



PALMERSTON NORTH

TRADE WASTE and STORMWATER BYLAW

2008

CONTENTS

PAGE

THE PALMERSTON NORTH TRADE WASTE and STORMWATER BYLAW 2008.....	3
PART ONE – INTRODUCTION.....	3
1 Title.....	3
2 Purpose.....	3
3 Commencement.....	3
4 Repeals.....	3
5 Application.....	4
6 Definitions.....	4
7 Abbreviations.....	8
PART TWO – COMPLIANCE WITH THE BYLAW.....	10
8 Restrictions on discharges.....	10
9 Consequences of non-compliance.....	10
10 Other requirements.....	10
11 Storage, transport, handling and use of hazardous or harmful materials.....	10
PART THREE – TRADE WASTE DISCHARGES AND CONSENTS.....	12
12 Classification of trade waste discharges.....	12
13 Application for a trade waste consent.....	12
14 Further information.....	13
15 Notification.....	13
16 Consideration of an application.....	14
17 Consideration criteria.....	14
18 Conditions of trade waste consent.....	15
19 Duration of consent.....	16
20 Technical review and variation.....	17
21 Cancellation of the right to discharge.....	17
PART FOUR – TRADE WASTE APPROVAL CRITERIA.....	20
22 Pre-treatment.....	20
23 Amalgam traps.....	20
24 Grease traps.....	20
25 Dilution of trade waste.....	20
26 Stormwater.....	20
27 Mass limits.....	21
PART FIVE – SAMPLING , TESTING AND MONITORING.....	23
28 Flow metering.....	23
29 Estimating discharge.....	23
30 Sampling and analysis.....	24
31 Monitoring.....	25
32 Tankered wastes.....	26
33 Disinfected/super chlorinated water.....	26
PART SIX – BYLAW ADMINISTRATION.....	27
34 Review of decisions.....	27
35 Accidents and non-compliance.....	27
36 Charges, payments and costs.....	27
37 Authorized officers.....	27
38 Transfer or termination of rights and responsibilities.....	28
39 Service of documents.....	28
40 Offences.....	29
41 Transitional Provisions.....	29
SCHEDULES.....	30
Schedule 1 – Permitted discharge characteristics.....	30
Schedule 2 – Prohibited characteristics.....	34
Schedule 3 – Trade waste charges.....	36
Schedule Four – Referenced Documents.....	39

THE PALMERSTON NORTH TRADE WASTE and STORMWATER BYLAW 2008

Palmerston North City Council makes this Bylaw pursuant to the powers vested in it by the Local Government Act 2002.

PART ONE – INTRODUCTION

1 Title

The title of this bylaw is the Palmerston North Trade Waste and Stormwater Bylaw 2008.

2 Purpose

(1) This Bylaw regulates the discharge of trade waste to the sewerage system, and discharges to the stormwater system, operated by Palmerston North City Council or its authorized agent, including provision 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: controlled, conditional and prohibited;
- (c) Evaluation of individual trade waste discharges to be against specified criteria;
- (d) Correct storage of materials in order to protect the 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) Council to accept or refuse a trade waste discharge;
- (i) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing, trade waste and the associated costs of administration and monitoring;
- (j) Administrative mechanisms for the operation of the bylaw;
- (k) Establishment of waste minimization and management programmes (including sludges) for trade waste producers; and
- (l) Control of discharges to the stormwater system.

3 Commencement

This Bylaw will come into force on 1 July 2008.

4 Repeals

The Palmerston North Trade Wastes Bylaw 1997 (Amended June 2001) is repealed with effect from midnight on 30 June 2008.

5 Application

(1) This bylaw shall apply to all trade premises within Palmerston North City Council boundary where trade wastes are discharged or sourced or likely to be discharged to the sewerage system operated by the Council or its agents. The bylaw shall also apply to tankered wastes collected for the purpose of discharge to the sewerage systems operated by the Council or its agents.

(2) Pursuant to section 196 of the Local Government Act (LGA) the Council may refuse to accept any type of trade waste which is not in accordance with this bylaw.

6 Definitions

In this bylaw 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 shall be in accordance with the New Zealand Building Code.

ANALYST means a testing laboratory approved in writing by an authorized officer on behalf of the Council.

APPROVAL or APPROVED means approval or approved in writing by the Council, either by resolution of the Council or by an authorized officer.

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

BIOCHEMICAL OXYGEN DEMAND (BOD₅) means the amount of oxygen required by bacteria to decompose a defined quantity of organic matter for a specified time, in this case 5 days, under aerobic conditions. (Explanation - this refers to the easily decomposed organic matter rather than the total organic matter, and is otherwise known as "carbonaceous" BOD in the technical literature).

BIOSOLIDS means sewage sludge derived from a sewage treatment plant that has been treated and/or stabilized 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.

CHARACTERISTIC means any of the physical or chemical characteristics of a trade waste and includes the characteristics specified in Schedule 1.

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. "Cleaner Production" minimizes and manages 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 DISCHARGE means a trade waste discharge with conditions that has been given consent by the Council.

CONTROLLED DISCHARGE means a trade waste discharge that meets the physical and chemical standards as defined in Schedule 1 of this bylaw and which has been given consent by the Council.

CONSENT means a consent in writing given by the Council and signed by an authorized 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 Council'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.

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 Palmerston North City Council.

DISCONNECTION means the physical cutting and sealing of any of the Council's water services, utilities, drains or sewers against use by any person.

DISTRICT means the district of the territorial authority established under the LGA which has adopted this bylaw.

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.

FOOD PREMISES means any premises on or at which food is manufactured, prepared, packed, stored, or handled, for sale; or on or from which food is sold; or that is used in connection with any other food premises, for the purposes of their work, by persons who work on those other food premises.

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 minimized, 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 mean hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.

INFRINGEMENT means an infringement offence as specified by this bylaw under sections 243 and 259 of the LGA.

LONG TERM COUNCIL COMMUNITY PLAN (LTCCP) means a long term council community plan adopted under section 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 minimization, 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 COUNCIL 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.

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

PERMITTED DISCHARGE means a trade waste discharge that is acceptable to the Council without a consent being necessary, and as long as it has the physical and chemical characteristics which comply with the requirements of the Council standard as defined in Schedule 1 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, shall 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 mean 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 Council's sewerage system.

PROHIBITED TRADE WASTE means a trade waste that has prohibited characteristics as defined in Schedule 2 and does not meet the conditions of Schedule 1.

SCHEDULE OF RATES AND CHARGES means the list of items, terms and prices for services associated with the discharge of trade waste as approved by the Council.

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 pipe work drainage system that conveys sewage.

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 Council 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 BOD₅ 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 that contains no discharge of trade waste.

STORMWATER SYSTEM means the system of drains operated by the Council to collect stormwater and discharge it to natural waterways.

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.

TERRITORIAL AUTHORITY (TA) means a city council or district council.

TRADE PREMISES means:

- (a) Any premises used or intended to be used for any industrial or trade purposes; 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;
- (d) Any other premises discharging waste material 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 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 unit of a TA including its authorized 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, Wellington Anniversary Day, 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.

7 Abbreviations

\$/kg	Dollars per kilogram
\$/L/s	Dollars per litre per second
\$/m ³	Dollars per cubic meter
°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 meter
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 1966
kg/day	Kilogram per day
L	Litre
L/s	Litres per second
LGA	Local Government Act
LTCCP	Long term council community plan
m ³	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	Millimeters
MSDS	Material safety data sheets
N	Nitrogen
NH ₃	Ammonia
NH ₃ -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 1991
s	Second
SBR	Sequencing batch reactor
SO ₄	Sulphate
SS	Suspended solids concentration
TAs	Territorial authorities
UV	Ultra violet
UVT	Ultra violet transmission
WC	Water closet
WWA	Wastewater Authority

PART TWO – COMPLIANCE WITH THE BYLAW

8 Restrictions on discharges

No person shall:

- (a) Discharge, or allow to be discharged, any trade waste to the sewerage system except in accordance with the provisions of this bylaw and any consent granted under this bylaw for conditional discharge.
- (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;
- (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.
- (e) Use refuse or garbage grinders and macerators to dispose of solid waste from Trade premises to the sewerage system unless specifically approved by the Council.
- (f) Discharge, or allow to be discharged, any contaminant into the stormwater system.

9 Consequences of non-compliance

- (1) The Council shall give written notice to the discharging party of failure to comply with clause 8 (a)-(f) and the Council shall require the discharging party either to comply, or to cease the discharge, within 20 working days or as otherwise stated in the written notice.
- (2) In the event of failure to comply with clause 9 (1) the Council may act to physically prevent discharge to the sewerage system, and may charge the costs incurred to the discharger.

10 Other requirements

- (1) Any person discharging to the Council sewerage system shall also comply with requirements of the HSNO and the RMA.

11 Storage, transport, handling and use of hazardous or harmful materials

- (1) All persons on trade premises shall take all reasonable steps to prevent the entry of any of the materials listed in clause 11 (3) of this bylaw into the sewerage system or the stormwater system, including as a result of leakage or spillage.
- (2) No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by HSNO or any of the materials listed in clause 11 (3) in a manner that may cause the material to enter the sewerage system or the stormwater system.

- (3) Materials referred to in clauses 11 (1) and (2) are:
- (a) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials;
 - (b) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; or
 - (c) Likely to harm the health and safety of the Council's staff, approved contractors and the public or harm the sewerage system.

PART THREE – TRADE WASTE DISCHARGES AND CONSENTS

12 Classification of trade waste discharges

(1) Trade waste discharges are classified as follows:

Controlled Trade Waste

Trade Waste that must comply with the physical and chemical characteristics defined in Schedule 1 if it is to be discharged into the sewerage system.

Conditional Trade Waste

Trade Waste which exceeds the physical and chemical characteristics defined in 'Schedule 1' but does not have prohibited characteristics as defined in Schedule 2. Conditional Trade Waste will require a specific consent from Council prior to its discharge into the sewerage system.

Prohibited Trade Waste

Trade Waste that has any of the prohibited characteristics as defined in 'Schedule 2'. Prohibited Trade Waste is not to be discharged into the sewerage system.

(2) The Council is not obliged to accept any trade waste. No application for a trade waste consent shall be approved where the trade waste discharge contains, or is likely to contain, Prohibited Trade Wastes.

(2) The Council is not obliged to accept any trade waste. No application for a trade waste consent shall be approved where the trade waste discharge contains, or is likely to contain, Prohibited Trade Waste.

(3) Trade waste discharges with the characteristics of domestic waste, typically that from bathrooms and kitchens not used for commercial preparation of food, do not require consent.¹ Discharges from food premises require greasetraps and a controlled consent under this part of the Bylaw – see also clauses 23 & 24. Other high-volume or concentrated discharges may require conditional consents under this part of the Bylaw – the need for this is assessed by Council staff, in particular considering the waste characteristics in Schedules 1 & 2 of this Bylaw.

13 Application for a trade waste consent

(1) 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

¹ Large premises are liable to pay toilet "pan charges" under the Council's rating policy. The rating policy is not part of this Bylaw.

- (c) Vary the conditions of consent to discharge that has previously been granted; or
- (d) Vary the method or means of pre-treatment for discharge under an existing consent,

shall if required apply for the consent of the Council, in the form provided from time to time, for the discharge of that trade waste, or for the proposed variations.

(2) The Council reserves the right to consult the owner as well as the occupier of any trade premises.

(3) Where the trade premises produces trade waste from more than one area, separate descriptions of the trade waste and the areas concerned shall be included in any application for trade waste discharge. This applies whether or not the separate areas are part of a single or separate trade process.

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

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

(6) Every application shall be accompanied by a trade waste application fee in accordance with clause 36.

(7) The Council shall acknowledge the application in writing within 10 working days of the receipt of the application.

14 Further information

On receipt of any application for a trade waste consent to discharge from any premises or to alter an existing discharge, the Council may:

- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- (b) Require the applicant to submit a management plan to the satisfaction of the Council;
- (c) Have the discharge investigated and analysed as provided for in clauses 28 & 30 of this bylaw.

15 Notification

The Council shall notify the applicant of any requirement under clause 14 within 10 working days of receipt of the application.

16 Consideration of an application

Within 15 Working Days (or as extended if necessary by the Council) of receipt of an application complying with this bylaw, or the further information requested by Council under clause 14, whichever is the later, the Council shall, after considering the matters in clause 17, action one of the following in writing:

- (a) Grant the application a 'Controlled' trade waste discharge consent and inform the applicant of the decision by issuing the appropriate notice;
- (b) Grant the application a 'Conditional' trade waste discharge consent and inform the applicant of the decision and the conditions imposed in accordance with clause 18 on the discharge by issuing the appropriate notice of consent to the discharge; or
- (c) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

17 Consideration criteria

In considering any application for a trade waste consent and any conditions on such a consent, the Council shall take into consideration the quality, volume, and rate of discharge of the trade waste in relation to:

- (a) The health and safety of the Council staff, agents and the public;
- (b) The limits and/or maximum values for characteristics of trade waste as specified in Schedules 1 and 2 of this bylaw;
- (c) The extent to which the trade waste may react with other trade waste or domestic sewage discharge 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 wastewater treatment plant, and other facilities;
- (f) The nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment plant;
- (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 sludge, beneficial use of Biosolids, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- (i) The effect of the trade waste discharge on the ultimate receiving environment;
- (j) The conditions on resource consents for the sewerage system and the residuals from it;
- (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the sewerage system and the environment;
- (l) Consideration for other existing or future discharges;

- (m) Amenability of the trade waste to pre-treatment;
- (n) Existing pre-treatment works on the premises and the potential for their future use;
- (o) Cleaner production techniques and waste minimisation practices;
- (p) Requirements and limitations related to sewage sludge disposal and reuse;
- (q) Control of stormwater;
- (r) Any management plan; and
- (s) Tankered waste being discharged at an approved location/s.

18 Conditions of trade waste consent

Any trade waste consent may be granted in accordance with clause 16 subject to such conditions that the Council may impose, including but not limited to:

- (a) The particular public sewer or sewers to which the discharge will be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or Mass Limits determined in accordance with clause 27;
- (d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) The degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) The temperature of the trade waste at the time of discharge;
- (g) The provision by, or for the consent holder, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- (h) The provision and maintenance at the consent holder's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the consent holder's expense;
- (j) The method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any trade waste charges applicable to that discharge;
- (k) The provision and maintenance by, and at the expense of, the consent holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the premises, and for the testing of such meters;

- (l) The provision and maintenance, at the consent holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
- (m) At times specified, the provision in a Council approved format by the consent holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. sewage sludge disposal);
- (n) The provision and implementation of a management plan;
- (o) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
- (p) Waste minimisation and management;
- (q) Cleaner Production techniques;
- (r) Remote control of discharges;
- (s) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- (t) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council sewerage system, its treatment plants, or could result in the Council being in breach of any statutory obligation; and
- (u) Remote monitoring of discharges.

19 Duration of consent

- (1) Consents for a Controlled Discharge shall remain in force until either:
 - (a) Cancellation under clauses 9 or 21;
 - (b) The quantity and nature of the discharge changes significantly;
 - (c) In the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a 'conditional' or 'prohibited' discharge;
 - (d) The Council changes the trade waste management procedures by implementation of changed trade waste bylaw conditions or any amendment to, or replacement of, its trade waste bylaw; or
 - (e) The conditions on resource consents for the wastewater system and the residuals from it change.

In the event of any change as defined in (a) – (e) above, the consent holder shall apply within 10 working days of this change occurring for a consent to discharge Conditional Trade Waste. This application shall be approved prior to the consent holder discharging any further trade waste.

(2) Consents for a Conditional Discharge under this bylaw shall expire at the end of a term not exceeding two years; provided that a term of up to five years may be sought and may be approved if:

- (a) The nature of the trade activity, or the process design and/or management of the premises are such that the consent holder has demonstrated an ability to meet the conditions of the Consent during its term;
- (b) Cleaner production techniques are successfully being utilized, or that a responsible investment in cleaner production equipment or techniques is being made;
- (c) 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;
- (d) The re-issuing of a consent can not be unreasonably withheld.

In all cases where either the consent holder or the owner of the premises changes, or there is a change of use of the premises, a new application for a conditional trade waste consent shall be made. It shall be the responsibility of the consent holder to lodge the new application.

20 Technical review and variation

(1) The Council may at any time during the term of a trade waste consent and in accordance with clause 17 vary any condition to such an extent as the Council considers necessary. The reasons for such an earlier review could include:

- (a) The level of consent holder compliance, including any accidents including spills or process mishaps;
- (b) Matters pertaining to the Council's resource consents for the sewerage system;
- (c) Matters pertaining to the Council's environmental policies and outcomes.
- (d) New control and treatment technologies and processes;
- (e) Any of the matters outlined in Part Four; or
- (f) Matters pertaining to the Council's legal obligations.

(2) Variation of a consent may be issued only following a review of the technical issues considered when setting conditions of consent, under (1) above. The Council will provide written notice of the proposed variation to the consent holder giving 20 working days to respond in writing. The Council must then consider the written response of the consent holder against the provisions of this bylaw, and if issuing a variation under (1) above the Council must specify the time by which the consent holder must comply with the varied conditions.

(3) A consent holder may at any time during the term of a consent, by written application to the Council, seek to vary any condition of consent in accordance with clause 16 of this bylaw.

21 Cancellation of the right to discharge

(1) The Council may suspend or cancel any consent or right to discharge at any time following 20 working days notice (during which consultation has occurred as specified in clause 21 (2)) to the consent holder or person discharging any trade waste:

- (a) For the failure to comply with any condition of the consent;
- (b) For the failure to maintain effective control over the discharge;

- (c) For the failure to limit in accordance with the requirements of a consent the volume, nature, or composition of trade waste being discharged;
- (d) In the event of any negligence which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the sewerage system or the wastewater treatment plant or threatens the health and safety of any person;
- (e) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- (f) In the event of any breach of a resource consent held by the council issued under the Resource Management Act 1991;
- (g) Failure to provide and when appropriate update a management plan as required for a conditional consent;
- (h) Failure to follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- (i) Failure to pay any charges under this bylaw;
- (j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.

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

- (2) Cancellation of a consent or right to discharge on notice may be issued:
 - (a) Following a review of the technical issues considered when setting conditions of consent, or due to new information becoming available, or to meet any new resource consent imposed on the discharge from the Council's wastewater treatment plant, or to meet any other legal requirements imposed on the Council, and
 - (b) Written notice of the proposed cancellation must be provided to the consent holder giving 20 working days to respond in writing, and
 - (c) The Council must consider the written response of the consent holder against the provisions of this bylaw.
- (3) Summary cancellation. Further to clause 21 (2) any trade waste consent or discharge may at any time be summarily cancelled by the Council on giving to the consent holder or person discharging written notice of summary cancellation if:
 - (a) They discharge any Prohibited substance;
 - (b) The Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
 - (c) They, or their contractor using a Tankered waste disposal system, discharge any trade waste unlawfully;
 - (d) If the continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;

- (e) If the continuance of discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council; or
- (f) In the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with conditions of resource consent and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent.

PART FOUR – TRADE WASTE APPROVAL CRITERIA

22 Pre-treatment

- (1) The Council may approve a trade waste discharge subject to the provision of appropriate pre-treatment systems to enable the person discharging to comply with this bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at their expense.
- (2) Grease traps shall be fitted where any fat, grease or oil could be present in the trade waste discharge and the provisions of clause 24 complied with.
- (3) Refuse or garbage grinders and macerators shall not be used to dispose of solid waste from trade premises to the sewerage system unless approved by the Council.
- (4) Interceptor traps shall be fitted to stormwater discharges from commercial premises where oils, grit or other pollutants are likely to be present.

23 Amalgam traps

- (1) All dentists' premises must install suitable amalgam traps on all spittoons and on sink wastes used for washing dentistry equipment.
- (2) The consent holder is responsible for the continuing effective operation of the amalgam traps. The Council will clean the traps as part of its regular inspection programme.

24 Grease traps

- (1) All food premises discharging trade wastes must install a grease trap and must obtain a consent for its installation under the Building Act 2004 in addition to any consent for the discharge required under this Bylaw.
- (2) The consent holder is responsible for regularly cleaning the grease trap, at the intervals specified in the consent, and must have available on the premises documentary proof of an ongoing maintenance contract for the grease trap with a Council-approved operator.
- (3) The Council may inspect the grease trap in accordance with a regular programme, and more frequently if it has failed previous inspections.

25 Dilution of trade waste

- (1) The person discharging shall not unless approved by the Council add or permit the addition of any potable or condensing water to any trade waste discharge in order to vary the level of the any characteristics of the waste.
- (2) No Person or occupier shall add or permit the addition of cooling water to any waste water unless specific approval is given by the Council in a consent.

26 Stormwater

- (1) All discharges of stormwater to the stormwater system are permitted.
- (2) All commercial operations discharging contaminants from a yard operation, e.g. goods trucking wash, service station/garage or contractors yard washdown require an interceptor trap and a discharge consent. The size and operation of the interceptor trap will be specified in the consent conditions.
- (3) The Council may inspect the interceptor trap in accordance with a regular programme, and more frequently if it has failed previous inspections.
- (4) All discharges of contaminants to the stormwater system (other than treated as per clause 26 (2) above) are prohibited.
- (5) No person or occupier shall add or permit the addition of stormwater to any wastewater unless that person holds a wastewater discharge consent from the Council and addition of stormwater is included in the consent.

27 Mass limits

- (1) Waste water quality may be determined either by:
 - (a) Measuring the concentrations of the characteristics alone; or,
 - (b) Measuring both the mass and the concentrations of its characteristics.
- (2) A conditional trade waste consent to discharge may impose controls on a trade waste discharge by specifying mass limits for any characteristic specified in Schedule 1.
- (2) Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value in Schedule 1 unless approved otherwise.
- (3) When setting mass limit allocations for a particular characteristic the Council shall consider:
 - (a) The operational requirements of and risk to the sewerage system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
 - (b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of Biosolids or sewage sludge;
 - (c) Conditions in the sewerage system near the trade waste discharge point and elsewhere in the sewerage system;
 - (d) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
 - (e) Whether or not the applicant uses Cleaner Production techniques within a period satisfactory to the Council;
 - (f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
 - (g) Any requirements of the Council to reduce the pollutant discharge of the sewerage system;

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

PART FIVE – SAMPLING , TESTING AND MONITORING

28 Flow metering

- (1) Flow metering (to measure the volume of discharge) may be required by the Council in any of the following circumstances:
 - (a) On discharges when there is not a predictable relationship between a metered water supply to the premises, and the discharge of trade waste;
 - (b) When the Council will not approve a method of flow estimation; or
 - (c) When the discharge from particular premises represents a significant proportion of the total flow/load received by the Council.
- (2) The consent holder shall be responsible for the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of trade waste. These devices shall be approved by the Council but shall remain the property of the consent holder.
- (3) Records of flow and/or volume shall be available for inspection at any time by the Council, and shall be submitted to the Council at prescribed intervals by the consent holder in a format and method approved by the Council.
- (4) Meters shall be located in a position approved by the Council and should be readily accessible for reading and maintenance. The meters shall be located and installed according to the manufacturer's installation instructions.
- (5) The consent holder shall arrange for on site calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be $\pm 10\%$ but with no greater a deviation from the previous meter calibration of $\pm 5\%$. A copy of independent certification of each calibration result shall be submitted to the Council.
- (6) Should any meter, after being calibrated, be found to have an error greater than that specified in (5) above as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

29 Estimating discharge

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

- (2) In premises where a meter or similar apparatus is required and that meter is out of repair or ceases to register or is removed the Council shall estimate the discharge for the period since the previous reading of such meter (based on the average of the previous 12 months charged to the Person discharging) and the person discharging shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.
- (3) Where in the opinion of the Council a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

30 Sampling and analysis

- (1) As determined by the Council sampling, testing and monitoring may be undertaken to determine if:
 - (a) A discharge complies with the provisions of this bylaw;
 - (b) A discharge is to be classified as a Controlled, Conditional, or Prohibited;
 - (c) A discharge complies with the provisions of Schedule 1 for Controlled Discharge and any consent to discharge; and
 - (d) Trade waste consent charges are applicable to that discharge.
- (2) The taking, preservation, transportation and analysis of the sample shall be undertaken by an Authorized Officer or agent of the Council, or the person (or their agent) discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council.
- (3) The Person discharging shall be responsible for all reasonable costs of the sampling and analysis.
- (4) 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) All authorized officers or authorized agents of the Council may enter any premises believed to be discharging trade waste, as provided in section 172 of the LGA, in order to determine any characteristics of any actual or potential discharge by:
 - (a) Taking readings and measurements;
 - (b) Carrying out an inspection;

- (c) Observing any occurrence of accidental discharge and clean-up; and/or
- (d) Taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

31 Monitoring

- (1) The Council is entitled to monitor and audit any trade waste discharge for compliance. The sampling procedure will be appropriate for the trade waste and the analysis. For controlled or conditional discharges monitoring may include any of the following:
 - (a) The Council or its authorized agent will take the sample and arrange for this sample to be analysed in an approved and accredited laboratory by agreed and approved analytical methods;
 - (b) The Council will audit the sampling and analysis carried out by a self-monitoring trade waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
 - (c) The Council will audit the sampling and analysis carried out by an Analyst. Inter-laboratory checks are to be part of this process; or
 - (d) The Council will audit the trade waste consent conditions including any Management Plans.
- (2) At the discretion of the Council all costs of monitoring, sampling and analysis shall be met by the consent holder.
- (3) Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:
 - (a) One portion of the sample goes to the trade waste discharger for appropriate analysis and/or storage;
 - (b) A second portion of the sample shall be analysed at a laboratory approved by the Council;
 - (c) A third portion of the sample is retained by the Council for 20 working days, for additional analysis if required.
- (4) 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.
- (5) In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.
- (6) All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best practice and approved standards.

32 Tankered wastes

- (1) Tankered wastes shall only be discharged into the Council's sewerage system by a consent holder, and in compliance with the Liquid and Hazardous Wastes Code of Practice.
- (2) The Council may accept tankered wastes for discharge at an approved location, subject to:
 - (a) Tankered waste being fully documented including:
 - (i) A description of the type of waste;
 - (ii) The name of discharger and location;
 - (iii) The source, date and time of collection;
 - (iv) The volume of waste collected; and
 - (v) The identification number and vehicle registration number;
 - (b) Tankered waste shall be analysed to determine its character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all analysis and advice shall be borne by the consent holder;
 - (c) Tankered waste is not to be picked up and transported to the disposal site until appropriate arrangements, documentation and method for disposal have been determined by the Council;
 - (d) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a load for disposal into the sewerage system; and
 - (e) 24 hours notice shall be given to the Council for the disposal of wastes other than those sourced from domestic septic tanks.
- (3) Any person disposing of, or causing to be disposed, tankered waste either by incorrect disclosure of contents (characteristics or amount) or dumping into the Council' sewerage system other than in the prescribed location will be in breach of this bylaw.

33 Disinfected/super chlorinated water

- (1) Any water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the sewerage system. Application for temporary discharge consent shall be made. Such water shall not be disposed of to stormwater or adjacent water courses without appropriate approval.

PART SIX – BYLAW ADMINISTRATION

34 Review of decisions

- (1) If any person is dissatisfied with any decision by an authorized officer made under this bylaw, that person may deliver by notice in writing to the Water and Waste Services Manager of the Council a request for review. The request shall be lodged within 20 working days of the decision by the authorized officer being served upon that person. The Water and Waste Services Manager shall review all relevant documentation and the decision of the Water and Waste Services Manager shall be final. Nothing in this clause shall affect any right of appeal that may exist under the LGA.

35 Accidents and non-compliance

- (1) The person discharging shall inform the Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of this bylaw.
- (2) In the event of any accident occurring when the person holds a conditional consent, then the Council may review the consent. The Council may require the consent holder to review the contingency management procedures, and re-submit their management plan, within 20 working days of written notification of this requirement.
- (3) In the event of an accident occurring on the premises of a controlled discharge, or where no consent is held, the Council may require the person discharging to apply for a conditional consent.

36 Charges, payments and costs

- (1) The Council may recover fees and charges in accordance with section 150 of the LGA 2002. Schedule 3 contains a list of charges that may be imposed. The amounts of the charges are determined by Council from time to time.
- (2) All charges shall be invoiced in accordance with the Council standard commercial practice. The invoice shall provide each person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in regards to a discharge.
- (3) The person discharging shall be deemed to be continuing the discharge of trade waste and shall be liable for all charges, until written notice of disconnection is given to the Council.
- (4) All fees and charges payable under this bylaw shall be recoverable as a debt. If the person discharging fails to pay any fees and charges under this bylaw the Council may cancel their right to discharge and may disconnect service.
- (5) The Council may recover costs under LGA relating to sections 150 and 151, for willful damages or negligent behaviour (section 175) and remedying damage arising from breach of bylaw (section 176).

37 Authorized officers

- (1) All Authorized Officers of the Council, or other persons authorised by the Council shall possess and produce on request warrants of authority and evidence of identity.

38 Transfer or termination of rights and responsibilities

- (1) A trade waste consent to discharge shall be issued in the name of the given consent holder. The consent holder shall not, unless written approval is obtained from the Council:
 - a. Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the Consent;
 - b. Allow a point of discharge to serve another premise, whether directly or indirectly;
 - c. Allow Sewage or trade waste from any other party or premises to be discharged at the consent holders' point of discharge.
- (2) Renewal of a trade waste consent on change of ownership of premises shall not be unreasonably withheld if the characteristics of the sewage remain unchanged.
- (3) The person discharging shall give 48 hours notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven working days. The person discharging shall notify the Council in writing of the new address details for final invoicing.
- (4) On permanent disconnection and/or termination, at the Council's discretion, the person discharging may be liable for trade waste charges to the end of the current charging period.
- (5) When a person discharging ceases to occupy premises from which trade wastes are discharged into the sewerage system, any consent granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

39 Service of documents

- (1) 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 their 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 corporate body, 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.

- (2) 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 on a courier run sheet, the receipt or record of delivery on a courier run sheet will be *prima facie* evidence that the communication was received by the addressee at the time indicated on the receipt or courier run sheet, 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 shall be deemed to be service on, or delivery to the consent holder at that time.
- (3) Any notice or document to be given, served or delivered shall be signed by an authorized officer.

40 Offences

- (1) Every person or consent holder or owner or occupier of trade premises or licensee who:
- (a) Fails to comply or acts in contravention of any provision of this bylaw;
 - (b) Breaches the conditions of any consent to discharge granted pursuant to this bylaw; or
 - (c) Fails to comply with a notice served under this bylaw,
- commits an offence under section 239 of the LGA, and is liable to a fine as specified in section 242 of the LGA, or the issue of an Infringement notice under section 245 of the LGA.
- (2) In all cases the Council may recover costs associated with damage to the Council Sewerage System or Stormwater system or breach of this bylaw in accordance with sections 175 and section 176 of the LGA.
- (3) The Council may issue infringement notices, in such forms and for such amounts as are authorised in any regulations made under Section 259 of the Local Government Act 2002.

41 Transitional Provisions

- (1) Any application for consent to discharge trade waste made under Palmerston North Trade Wastes Bylaw 1997 for which a consent has not been granted at the time of this new bylaw coming into force shall be deemed to be an application made under clause 13 of this bylaw.
- (2) Every existing trade waste consent shall continue in force as if it were a consent under this bylaw until it reaches its expiry date provided that no consent shall run beyond 30 June 2013.

SCHEDULES

Schedule 1 – Permitted discharge characteristics

1. Introduction

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

(2) The Council shall take into consideration the combined effects of trade waste discharges and may modify the following acceptable characteristics for individual discharges.

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

2. Physical characteristics

(1) Flow

(a) The 24 hour flow volume shall be less than 5 m³.

(b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

(2) Temperature

The temperature shall not exceed 40 °C.

(3) Solids

(a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.

(b) The suspended solids content of any trade waste shall have a maximum concentration which shall not exceed 2000 g/m³. For significant Industry this may be reduced to 600 g/m³.

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

(d) The total dissolved solids concentration in any trade waste shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.

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

(4) Oil and grease

(a) There shall be no free or floating layer.

(b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m³ as petroleum ether extractable matter when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage,

throughout the range of pH 6.0 to pH 10.0.

(c) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m^3 when the emulsion is stable at a temperature of $15 \text{ }^\circ\text{C}$ and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.

(d) Emulsified oil, fat or grease shall not exceed 100 g/m^3 as petroleum ether extractable matter when the emulsion is unstable at a temperature of $15 \text{ }^\circ\text{C}$ 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.

(5) Solvents and other organic liquids

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

(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 1000 g/m^3 or the concentration agreed with the Council.

(b) The Council may determine that the need exists for pre-treatment of such emulsions if they consider that trade waste containing emulsions unreasonably interferes with the operation of the treatment plant e.g. reduces % UVT (ultra violet transmission).

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

(7) Radioactivity

Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

(8) Colour

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

3. Chemical characteristics

(1) pH value

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

(2) Biochemical Oxygen Demand (BOD_5)

(a) The BOD_5 of any waste may be restricted where the capacity for receiving and treating BOD_5 is limited. A BOD_5 restriction may be related to Mass Limits.

(b) Where there is no treatment system for organic removal the BOD_5 shall not exceed 1000 g/m^3 . For significant industry this will be reduced to 600 g/m^3 .

4. Maximum concentrations

The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in Table 1, Table 2 and Table 3.

Table 1 – General chemical characteristics

(Mass limits may be imposed, refer to clause 27).

<i>Characteristic</i>	<i>Maximum concentration (g/m³)</i>
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
– Free ammonia	50
– Ammonium salts	200
Kjeldahl nitrogen	200
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	500
	1500 (with good mixing)
Sulphite (measured as SO ₂)	15
Sulphide – as H ₂ S on acidification	5
Chlorine (measured as Cl ₂)	
– Free chlorine	3
– Hypochlorite	30
Aluminum (dissolved)	100
Iron (dissolved)	100
Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5

Table 2 – Heavy metals
(Mass limits may be imposed, refer to clause 27).

Metal	Maximum concentration (g/m³)	Metal	Maximum concentration (g/m³)
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

Table 3 – Organic compounds and pesticides

Compound	Maximum concentration (g/m³)
Formaldehyde (as HCHO)	50
Phenolic compounds excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (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 2 – Prohibited characteristics

1. Prohibited characteristics

(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 district 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.

(2) A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1 unless specifically 'Approved' for that particular consent.

(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 1), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Sewage;
- c. Asbestos;
- d. The following organo-metal compounds:
 - (i) Tin (as tributyl and other organotin compounds);
- e. Any organochlorine pesticides;

- f. Genetic wastes: being all wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
- g. Any health care waste prohibited for discharge to a sewerage system by NZS 4304 or any pathological or histological wastes; or
- h. Radioactivity levels in excess of the National Radiation Laboratory Guidelines.

Schedule 3 – Trade waste charges

1. Introduction

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 it will charge, or may charge, under the tenure of this bylaw.

Category	Description
4.1 Connection fee	Payable on application for connection to discharge
4.2 Compliance monitoring	The costs incurred by the Council for inspections, sampling and analysis of trade waste discharges.
4.3 Disconnection fee	Payable following a request for disconnection from sewerage system
4.4 Trade Waste application fee	Payable on an application for a trade waste discharge
4.5 Consent Processing Fee	Payable when the costs of processing the consent exceed the Trade Waste application fee.
4.6 Re-inspection fee	Payable for each re-inspection visit by the Council where a notice served under this bylaw has not been complied with by the trade waste discharger
4.7 Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the sewerage system
4.8 Temporary Discharge fee	Payable prior to receipt of temporary discharge
4.9 Annual Trade Waste charges	An annual management fee for a Trade Waste discharge to cover the Council's costs associated with for example: <ul style="list-style-type: none"> (a) Administration; (b) General compliance monitoring; (c) General inspection of trade waste premises; (d) Use of the sewerage system. This charge may vary depending on the trade waste sector and category of the discharger.

Table 4 – Administrative Charges (continued)	
Category	Description
4.10 Rebates for Trade Premises within the District	<p>Reduction in fees is provided for in section 150(2). Section 150(4) of the LGA states that the fees prescribed by the Council shall not provide for the Council to recover more than the reasonable cost incurred by the Council for the matter for which the fee is charged.</p> <p>In no event shall the resultant charge be less than the Council's sewerage charge for the equivalent period.</p>
4.11 New or Additional Trade Premises	Pay the annual fees and a <i>pro rata</i> proportion of the various Trade Waste charges relative to flows and loads.

Table 5 – Trade Waste Charges	
Category	Description
5.1 Volume	Payment based on the volume discharged $\$/m^3$
5.2 Flow rate	Payment based on the flow rate discharged $\$/L/s$
5.3 Suspended solids	Payment based on the mass of suspended solids $\$/kg$
5.4 Organic loading	Biochemical oxygen demand or chemical oxygen demand $\$/kg$
5.5 Bacterial reduction	Payment based on the amount of removal or reduction required.
5.5 Nitrogen	Payment based on the defined form(s) of nitrogen $\$/kg$
5.6 Phosphorous	Payment based on the defined form(s) of phosphorous $\$/kg$
5.7 Metals	Payment based on the defined form(s) of the metal(s) $\$/kg$
5.8 Transmission	A charge based on the inhibiting nature of the trade waste to UV light used by the Council's disinfection process
5.9 Screenable solids	Payment based on the mass of screenable solids $\$/kg$
5.10 Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$
5.11 Incentive rebate	A rebate for discharging materials beneficial to the Council's sewerage system $\$/kg$ and/or $\$/m^3$
5.12 Depreciation	Operating cost related to capital and normally spread across the volume and mass charges
5.13 Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a conditional Consent

Table 6 – Tankered Waste charges	
Category	Description
6.1 Tankered Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic meter, dependent on trade waste category
6.2 Toxicity	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$
6.3 Nutrient removal and bacterial reduction	Payment based on the amount of removal or reduction required.

Schedule Four – Referenced Documents

New Zealand Standards

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

Joint Australian/New Zealand Standards

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

Department of Building and Housing
New Zealand Building Code (NZBC) 1992 and Approved Documents
Document available from Department of Building and Housing (DBH) 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

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