known.
- (d) Must obtain specialist advice on pre-treatment if required by the Council and meet the cost of all testing and advice; and
- (e) Must not collect or transport the waste to the disposal site until appropriate arrangements and method for disposal have been approved; and
- (f) Must give the Council 24 hours notice prior to the disposal of wastes other than those sourced from domestic septic tanks.

Any person disposing of, or causing the disposal of Tankered Waste other than in accordance with this bylaw commits an offence against this bylaw.

11.0 OFFENCES

Every person who:

- (a) Fails to comply with this bylaw; or
- (b) Breaches the conditions of any consent granted under this bylaw,

commits an offence and is liable to a fine not exceeding \$200,000.

SCHEDULE 1 APPLICATION AND CONSENT FORMS

Part 1: Form of Application under the Trade Wastes Bylaw

APPLICATION FOR CONSENT TO DISCHARGE TO THE SEWER

Permitted Trade Waste Registration (No 1-14)

is for premises with discharges complying with Schedule 3A of the Waitaki District Council Trade Waste Bylaw 2008 and which have a discharge of less than or equal to 5m³ (5,000 litres) per working day or have a minimum instantaneous flow less than or equal to 2.0 litres per second per working day. To register your discharge please complete items 1-14 of this application form.

Conditional Trade Waste Consent (No 1-25)

is for premises with discharges not complying with Schedule 3A of the Waitaki District Council Trade Waste Bylaw 2008 or having a discharge of greater than 5m³ (5,000 litres) or having an instantaneous flow greater than 2.0 litres per second per working day. To apply for consent to discharge please complete items 1-25 of this application form. Applications for Conditional consent are to be lodged with the Waitaki District Council and must be accompanied by a Management Plan.

*** These fields must be completed. Please print clearly.**

1. *I/We <i>Full Legal name of company/Partnership etc./names of applicants</i>
2. *Trading as: <i>Being the Owner/Occupier(s) of the Premises Located at:</i> Request consent from the Waitaki District Council to discharge trade waste to the Council's foul sewer in accordance with the terms of the Waitaki District Council Trade Waste Bylaw 2008.

3. Postal	* 4. Contact Details	* 5. Site Contact Details
Name:	Name:	Name:
Address:	Designation:	Designation:
	Phone:	Phone:
	Cellphone:	Cellphone:
	Fax:	Fax:
	Email:	Email:

6. Name and details of owner of premises if different from above:
--

7. Property Valuation Number:							
8. Legal Description: THIS APPLICATION RELATES TO: (Please tick the appropriate box) <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input type="checkbox"/> Proposed change of wastes discharged</td> <td style="width: 50%; border: none;"><input type="checkbox"/> Proposed new discharge</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> An existing discharge (Consent No.)</td> <td style="border: none;"><input type="checkbox"/> Proposed change in volume</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none;"><input type="checkbox"/> Renewal of a consent</td> </tr> </table>		<input type="checkbox"/> Proposed change of wastes discharged	<input type="checkbox"/> Proposed new discharge	<input type="checkbox"/> An existing discharge (Consent No.)	<input type="checkbox"/> Proposed change in volume		<input type="checkbox"/> Renewal of a consent
<input type="checkbox"/> Proposed change of wastes discharged	<input type="checkbox"/> Proposed new discharge						
<input type="checkbox"/> An existing discharge (Consent No.)	<input type="checkbox"/> Proposed change in volume						
	<input type="checkbox"/> Renewal of a consent						
9.	Is Pre-treatment provided? Identify type(s)						
10.	What is the frequency of maintenance?						
11.	Name of the Liquid Waste Contractor removing liquid or solid trade waste from your site?						
12.	The new discharge or change will commence from:(date)						
13.	Principal Business Activity						

14. A Site plan / Sketch is to be provided detailing:

- (a) Street name and number
- (b) North point of site
- (c) Buildings and their use including processing areas
- (d) Location of any existing or proposed pre-treatment facilities (i.e. grease traps) and existing or proposed sampling point(s)
- (e) Location of any flow recording equipment for trade waste discharge
- (f) Location of water meter(s), additional supplies (e.g. wells) and existing or proposed backflow prevention devices.
- (g) Location of drains and any emergency spill containment devices.

TRADE WASTE CONDITIONAL CONSENT
NOTE:

1. Please complete Questions 1 to 23 for all **CONDITIONAL TRADE WASTE DISCHARGES**
2. A separate “PROCESS” sheet is required for each individual process that discharges to the Council’s sewers from the premises identified. (A copy of the “PROCESS” sheet is attached to this application form)

15. Number of PROCESS sheets attached:					
16. Waste Tract Customer Number? (If applicable)					
17. Number of Staff working on site?					
18. Number of discharge days per annum?					
19. Total volume of trade waste processes (from PROCESS Sheets)					
Total volume per annum:	.....m ³				
Average Daily Flow:	.....m ³				
Average 8am to 4pm flow:	.....m ³				
Average 4pm to 8am flow:	.....m ³				
Maximum Daily volume:	.....m ³				
Maximum flow:	.....l/sec				
20. Seasonal fluctuation:					
From (month)	.....	To (month)	.....	Max flow	.....m ³ per.....
From (month)	.....	To (month)	.....	Max flow	..... m ³ per.....

21. Do you have Batch processes? YES NO

If NO please go to Question 21

Total Batch discharges:

Maximum Quantity:	.....m ³
Maximum Frequency: (specify e.g. 2 per day, 3 per week)	.....
Maximum Rate of discharge:	.....litres/sec

22. Do the wastes being discharges contain condensing water or stormwater?

YES NO

23. Do the drains on the premises exclude the possibility of condensing water or stormwater from becoming mixed with trade waste?

YES NO

24. Is a mixture of domestic waste and trade waste discharges prior to any sampling point?

YES NO

25. Are backflow devices fitted at the point of the water supply to the site

YES NO

I am duly authorized to make this application and confirm to the best of my knowledge and belief that all the information in this application is true and correct.

***Signature**

.....

If a person is signing for the applicant or signing as an authorized agent please ensure all contact details are provided,

(Please tick box if the signature is by an agent acting on behalf of Owner)

***Date**

.....

SCHEDULE 3A: PERMITTED DISCHARGE CHARACTERISTICS

Introduction

The nature and levels of the Characteristics of any Trade Waste discharged to the Council Sewerage System shall at all times comply with the following requirements, except where the nature and levels of such Characteristics are varied by the Council as part of a Consent to discharge a Trade Waste. If a discharge Characteristic is not specifically mentioned in this Schedule and it is not referred to in Schedule 3C it may be the subject of a Conditional Trade Waste Consent

Contaminant	Limit
Flow	The 24 hour flow must be less than 5m ³
	Maximum instantaneous flow rate must be less than 2.0 L/s
Temperature	must not exceed 40 °C
Solids	Maximum dimension of non-faecal gross solids must not exceed 15 mm .
	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.
	The maximum concentration of suspended solids of any trade waste must not exceed 600 g/m³ .
	The settleable solids content of any trade waste must not exceed 50mL/L .
	The total dissolved solids concentration in any trade waste is subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the sewerage system and the treatment plant to accept such waste.
Oil and grease	There must be no free or floating layer.
	Fat, oil or grease of other than animal or vegetable origin must not exceed 200 g/m³ .
	Fat, oil or grease of animal or vegetable origin must not exceed 500 g/m³ .
	No fat, oil or grease may be discharged that contains substances that become viscous between 0°C and 65°C
Solvents and other organic liquids	There must not be a free layer (whether floating or settled) of solvents or organic liquids.
Emulsions of paint, latex, adhesive, rubber, plastic	Emulsions may be discharged into the Sewer provided the total suspended solids do not exceed 600 g/m ³ . Higher concentrations may only be discharged with Council's approval.
	The Council may determine that emulsions must be pre-treated if it considers that trade waste containing emulsions unreasonably interferes with the operation of the Council treatment plant, for example by reducing the percentage of UVT (ultra violet transmission).
	Emulsions, of both treatable and non-treatable types, may be discharged to the Sewer only at a concentration and pH range that avoids coagulation and blockage at the mixing zone in the public Sewer.
Radioactivity	Radioactivity levels must not exceed National Radiation Laboratory Guidelines.

Contaminant	Limit
Colour	Waste must not have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or breaches the Council's resource consent to discharge sewage.
pH value	The pH must not be less than 6.0 or greater than 9.0.
Organic strength	The Council may restrict the permitted level of Biochemical Oxygen Demand (BOD5) of any waste where the capacity for receiving and treating BOD5 is limited. A BOD5 restriction may be related to mass limits.
	Where there is no Council treatment system for organic removal the BOD5 must not exceed 1000g/m³ , except that this limit may be reduced to 600g/m³ at the Council's discretion.

Maximum concentrations

The maximum acceptable concentrations of chemical characteristics of a conditional discharge are set out in 3A.2, 3A.2 and 3A.3.

3A 2 General Chemical Characteristics

Characteristic	Maximum Concentration (g/m ³)
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
free ammonia	50
ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	500 (1500 (with good mixing))
Sulphite (measured as SO ₃)	15
Sulphide - as HaS on acidification	5
Chlorine (measured as Cl ₂) free chlorine hypochlorite	3 30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25

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Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide - weak acid dissociable (as CN)	5

3A2 Heavy Metals Limits

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

3A3 Organic Compounds and pesticides Limits

Compound	Maximum Concentration(g/m ³)
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02

Compound	Maximum Concentration(g/m3)
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

SCHEDULE 3B CONDITIONAL DISCHARGES

CONDITIONAL TRADE WASTE means trade waste that has, or is likely to have, characteristics which exceed any of the characteristics defined in Schedule 3A, but which is not defined as prohibited trade waste. Consent is required and conditions of consent may be imposed by the Council. These consents are referred to as 'conditional trade waste consents'.

A conditional trade waste consent may impose controls on a trade waste discharge by specifying mass limits for any characteristic.

Mass limits may be imposed for any characteristic. Any characteristic of a discharge for which a mass limit is imposed shall also have a daily maximum concentration not exceeding the value scheduled in schedule 3A, where one is given, unless approved otherwise.

Schedule 3C: PROHIBITED TRADE WASTES

Prohibited Characteristics

Prohibited Characteristics	
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) Pose an unacceptably high risk to the health and safety of people working in activities related to sewerage treatment;
	(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.
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.	
A discharge has a prohibited characteristic if it has any amount of:	Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
	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;
	Asbestos;
	The following organo-metal compounds: Tin (as tributyl and other organotin compounds); chromium (as organic compounds)
	Any organochlorine pesticides

Prohibited Characteristics	
	Genetic wastes, including all wastes that contain or are likely to contain genetically altered organisms, unless approved by the Council;
	Any health care waste prohibited for discharge to the Sewerage System by NZ Standard 4304 or any solid wastes from any hospital, clinic, office or surgery of a medical or veterinary facility or laboratory, convalescent or nursing home or health transport facility; including, but not limited to: hypodermic needles; syringes; instruments; utensils; swabs; dressings; bandages; or any paper or plastic item of a disposable nature; or any portions of human or animal anatomy; Plus infectious or hazardous wastes deemed to pose a threat to public health and safety.
	Radioactivity levels in excess of the National Radiation Laboratory Guidelines