

Trade Waste BYLAW



South
Waikato
District
Council

BYLAW

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Trade Waste Bylaw 2017



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1. Introduction and Objectives

The Trade Waste Bylaw is the legislative tool for fair and effective management of trade waste entering the South Waikato District Council wastewater collection, treatment and disposal systems.

This Bylaw shall apply to all Trade Premises within the South Waikato District where Trade Wastes are discharged or sought or likely to be discharged to the wastewater system operated by the South Waikato District Council (SWDC) or its agents. The Bylaw shall also apply to tankered wastes collected for the purpose of discharge to the SWDC wastewater systems.

Pursuant to Sec 196 of the Local Government Act, Council may refuse to accept any type of Trade Waste which is not in accordance with this Bylaw.

2. Title and Commencement

2.1 This bylaw should be called the Trade Waste Bylaw 2017.

2.2 This bylaw shall come into force after Council resolves to adopt the bylaw and the date of commencement of the bylaw shall be identified in Council's resolution.

3. Purpose

The South Waikato District Council makes this Bylaw for the following purposes:

- a) Protecting, promoting and maintaining public health and safety,
- b) Protecting the health and safety of all people working in the wastewater system,
- c) Protecting the wastewater system and wastewater treatment plants from damage due to harmful substances from Trade Waste sources,
- d) Providing a mechanism for diverting contaminated water from stormwater discharges to wastewater.

This Trade Waste Bylaw provides for:

- 1) The acceptance of long term, intermittent, or temporary discharge of Trade Waste to the wastewater systems,
- 2) establishment of three grades of Trade Waste: Permitted, Conditional, and Prohibited,
- 3) evaluation of individual Trade Waste discharges against specified criteria,
- 4) installation of flow meters, samplers and other devices to measure flow and quality of the Trade Waste discharge,
- 5) pre treatment of waste, as appropriate, before it is accepted for discharge to the wastewater system,
- 6) sampling and monitoring of Trade Waste discharges to ensure compliance with the Bylaw,
- 7) acceptance or refusal of a Trade Waste discharge,
- 8) charges to be set to cover the cost of conveying, treating, and disposing of or re using, Trade Waste; and the associated costs of administration and monitoring,
- 9) administrative mechanisms for the operation of the Bylaw, and
- 10) establishment of waste minimisation and management programmes (including sludges) for Trade Waste producers.

4. Compliance with other Acts

This Bylaw is derived from NZS 9201 series model bylaws covering various matters under local authority jurisdiction. NZS 9201: Part 23: 2004 outlines the terms and conditions for Trade Waste discharges.

Nothing in this Bylaw shall derogate from any provisions of the Health Act 1956, the Health and Safety in Employment Act 1992, the Health and Safety at Work Act (2016), the Resource Management Act 1991, Land transport Rule Dangerous Goods 1999 Rule 45001, the Hazardous Substances and New Organisms Act 1996, and its regulations, Local Government Act 2002, or any other statutory or regulatory requirements. In the event of any consistency between legislation, the more stringent requirement applies.

5. Definitions

For the purpose of this Bylaw, unless inconsistent with the context, the following definitions apply:

Access Point means a place where access may be made to a Private Drain for inspection (including sampling or measurement), cleaning or maintenance. The location of any Access Point is to be in accordance with the New Zealand Building Code.

Alternative Grease Removal System refers to a grease removal system other than a grease trap. Alternative grease removal systems include grease converters, and mechanical grease removal systems.

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

Approval or Approved means approved by the Council or by any officer authorised on that behalf by the Council.

Authorised Agent means any person appointed or authorised in writing by the Chief Executive of Council or by the Water Supply Authority (WSA) to do anything in respect to the water supply system.

Authorised Officer means any person appointed or authorised by the Council to act on its behalf or any Police Officer.

Biosolids means sewage sludge derived from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land, but does not include products derived solely from industrial wastewater treatment plants.

Bylaw means a Bylaw of the Council for the time being in force, made under the provisions of any Act or authority enabling the Council to make Bylaws.

Bylaws Administration Bylaw means the South Waikato District Council "Bylaws Administration Bylaw".

Clause means any numbered provision in this Bylaw

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.

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.

Consent means Consent given in writing by the Council and signed by an Authorised Officer authorising discharge of Trade Wastes to the wastewater system.

Consent Holder means the person occupying trade premises who has obtained a Consent to discharge or direct the manner of discharge of Trade Wastes from any premises or a tanker to the Council's wastewater system, and includes any person who does 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-

- 1) When discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or
- 2) 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 1991.

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 into the wastewater system.

Council means South Waikato District Council or any officer authorised to exercise the authority of the Council.

Designated means specified by the Council by resolution.

Disconnection means the physical cutting and sealing of any of Council's water services, utilities, drains or sewer from use by any person.

District means the South Waikato District.

Domestic Wastewater means wastewater (with or without matter in solution or suspension therein discharged from premises, used solely for residential activities, or wastes of the same character discharged from any premises, but does not include any solids, liquids or gases that may not lawfully be discharged into the wastewater system.

Grease Trap means a pre-treatment device that reduces the amount of fats, oils, and grease in trade waste prior to it being discharged into a wastewater system.

Hazardous Wastes mean hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996. (HSNO)

Infiltration means ground or surface water entering a public sewer, or private wastewater drain through defects such as, but not limited to, poor joints and cracks in pipes and manholes. It does not include Inflow.

Inflow means water discharged into a drain from non-complying connections or other drainage faults. It includes stormwater entering through illegal down pipe connections or from low gully traps.

Infringement Offence means an offence as specified by this Bylaw under sections 243 and 259 of the Local Government Act 2002.

Management Plan means the plan for management of operations on any premises from which Trade Wastes come, and may include provision for Cleaner Production, waste minimisation, discharge, contingency management procedures, and any relevant industry codes of practice.

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

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 wastewater system.

Permitted Discharge means a Trade Waste discharge that has been assessed by Council and has been determined to be within the acceptable physical and chemical characteristics as defined in Schedule 1 of this Bylaw. No consent is required for Trade Waste that is classified as a permitted discharge.

Person means a corporation, sole, and also a body of persons whether incorporated or unincorporated.

Point Of Discharge means the boundary between the public sewer and private drain and/or for the purposes of monitoring, sampling, and testing, shall be designated in the Trade Waste Consent.

Pre-Treatment means any processing of Trade Waste designed to reduce or vary any characteristic in waste before discharge to the wastewater system in order to comply with a Trade Waste Consent.

Private Drain means that section of drain between the Trade Premises and the point of connection to the Council's wastewater system.

Prohibited Tradewastes means a Trade Waste that has prohibited Characteristics as defined by Schedule 2. The waste is not acceptable for discharge into the Council's wastewater system unless specifically approved by Council as a Conditional Trade Waste.

Schedule of Fees and Charges means the list of items, terms and prices for services associated with the discharge of Trade Waste as approved by Council.

Sewage means wastewater and may include Trade Wastes.

Sewage Sludge means the material settled out and removed from Sewage during the treatment process.

Sewer means the public sewer and lateral connections that carry away wastewater from the point of discharge.

Sewerage System means the collection, treatment, and disposal of Sewage and Trade Wastes, including all sewers, pumping stations, storage tanks, sewage (wastewater) treatment plants, outfalls, and other related structures operated by 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 Suspended Solids Concentration (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 operation and/or the quality of the treated effluent that is discharged.

Stormwater means surface water run-off resulting from precipitation.

Tankered Waste is waste or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding Domestic Sewage discharged directly from house buses, caravans, buses and similar vehicles.

Temporary Discharge means any discharge of an intermittent or short duration. Such discharges include the short term discharge of an unusual waste from Premises subject to an existing Consent.

Trade Premises means:

- 1) Any Premises used or intended to be used for any industrial or trade purpose; or
- 2) 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
- 3) Any other Premises from which a Contaminant is discharged in connection with any industrial or trade purpose;
- 4) Any other Premises discharging other than Domestic Sewage and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.

Trade waste means liquid waste generated other than in the course of domestic activities and includes liquid waste generated by any trade, industrial, commercial, educational, medical, dental, veterinary, agricultural, horticultural, scientific research or experimental activities.

Working Day means any day of the week other than;

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

6. Compliance with the Bylaw

6.1 Control of discharges

No person shall:

- 1) Discharge, or allow to be discharged, any Trade Wastes to the Sewerage System except in accordance with the provisions of this Bylaw;
- 2) Discharge, or allow to be discharged, a Prohibited Waste into the Sewerage System;
- 3) Add or permit the addition of Condensing or Cooling Water to any Trade Waste which discharges into the sewerage system unless specific Approval is given in a Consent; or
- 4) 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.

In the event of failure to comply with conditions 1) to 4) above, the Council may physically prevent discharge to the Sewerage System if a reasonable alternative action cannot be established with the discharging party or parties.

Any Person discharging to the Sewerage System shall also comply with requirements of the Hazardous Substances and New Organisms (HSNO) Act, and the Resource Management Act.

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

- a) All Persons on Trade Premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 6.2 (c) of this Bylaw from entry into the sewerage System as a result of leakage, spillage, or other mishap.
- b) 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 6.2 (c) in a manner that may cause the material to enter the sewerage System and cause harmful effects.
- c) Materials referred to in 6.2 (a) and (b) are:

- i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials,
- ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the Wastewater stream,
- iii) Likely to be deleterious to the health and safety of the Council staff, Approved contractors, and the public, or be harmful to the Sewerage System.

7. Trade Waste Discharges and Consents

7.1 Classification of Trade Waste Discharges

7.1.1 Trade wastes discharges shall be classified as one of the following types:

a) **Permitted (Consent required if decided by the Council)**

Is a Trade Waste that has been approved by and is acceptable to the Council 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 ("Schedule 1"). No consent is required for a permitted Trade Waste discharge but Council has a right of access to inspect any discharge to determine whether a discharge is a permitted Trade Waste.

b) **Conditional (Consent required)**

Is a Trade Waste that has conditions placed upon the Consent Holder by the Council.

c) **Prohibited (Not Consentable)**

Is a Trade Waste that has prohibited Characteristics as defined in Schedule 2 of this bylaw ("Schedule 2") and does not meet the conditions of Schedule 1. This waste is not acceptable for discharge in the Council Sewerage System except if specifically approved by the Council as a Conditional Trade Waste.

7.1.2 The Council is not obligated to accept any Trade Wastes. No application for Consent shall be approved where the Trade Wastes discharge would contain, or is likely to contain, characteristics, which are prohibited.

7.1.3 No person shall discharge, or cause to be discharged, any Trade Wastes to a sewerage system except in accordance with the provisions of this bylaw.

7.2 Application for Trade Waste Consent

7.2.1 Every person who does, proposes to, or is likely to:

- a) Discharge into the sewerage system any Trade Waste, other than Permitted Trade Waste; or
- b) Vary the characteristics of a Consent to discharge that has previously been granted; or
- c) Vary the conditions of Consent to discharge that has previously been granted; or
- d) Significantly change the method or means of Pre-treatment for discharge under an existing Consent, shall if required by Council complete an application in the prescribed form for the Consent of Council to the discharge of that Trade Waste, or to the proposed variations.

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

7.2.3 Nothing in this bylaw shall be deemed to prevent the Council from dealing separately with Trade Wastes arising from different departments or from different industrial processes carried out in the same trade premises and from treating the application received from the occupier concerned as if separate application had been made in respect of any such different trade wastes.

7.2.4 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.

7.2.5 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.

7.2.6 Every application shall be accompanied by a Trade Waste application fee in accordance with the Council's Schedule of Fees and Charges.

7.3 Processing of an Application

The Council shall acknowledge the application in writing within 10 Working Days of the receipt of application.

7.4 Information and Analysis

7.4.1 On receipt of any application for a Trade Waste Consent to discharge from any Premises, or renewal, or alteration of an existing Consent or 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 with specifications as prescribed by the Council and completed to its satisfaction;
- c) Whenever appropriate have the discharge investigated and analysed as provided for in Clause 9.0 of this bylaw.

7.4.2 The Council shall notify the applicant of any requirement under this clause within 10 Working Days of receipt of the application.

7.5 Consideration of an Application by the Council

Within 15 Working Days of receipt of an application complying with this Bylaw and/or all requirements under 7.4, whichever is the later, the Council shall, after considering the matters in Clause 7.7 action one of the following in writing:

- a) Grant the application as a Permitted Trade Waste and inform the applicant of the decision by issuing the appropriate notice;
- b) Grant the application as a Conditional Trade Waste discharge Consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of Consent to the discharge; or
- c) Decline the application and notify the applicant of the decision giving a statement for the reasons for refusal.

7.6 Consideration Criteria

In considering any application for a Trade Waste consent to discharge from any Trade Premises or tankered waste into the Sewerage Systems and in imposing any conditions in a consent, the Council shall take the quality, volume and rate of discharge of the trade waste into consideration in relation to:

- a) The health and safety of the Council staff, authorised agents, independent analysts and the public;
- b) The limits and/or maximum values for characteristics of Trade Wastes as specified in Schedules 1, and 2;
- c) The extent to which the Trade Waste may react with other Trade Waste(s) or Domestic Wastewater to produce an undesirable effect, including but not limited to settlement of solids, production of odours, acceleration corrosion and deterioration of the Sewerage System etc.;
- d) The flows and velocities in the Sewer or Sewers in relation to the material or construction of the Sewer or Sewers;
- e) The capacity of the Sewer or Sewers and the capacity of any wastewater treatment works and other facilities,
- f) The nature of the Council's wastewater treatment processes and the degree to which the Trade Waste is capable of being treated in the relevant wastewater treatment works;
- g) The timing and balancing of flows into the Sewerage System;
- h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of Sewage Sludges, beneficial use of Biosolids and any discharge to air (including the necessity for compliance with any resource consent, discharge permit or receiving water quality guidelines);
- 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) Management plan; and
- s) Tankered waste being discharged at approved location/s; and
- t) Any other matter that the Council considers relevant.

7.7 Conditions of Trade Waste Consent

Any consent to discharge may be granted or renewed subject to such conditions that the Council may impose including but not limited to:

- a) The particular sewerage system or sewers to which the discharge shall be made;
- b) The maximum daily volume of the discharge, 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 concentration limits and/or mass limits determined in accordance with Clause 7.8 of this bylaw;
- 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 Holders 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 private sewers for flow measurement, sampling and inspection;
- i) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the Consent Holders expense;
- j) The method or methods to be used for measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any Trade Waste charges applicable to that discharge;
- k) The provision and maintenance, at the Consent Holder's expense 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 of such services, (whether electricity, water or compressed air or otherwise), which may be required in order to operate and test meters and similar devices, at the Consent Holders expense;
- 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 eg Sewage Sludge disposal);
- n) The provision and implementation by the Consent Holder of a Management Plan;
- o) Risk assessment of damage to the environment due to an accidental discharge of contaminant
- p) Waste minimisation and management;
- q) Cleaner Production techniques;
- r) Remote control of discharges;
- s) Consent holder's use of third parties for treatment, carriage, discharge and disposal of by-products of pre-treatment of Trade Waste;

- 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's Sewerage System, its treatment plants, or could result in the Council being in breach of any statutory obligation; and
- u) Remote monitoring of discharges.

Council's Authorised Officer retains the right to review Trade Waste consent conditions during the term of the consent and to add or amend such conditions should it be deemed necessary by a Council's Authorised Officer.

7.8 Duration

7.8.1 Permitted Discharges shall remain in force indefinitely until either:

- a) Cancellation under Clauses 6.1 or 7.10 of this bylaw;
- b) The quantity and nature of the discharge changes significantly. If in the opinion of the Council the discharge changes or it is likely to change to such an extent that it becomes a Conditional or Prohibited Trade Waste;
- c) The Council changes the Trade Waste management procedures by implementation of changed Trade Waste Bylaw conditions or any amendment to, or replacement of, the Trade Waste Bylaw; or
- d) The conditions on resource consents for the sewerage system and the residual from it change.
- e) The conditions on resource consents for the stormwater system and the residuals from it change.

In all cases, after appropriate consultation, the Person shall apply within 10 Working Days of this change occurring for a conditional Consent in accordance with Clause 7.2 of this bylaw. This application shall be approved prior to the occurrence of any new discharge.

Where a consent to discharge from Trade premises has terminated or expired by reason of the operation of Clause 7.8.1 a to f above, any further discharge from those Trade premises is expressly prohibited until a Conditional Consent for those premises is granted.

7.8.2 Conditional Consents

Subject to Clauses 7.10 and 6.1 of this bylaw Conditional Consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

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

Notwithstanding the above, Council retains the right to review the conditions of consent at an earlier time. The reasons for such an earlier review could include but are not limited to:

- 1) The level of Consent Holder compliance, including any spills or process mishaps;
 - 2) Matters pertaining to the Council resource consents for the sewerage system;
 - 3) Matters pertaining to the Council environmental policies and outcomes;
 - 4) New control and treatment technologies and processes;
 - 5) Any of the matters outlined in Section 9 of this Bylaw;
 - 6) Matters pertaining to the Council's legal obligations.
- b) In all other cases the term of a Conditional Trade Waste Consent should not exceed two years;
 - c) In all cases where either the Consent Holder or the owner of the Premises changes, or there is a change of use, a new application for a Conditional Trade Waste Consent shall be made. It shall be the responsibility of the Consent Holder to lodge the new application; and

- d) The conditions on resource consents for the sewerage system and the residuals from it change.

7.9 Technical Review and Variation

- 7.9.1 The Council at any time may require a Person undertaking a Permitted Discharge to apply for a Consent in accordance with Clause 7.8 of this bylaw.
- 7.9.2 The Council may at any time during the term of a Trade Waste Consent, by written notice to the Consent Holder (following a reasonable period of consultation) , vary any condition to such an extent as the Council considers necessary following a review of the technical issues considered when setting conditions of Consent. This is due to new information becoming available or to meet any new resource consent imposed on the discharge from the Councils Wastewater Treatment Plant, or with any other legal requirements imposed on the Council.
- 7.9.3 The Consent Holder may seek to vary any condition of a consent at any time during the term of a consent by written application to the Council, as provided for in Clause 7.7 of this Bylaw.

7.10 Suspension or Cancellation of the Right to Discharge

- 7.10.1 The Council may suspend or cancel any consent or right to discharge at any time following 20 Working Days (during which consultation has occurred) notice 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 the volume, nature, or composition of Trade Waste being discharged in accordance with the requirements of the Consent;
 - d) Any discharge which, in the opinion of 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 environment or the health or safety of any person;
 - e) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
 - f) The 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 due 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.
 - k) If any process changes require more than 20 Working Days, reasonable time may be given to comply with the Consent conditions.
- 7.10.2 Further to 7.10.1 any Trade Waste Consent or right to discharge may at any time be summarily cancelled by the Council on giving the Consent Holder or Person discharging written notice of summary cancellation for any one or more of the following reasons:
 - a) They discharge any Prohibited substance;
 - b) The Council is lawfully directed to withdraw or otherwise terminate the Consent summarily;
 - c) They 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 will, in the opinion of the Council, result in a breach of resource consent held by the Council; or
 - f) In the opinion of Council the continuance of the discharge puts at risk the ability of the Council to comply with conditions of a resource consent an

- g) In the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with conditions of a Resource Consent and/or requires additional treatment measures or costs to seek to avoid a breach of any such Resource Consent.

8. Other Trade Waste Approval Matters

8.1 Pre-Treatment

- 8.1.1 The Council may approve a Conditional Trade Waste Consent subject to the provision of appropriate pre-treatment systems. Such pre-treatment systems shall be provided, operated, and maintained by the Consent Holder or Person discharging at their expense.
- 8.1.2 The occupier of any food premises shall within those premises provide a means of reducing the amounts of fats, oils and greases (FOGs) discharged to the sewer. The waste discharged shall meet the standards set out in G13 of the New Zealand Building Code and approved documents published by the NZ Department of Building and Housing.
- 8.1.3 The Consent Holder shall not, unless approved by the Council add or permit the addition of any Potable, Condensing, Cooling Water or Stormwater to any Trade Waste stream in order to vary the level of any characteristics of the waste.
- 8.1.4 Any premises preparing food shall be required to install a grease trap or alternative grease removal system.
- 8.1.5 Grease traps shall:
- have a functional capacity no less than 500 litres
 - be sized according to the greatest volume as determined by Table 1 contained in Schedule 4
 - be cleaned out a minimum of once every 6 months or more frequently as determined by a Council authorised officer
- 8.1.6 Existing grease traps with a functional capacity less than 500 litres may be required to be upgraded or replaced at the Consent holder's expense unless compliance can be demonstrated to the satisfaction of a Council authorised officer.
- 8.1.7 Shared grease traps, such as those operated by a body corporate or food court, shall be sized appropriate to the total inputs. This shall be no less than a functional capacity of 500 litres for each connected premises. A Council authorised officer may require existing shared grease traps to be upgraded or replaced to meet the requirements of this Bylaw.
- 8.1.8 Alternative grease removal systems shall be:
- installed and operated in accordance with the manufacturer's instructions
 - cleaned out by a contractor approved by Council as required during the 6 month service check
 - sized according to the manufacturer's recommendation and subject to written approval by a Council authorised officer
- 8.1.9 Alternative grease removal devices which do not meet the requirements of this Bylaw may be required to be replaced at the consent holder's expense.
- 8.1.10 The frequency of cleaning alternative grease removal systems in accordance with Clause 8.1.5 (c) may be varied by a Council authorised officer after a thorough visual inspection and/or sample testing from the device outlet.
- 8.1.11 Businesses are expected to be compliant with the requirements stated in Clause 8.1.5 of this Bylaw. Failure to undertake upgrades to become compliant with subclause 8.1.6 within 12 months of Council's reviewing this Bylaw may result in a Council authorised Officer physically preventing discharge to the wastewater system if a reasonable alternative action cannot be established with the discharging party or parties.

8.2 Mass Limits

- 8.2.1 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 with a mass limit imposed shall also have its maximum concentration not limited to the value scheduled unless approved otherwise.

- 8.2.2 When setting mass limit allocations for a particular Characteristic the Council may 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 point of discharge 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 any contaminant discharge of the Sewerage System;
 - h) How great a proportion the mass flow of a Characteristic of the discharge shall 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.

9. Sampling, Analysis and Monitoring

9.1 Flow Metering

- 9.1.1 Flow metering may be required by a Council authorised officer:
- a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of Trade Waste;
 - b) When the method of flow estimation is not approved by Council; or
 - c) When the discharge represents a significant proportion of the total flow/load received by the Council.
- 9.1.2 Consent Holder shall be responsible for the supply, installation, calibration, 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 subject to the Approval of Council, but shall remain the property of the Consent holder
- 9.1.3 Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the Consent Holder in a format Approved by the Council.
- 9.1.4 Meters shall be located in a position approved by the Council, which provides the required degree of accuracy and shall be readily accessible for reading and maintenance. The meter/s shall be located in the correct position according to the manufacturer's instructions.
- 9.1.5 The Consent Holder shall arrange for in situ 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 shall 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.
- 9.1.6 Should any meter installed for the specific purpose of measuring a Trade Waste discharge, after being calibrated, be found to have an error greater than that specified in Clause 9.1.5 as a repeatable measurement, the Council may make an adjustment to the fee calculation 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.

9.2 Estimating Discharge

- 9.2.1 Where no meter or similar apparatus is warranted, 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, and if this cannot be achieved then the Council has the right to require installation of approved flow measurement at the Consent Holder's expense.
- 9.2.2 Should any meter be out of repair or cease to register, or be 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.
- 9.2.3 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 the discharge as provided above in Clauses 9.2.1 or 9.2.2.

9.3 Sampling and Analysis

- 9.3.1 As determined by the Council, sampling, analysis and monitoring may be undertaken to determine if:
- A discharge complies with the provisions of this Bylaw;
 - A discharge is to be classified as Permitted, Conditional, or Prohibited, under Clause 7.1 of this Bylaw;
 - A discharge complies with the provisions of Schedule 1 as a Permitted Discharge and any Consent to discharge; and
 - Trade Waste charges are applicable to that discharge.
- 9.3.2 The taking, preservation, transportation and analysis of the sample shall be undertaken by an Authorised Officer, an agent of Council, or the Person discharging.
- 9.3.3 Any analysis shall use methods or procedures in accordance with the AWWA Standard methods for the examination of water and wastewater by a laboratory accredited by IANZ, or a laboratory approved by Council.
- 9.3.4 The Person discharging shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.
- 9.3.5 All Authorised Officers, or any appointed Analyst may enter any premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:
- Taking readings and measurements;
 - Carrying out an inspection; and/or
 - taking samples for testing; of any solid, liquid or gaseous material or any combination or mixture of such materials being discharged.
- 9.3.6 Any person entering premises under the authority of this clause shall comply with the Health and Safety policies for those premises.

9.4 Monitoring

9.4.1 Monitoring for Compliance

The Consent Holder shall monitor the discharge of the Trade Waste. All flow and/or volume records and results of analyses shall be provided to the Council authorised officer in a format approved as set out in the terms of their Trade Waste Consent

A Council authorised officer may independently monitor and audit any Trade Waste discharge for compliance as follows"

- take a sample and arrange for this sample to be analysed in accordance with sub clause 9.3.1;
- the sampling procedure will be appropriate to the Trade Waste and analysis;
- auditing the sampling and analysis carried out by a self-monitoring Trade Waste discharger:

- d) auditing the sampling and analysis carried out by an analyst;
- e) auditing the Trade Waste Consent conditions including any management plans.

At the discretion of the Council authorised officer all costs of monitoring shall be met by the Consent Holder either through direct payment to the laboratory or to the Council in accordance with the

9.4.2 Sampling Methodology

The Council or any authorised person shall take and handle a sample of Trade Waste for analysis as follows:

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 Person discharging for appropriate analysis and/or storage;
- b) A second portion of the sample shall be analysed at a laboratory approved by the Council; and
- c) A third portion of the sample is retained by the Council for 20 Working Days, for additional analysis if required.

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

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 properly.

All samples shall be preserved, handled, transported and delivered to an Approved laboratory according to approved standards.

9.4.3 Tankered Waste

Tankered waste shall not be discharged into the Council's sewerage system unless:

- a) The discharge complies with the Ministry for the Environment's Liquid and Hazardous Wastes Code of Practice or anything published in substitution therefore; and
- b) The discharge is made by an approved operator; and
- c) The discharge is made at an approved location; and
- d) Transported by an approved operator; and
- e) Have material safety data sheets (MSDS) supplied to the Council detailing the contents of a waste,
- f) Picked up and transported to the disposal site in accordance with appropriate arrangements and method for disposal determined by the Council; and
- g) The tanker has been thoroughly cleansed prior to collecting the waste for disposal into the sewerage system; and
- h) Twenty four hours written notice has been given to the Council for the disposal of wastes other than those sourced from domestic septic tanks.

Any Person illegally disposing of, or causing to be disposed of tankered waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's sewerage system at other than the prescribed location shall be in breach of the Bylaw.

9.4.4 Disinfected/super chlorinated water

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 Approvals.

10. Bylaw Administration

10.1 Review of Decisions

If any Person is dissatisfied with any decision by an Authorised Officer made under this Bylaw, that Person may, by notice delivered to the Chief Executive of the Council not later than 15 Working Days after the decision by

the Authorized Officer is served upon that Person, request the Chief Executive to review any such decision and such a decision shall be final. Nothing in this clause shall affect any right of appeal under the LGA 02.

10.2 Accidents and Non-Compliance

- 10.2.1 In the event of any occurrence, including spills or process mishaps, which may cause a breach of this Bylaw, the person discharging shall immediately, on discovery, inform the Council.
- 10.2.2 In the event of any accident and/or non-compliance occurring on premises for which there is a Consent then the Council may review the Consent under Clause 10.1 of this Bylaw or may require the Consent Holder, within 20 Working Days of the date such requirement is notified to the Consent Holder in writing, to review the contingency management procedures and re-submit for approval the management plan with the Council.
- 10.2.3 In the event of an accident and/or non-compliance occurring on the premises of a Permitted Trade Waste discharge, the Council may require the Person discharging to apply for a Conditional Trade Waste Consent.

10.3 Charges and Payments

10.3.1 Charges

The Council may recover fees and charges in accordance with Sections 150 and 151 of the LGA 02, and in accordance with the Council's Schedule of Fees and Charges.

10.3.2 Charging Categories

There are three charging categories, which are based on customer's wastewater contribution to a wastewater system.

Annual Trade Waste Consent Fee -all trade waste customers will pay an annual trade waste consent fee in relation to their discharge. The consent fee will be reviewed on an annual basis and published annually as part of Council budget process.

Volume only Based Charges- This charging mechanism will apply to trade waste customers with a significant volumetric discharge. Charges will be based on metered water use.

Flow and Load Based Charges with Council monitoring- This charging mechanism will apply to trade waste customers who have a significant pollutant load discharging in to wastewater system. Results of monitoring will be used to determine the trade waste charges on a flow and pollutant load basis. Self-monitoring may be applicable to some trade waste discharges.

10.3.3 Charging Formula

The formula for calculation of the load based trade waste charge is set out below. Volume measurement and sample results will be used for the purpose of calculating the trade waste charge using the following formula.

$$(V \times V_c) + (SS \times SS_c) + (BOD \times BOD_c) + (TKN \times TKN_c) + (TP \times TP_c)$$

V	The Volume discharged - m ³
VC	The Unit Volume charged - \$/m ³
SS	The Mass of Suspended Solids discharged -kg
SSc	The Unit suspended solid charged - \$/kg
BOD	The mass of BOD discharged -kg
BODc	The unit BOD discharged - \$/kg
TKN	The mass of Total Kjeldahl Nitrogen discharged - kg
TKNC	The unit of TKN discharged- \$/kg
TP	The mass of Total Phosphorous discharged - kg

TPC	The unit of TP discharged - \$/kg
Volume (V)	Payment based on Volume discharged - \$/m3
Flow Rate	Payment based on the flow rate discharged - \$/l/s
Suspended Solids (SS)	Payment based on the mass of SS - \$/kg
Organic Loading (BOD)	Payment based on the mass of Biochemical Oxygen Demand - \$/kg
Nitrogen(TKN)	Payment based on the defined form(s) of Nitrogen - \$/kg
Phosphorous (P)	Payment based on the defined form(s) of Phosphorous - \$/kg
Depreciation	Operating cost related to capital and normally spread across the Volume and mass charges.
Capital	Apportioned upfront or term commitment capital cost of specific Infrastructure required to accommodate a conditional consent.

10.3.4 Invoicing

All charges determined in accordance with Clause 10.3.1 of this Bylaw shall be invoiced in accordance with Council's standard commercial practice. The invoice shall provide each Person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.

10.3.5 Cease to discharge

Any Person discharging Trade Wastes shall be liable for all applicable charges, until notice of Disconnection in writing is given to the Council by the Consent(s) holder.

10.3.6 Failure to pay

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 within 30 days after the due date for payment, the Council may cancel the right to discharge in accordance with Clause 7.10 of this Bylaw.

10.3.7 Recovery of costs

In all cases, the Council may recover costs under LGA 02 relating to s.150 and s.151 wilful damage or negligent behaviour (s.175) and remedying damage arising from breach of bylaw (s.176).

10.4 Authorised Officers

All Authorised Officers of the Council, or other Persons authorised under s. 174 or s. 177 or paragraph 32 of Schedule 7 of the LGA 02, shall possess and produce on request warrants of authority and evidence of identity.

Any Authorised Officer may at any reasonable time enter any premises believed to be discharging Trade Wastes to determine any characteristic of any discharge by:

- a) Taking readings and measurements; or
- b) Taking samples of any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; or
- c) Observing accidental occurrences and clean up; or
- d) Carrying out any inspection and/or assessment of the premises.

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

Any person entering premises under the authority of this Clause shall comply with the health and safety policies of those premises.

10.5 Transfer or Termination of Rights and Responsibilities

10.5.1 A Trade Waste Consent to discharge shall be issued in the name of the Consent Holder. The Consent Holder shall not, unless written approval is obtained from the Council:

- a) Transfer to any other person the rights and responsibilities provided for under this Bylaw, and under the Consent;
- b) Allow a point of discharge to serve another premises, or extend the private drain to that point, pipe or any other means, to serve another premises; or
- c) In particular and not in limitation of the above, allow Trade Waste from any other party to be discharged at the Consent Holders point discharge.

Note - This clause does not relate to Permitted Discharges

10.5.2 The Council shall not unreasonably withhold the renewal of a Trade Waste Consent on change of ownership of premises if the characteristics of the Trade Waste remain unchanged.

Note - This clause does not relate to Permitted Discharges

10.5.3 Any 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 7 Working Days. The Person discharging shall notify the Council of their new address details for final invoicing.

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

10.5.4 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.

10.6 Service of Documents

10.6.1 Delivery or post

- a) Any notice or other document required to be given, served or delivered under this Bylaw to a Consent Holder may (in addition to any other method permitted by law) be sent by pre-paid ordinary mail, courier, or facsimile, or email to the Consent Holder at the Consent Holder's last known place of residence or business.
- b) Any notice or other document required to be given, served or delivered under this Bylaw to a Person discharging trade waste may (in addition to any other method permitted by law) be 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 notice is being given, served or delivered under this Bylaw to a body corporate, such notices may be sent by pre-paid ordinary mail, courier, or facsimile, or email to, or left at its registered office; or
- d) Notice to a Person discharging may be personally served.

10.6.2 Service

If any notice or other document is:

- a) Sent by post it shall be deemed received on the second 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 shall 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 shall be prima facie evidence that the notice or other document was received by the addressee at the time indicated on the receipt or courier run sheet, or if the notice or other document is 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.

Note - It should be verified that notice has been served on the correct Person.

10.6.3 Signature

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

10.7 Agreements

10.7.1 A Council authorised officer may at any time and in its completed discretion enter into an agreement for the discharge and reception of Trade Wastes in addition to or in substitution for a Trade Waste Consent.

10.8 Offences

Every Person discharging, or Owner or Occupier of Trade Premises who:

- a) Fails to comply with or acts in contravention of any provision of this bylaw; or
- b) Breaches the conditions of any Consent to discharge granted pursuant to this bylaw; or
- c) Fails to comply with a notice served under this bylaw, commits an offence under s.239 of LGA 02, and is liable to a fine as specified in s.242 of the LGA 02, or the issue of an Infringement notice under s. 245 of LGA 02.

In all cases the Council may recover costs associated with damage to the Council Sewerage System and/or breach of this bylaw in accordance with s.175 and s.176 of the Local Government Act 2002.

10.9 Transitional Provisions

10.9.1 Existing trade waste consents

Every existing Trade Waste Consent agreement granted 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 5 years from the date of this Bylaw coming into effect.

11.0 Adoption of bylaw

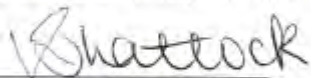
The foregoing bylaw was duly adopted by resolution of the South Waikato District Council following completion of the Special Consultative Procedure prescribed by Sections 83 & 86 of the Act.

I, Craig Hobbs, Chief Executive of South Waikato District Council, CERTIFY that this bylaw was made by Resolution No 17/317 on the 13th day of December 2017, to come into effect on the 20th day of December 2017.

Dated this 20th day of December 2017.

The **COMMON SEAL** of THE
SOUTH WAIKATO DISTRICT COUNCIL
was hereto affixed in the presence of:





JR Shattock - Mayor



C Hobbs - Chief Executive

Schedules

Schedule 1– Permitted Discharge Characteristics

1.1 Physical Characteristics

- 1.1.1 The nature and levels of the Characteristics of any Trade Waste discharged to the sewerage system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by South Waikato District Council as part of an approval to discharge Trade Waste.
- 1.1.2 The South Waikato District Council shall take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the South Waikato District Council believes are appropriate.
- 1.1.3 An additional column in Tables 1.3.1, 1.3.2, and 1.3.3 for Maximum Concentrative Limits may be added as required
- 1.1.4 The nature and levels of any Characteristic may be varied to meet any new resource Consents or other legal requirements imposed on Council, refer to 7.9 of the bylaw.

1.2 Physical Characteristics

- 1.2.1 Flow
 - a) The 24 hour flow volume shall be less than 5 m³; and
 - b) The maximum instantaneous flow rate shall be less than 2.0 l/s.
- 1.2.2 Temperature

The temperature shall not exceed 40°C.
- 1.2.3 Solids
 - a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15mm;
 - b) The suspended solids content of any Trade Wastes shall have a maximum concentration, which shall not exceed 2000g/m³. For Significant Industry this may be reduced to 600g/m³;
 - c) The settleable solids content of any Trade Waste shall not exceed 50mL/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 waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste; and
 - e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant shall not be present.
- 1.2.4 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 200g/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 500g/m³ when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0; and
 - d) Emulsified oil, fat or grease shall not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.
- 1.2.5 Solvents and other organic liquids

There shall be no free layer (whether floating or settled) of solvents or organic liquids.
- 1.2.6 Emulsions of paint, latex, adhesive, rubber, plastic or similar material

- a) Where such emulsions are not treatable these may be discharged into the sewer subject to the total suspended solids not exceeding 1000g/m³ 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 the Trade Waste containing the emulsions unreasonably interferes with the operation of the Council treatment plant.
- 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 sewer.

1.2.7 Radioactivity

Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

1.2.8 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 wastewater discharge Consent.

1.3 Chemical Characteristics

1.3.1 pH Value

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

1.3.2 Organic Strength

The Biological Oxygen Demand (BOD₅) of any waste may require to be restricted where the capacity for receiving and treating BOD₅ at the four community wastewater treatment plants is limited. A BOD₅ restriction may be related to Mass Limits. The concentration of BOD₅ in any discharge (generally) shall not exceed 1000g/m³.

1.3.3 Maximum Concentrations

The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in Table 1.3.1, Table 1.3.2 and Table 1.3.3.

Table 1.3.1 – General Chemical Characteristics	
Characteristic	Maximum Concentration (g/m³)
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
Sulphite (measured as SO ₂)	15
Sulphide – as H ₂ S on acidification	5
Chlorine (measured as Cl ₂)	
- free chlorine	3
- hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br ²)	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5

Table 1.3.2 – Heavy Metals	
Metal	Maximum Concentration (g/m³)
Antimony	10
Arsenic	5
Barium	10
Beryllium	0.005
Cadmium	0.5
Chromium	5
Cobalt	10
Copper	10
Lead	10
Manganese	20
Mercury	0.005
Molybdenum	10
Nickel	10
Selenium	10
Silver	2

Table 1.3.2 – Heavy Metals	
Metal	Maximum Concentration (g/m³)
Thallium	10
Tin	20
Zinc	10

Table 1.3.3 – Organic Compounds and Pesticides	
Compound	Maximum Concentration (g/m³)
Formaldehyde (HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002 each
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 2 – Prohibited Discharge Characteristics

This schedule defines Prohibited Trade Waste.

2.1 Prohibited Characteristics

- 2.1.1 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 another material shall immediately or in the course of time:
- a) Interfere with the free flow of sewage in the sewerage system;
 - b) Damage any part of the sewerage system;
 - c) In any way, directly or indirectly, cause the quality of the treated sewage or residual Biosolids and other solids from any sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
 - d) Prejudice the occupational health and safety risks faced by sewerage workers;
 - e) After treatment be toxic to fish, animals or plant life in the receiving waters;
 - f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
 - g) Have a colour or colouring substance that causes the discharge from any sewage treatment plant to receiving waters to be coloured.
- 2.1.2 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.
- 2.1.3 A discharge has prohibited characteristics if it has any amount of:
- a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
 - b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
 - c) Asbestos;
 - d) Tin (as tributyl and other organotin compounds);
 - e) Any organochlorine pesticides;
 - f) Genetic wastes, as follows: All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
 - g) Any health care waste prohibited for discharge to 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

Fees and charges are set by Council resolution. This may be done by the annual planning process, fee setting or similar transparent public process in accordance with the Local Government Act (LGA).

In the following table the South Waikato District Council states what categories they shall charge, or may charge under the tenure of this bylaw.

Description	
Compliance Monitoring	The cost of sampling and analysis (<i>by Council</i>) for Trade Waste discharges
Trade Waste Application Fee	Payable on an application for Trade Waste discharge, <i>or renewal of an existing Trade Waste Consent</i>
Re-inspection Fee	Payable for each re-inspection visit by the South Waikato District Council where a notice served under this bylaw has not been complied with by the Trade Waste Person discharging.
Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Sewerage System.
Temporary Discharge Fee	Payable prior to receipt of Temporary Discharge.
Annual Trade Waste Administration Charges: <i>Controlled (permitted) Trade Waste charge</i> <i>Conditional Trade Waste charge</i>	An annual <i>administration</i> fee for a Trade Waste discharge to cover the South Waikato District Councils <i>indirect</i> costs associated with: <ul style="list-style-type: none"> • Administration; • General compliance monitoring; • Inspection of Trade Waste premises; • Use of the sewerage system. This charge may vary depending on the Trade Waste sector and category of the discharge.
Rebates for Trade Premises within the District	Reduction in fees is provided for in Section 150(2). Section 150(4) of the LGA 02 which 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 which the fee is charged. In no event shall the resultant charge be less than the Council's sewerage charge for the equivalent period.

Composite flow and load based Trade Wastes Charges (in addition to annual administration charge)	
Category	Description
<i>Metered water used</i>	Payment (<i>by agreement</i>) based on the volume of raw water used at the premises \$/m ³
<i>Metered flow rate</i>	Payment based on the <i>total</i> flow discharged \$/m ³
Suspended Solids	Payment based on the mass of suspended solids \$/kg
Organic loading	Payment based on the Biochemical Oxygen Demand \$/kg
TKN	Payment based on <i>Total Kjeldahl Nitrogen</i> \$/kg
Phosphorus	Payment based on the defined form(s) of phosphorus \$/kg
Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a conditional Consent.
Tankered Waste Charges	
Tankered Wastes	Set as a fee(s) per cubic metre, <i>with a minimum charge per load.</i>

Schedule 4 - Conventional Tank Type Grease Trap Sizing Guide

To meet the Council's Trade Waste Bylaw Schedule 1 discharge standard of less than 500g/m³ of fat, oil or grease, any conventional tank type grease trap should have a functional capacity no less than 500 litres.

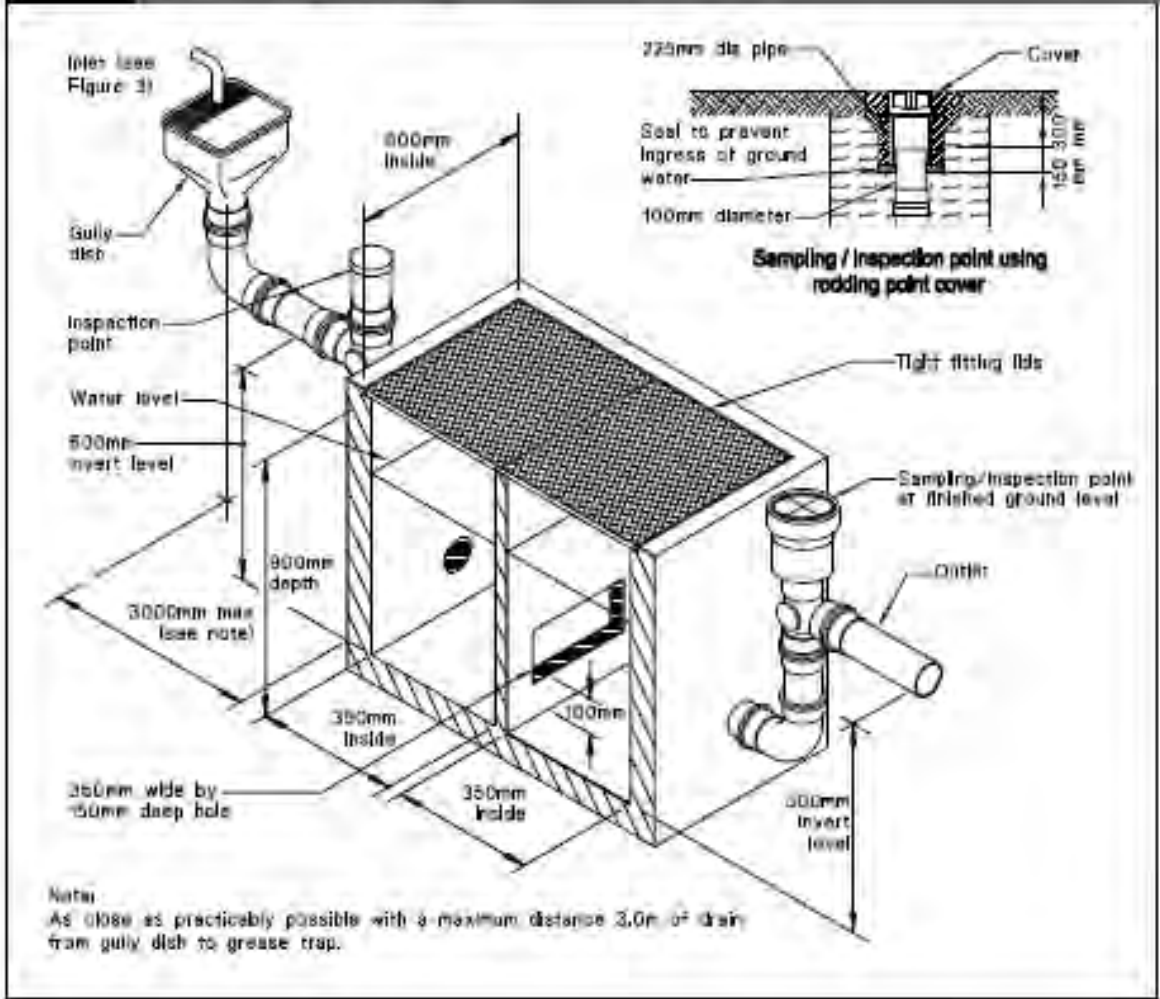
Building Act Acceptable Solution G13/ AS2

- "3.4.2 In *buildings* other than Housing, *grease traps* shall be provided where waste water is likely to convey grease.
- 3.4.3 The capacity of a (conventional) *grease trap* shall be at least twice the capacity of all *sanitary fixtures* and *sanitary appliances* discharging to it, and in no case less than 100 litres,
- 3.4.4 For restaurants and cafes, the capacity of the *grease trap* shall be at least 5 litres for each person for whom seating is provided, and in no case less than required by para 3.4.3 (above).
- 3.4.5 Grease traps located outside a building shall be configured as shown in Figure 4 (G13/AS2)
- 3.4.6 The top of the outlet junction shall be extended to finished ground level and fitted with a watertight *rodding point* access cover"

Table 1: Grease trap sizing guide

Example grease trap sizing	100 seated persons or meals per day	200 seated persons or meals per day
5 litres per seated person or meals served per day	500 litres	1000 litres
Plus an additional 25% for peak flushes	125 litres	250 litres
Plus an additional 250 litres per dishwasher	250 litres	250 litres
Total calculated liquid capacity required	875 litres	1500 litres
Equivalent number of meals served per hour	25	38

Figure 4: Grease traps = up to 150 litre capacity
 Paragraphs 3.4.5, 3.4.5, 3.4.6



Appendix A - Application for Trade Waste Discharge

<p>THE WASTEWATER AUTHORITY OF THE</p> <h2 style="margin: 0;">South Waikato District Council</h2> <p>APPLICATION FOR TRADE WASTE DISCHARGE</p>	
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PLEASE PRINT CLEARLY

TRADE NAME AND STREET ADDRESS OF TRADE PREMISES
..... Phone: Fax: After hours contact: Phone:

DP NUMBER
.....

ARE THE PREMISES ALREADY CONNECTED TO PUBLIC SEWER?
<input type="checkbox"/> Yes <input type="checkbox"/> No

POSTAL ADDRESS OF CUSTOMER FOR CHARGING
Name: Address:

CONNECTIONS REQUIRED
Size: No: Size: No: <i>Note – Minimum size 100mm</i>

OWNER OF PREMISES (if different from above)
Name: Address:

DESCRIPTION OF MAIN TRADE ACTIVITY
.....

ADDRESS FOR SERVICE FOR FURTHER ENQUIRIES CONCERNING THIS APPLICATION
Name: Address: Phone: Fax:

DIAGRAM OF MAIN TRADE ACTIVITY <i>(Show distances from boundaries, kerbs, buildings)</i>

THIS APPLICATION RELATES TO:
<input type="checkbox"/> Proposed new discharge <input type="checkbox"/> An existing discharge for which no consent exists Current point or place of discharge: <input type="checkbox"/> Renewal of a consent <input type="checkbox"/> Variation to an existing consent Nature of variation: <i>Use and attach additional sheets as required</i>

VALUATION NUMBER
.....

LOT NUMBER
.....

SIGNAUTURE BLOCK
<p>.....</p> <p style="text-align: center;"><i>(Full name)</i></p> <p>.....</p> <p style="text-align: center;"><i>(Position)</i></p> <p>1. I am duly authorised to make this application.</p> <p>2. I believe that all the information contained in this application is true and correct.</p> <p>Signature:</p> <p>Date:</p>

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Appendix B - Description of Trade Waste and Premises

DESCRIPTION OF TRADE WASTE AND PREMISIES – PLEASE PRINT CLEARLY																													
<p>1 GENERAL PREMISES</p> <p>1.1 Trade name and street address Phone: Fax:</p> <p>1.2 Name and address of owner/occupier Name: Address:</p> <p>1.3 Contact for enquiries (if different from above) Name: Address:</p> <p>1.4 Total volume of wastes: Average daily volume m³ Maximum volume in any 8 hr period m³ Maximum daily flow m³ Maximum flow L/sec Seasonal fluctuation (range)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">1.5 General characteristics of wastes:</td> <td style="width: 20%; text-align: center;">TYPICAL</td> <td style="width: 20%; text-align: center;">RANGE</td> <td style="width: 30%;"></td> </tr> <tr> <td>Temperature (°C)</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>BOD₅ (mg/L)</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>COD (mg/L)</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>pH</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>Oil and greases</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>Other e.g. N, P (dependent on industry)</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </table> <p>1.6 The source of water used on the premises is: (a) from Council m³/working day (b) from other sources (<i>state source</i>) m³/working day</p> <p>1.7 The wastes do / do not, contain condensing water or storm water and the layout of drains on the premises is / is not, such as to reasonably exclude the possibility of such becoming mixed with trade wastes.</p> <p>1.8 It is / is not proposed that domestic wastewater and trade waste should be discharged at the same point of discharge.</p> <p>1.9 The proposed method for flow measurement is: <input type="checkbox"/> a permanent installation of suitable flow measuring equipment <input type="checkbox"/> based on water usage as measured by meter <input type="checkbox"/> other, (<i>specify</i>)</p> <p><i>If no means of flow measurement exists, Council will generally estimate the wastewater as being equal to the volume of potable water supplied to the site.</i></p>	1.5 General characteristics of wastes:	TYPICAL	RANGE		Temperature (°C)	BOD ₅ (mg/L)	COD (mg/L)	pH	Oil and greases	Other e.g. N, P (dependent on industry)	<p>1.10 List any substances contained in Schedule 1A or 1B of the bylaw which are stored, used, or generated on the premises. Describe mitigation measures employed to prevent accidental spillages of these substances from entering the public sewer or stormwater system. </p> <p>1.11 Site plans of the premises are attached which clearly show the location of the following as appropriate: <input type="checkbox"/> process areas <input type="checkbox"/> flow measuring devices <input type="checkbox"/> trade waste drains <input type="checkbox"/> emergency spill devices <input type="checkbox"/> domestic wastewater drains <input type="checkbox"/> open areas draining to trade waste drains <input type="checkbox"/> stormwater drains <input type="checkbox"/> emergency spill containment <input type="checkbox"/> other, (<i>specify</i>)</p> <p>Main trade waste pre-treatment systems <input type="checkbox"/> screens <input type="checkbox"/> pH control <input type="checkbox"/> flow balance <input type="checkbox"/> grease traps <input type="checkbox"/> chemical treatment <input type="checkbox"/> biological treatment</p> <p>1.12 Detailed drawings and descriptions for the following are attached as appropriate: <input type="checkbox"/> pre-treatment systems <input type="checkbox"/> flow measuring devices <input type="checkbox"/> emergency spill containment <input type="checkbox"/> sampling points <input type="checkbox"/> method of flow meter calibration</p> <p>1.13 An independent waste audit of the premises has / has not been carried out by: </p> <p>1.14 A Discharge Management Plan is / is not attached.</p> <p>1.15 The Health and Safety Requirements and security arrangements for Wastewater Authority staff entering the premises are as follows: (<i>specify</i>) </p>
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BOD ₅ (mg/L)																										
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