



Part 2

TRADE WASTE

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PART 2

TRADE WASTE

Date made: 24th September 2008
Commencement: 1st October 2008

EXPLANATORY NOTE

PURPOSE OF THE BYLAW

Part 2 - Trade Waste was made pursuant to sections 145, 146 and 148 of the Local Government Act 2002.

Part 2 - Trade Waste aims to regulate the discharge of trade waste to the Whakatane District Council's Sewerage System operated by or on behalf of the Council as Wastewater Authority. The purpose of Part 2 – Trade Waste is:

- (a) To ensure the protection of the Council's staff and contractors and the general public;
- (b) To protect the ability of the Council to meet the requirements of the Resource Management Act 1991 and in particular its resource consents for the discharge of treated sewage (and also the placement of sludge and biosolids on land);
- (c) To provide for an equitable spread of costs between domestic and trade waste discharges;
- (d) To protect the investment in the existing and any future infrastructure, treatment plant and disposal facilities;
- (e) To ensure compatibility between liquid, solid and gaseous phases of trade waste discharges. This compatibility can relate to such matters as meeting landfill acceptance criteria for solids and sludges and meeting resource consents for emissions to air as well as the trade waste discharge itself, into the Council's Sewer System;
- (f) To ensure trade waste dischargers consider, and where appropriate and practicable implement, waste minimization and cleaner production techniques to reducing the quantity and improve the quality of their trade waste discharges, thereby assisting the Council to meet the targets of the New Zealand Waste Strategy;
- (g) To foster consistency between wastewater authorities with respect to trade waste requirements.

SCOPE OF THE BYLAW

This Part of the Bylaw provides for the:

- (a) Acceptance of long-term, intermittent, or temporary discharge of Trade Waste to The Council's Sewerage System;
- (b) Establishment of three grades of Trade Waste: Permitted, 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 Council's Sewerage System from spillage;
- (e) Installation of flow meters, samplers or other devices to measure flow and Characteristics of the Trade Waste discharge;
- (f) Pre-treatment of waste before it is accepted for discharge to the Council's Sewerage System;
- (g) Sampling and monitoring of Trade Waste discharges to ensure compliance with the Bylaw;
- (h) The 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; and
- (k) Establishment of waste minimization and management programmes (including sludges) for Trade Waste producers.

COMPLIANCE WITH OTHER ACTS

Nothing in this Part of the Bylaw shall derogate from any of the provisions of the:

- (a) Building Act 2004 and Regulations;
- (b) Fire Service Act 1975;
- (c) Hazardous Substances and New Organisms Act 1996 and regulations;
- (d) Health Act 1956 and regulations;
- (f) Health and Safety in Employment Act 1992;
- (g) Land Transfer Act 1952;

- (h) Land Transport Rule Dangerous Goods 1999, Rule 45001/1;
- (i) Local Government Act 2002;
- (j) Local Government (Rating) Act 2002;
- (k) Property Law Act 1952;
- (l) Plumbers, Gasfitters and Drainlayers Act 1976;
- (m) Plumbers, Gasfitters and Drainlayers Act 2006 and
- (n) Resource Management Act 1991.

TRADE PREMISES AND OTHER USERS TO WHICH THIS PART OF THE BYLAW APPLIES

This Part of the Bylaw shall apply to all Trade Premises within the District where Trade Wastes are discharged or sought or likely to be discharged to the Sewerage System operated by the Council or its agents. This Part of 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.

Pursuant to Section 196 of the Local Government Act 2002, the Council may refuse to accept any type of Trade Waste which is not in accordance with this Part of the Bylaw.

REVOCATION

The Whakatane District Council Trade Waste Bylaw 1996 is revoked from effect from the day this Part of the Bylaw comes into force.

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PART 2

TRADE WASTE

PART 1 INTERPRETATION

2.1 Interpretation

For the purposes of this Part of the Bylaw the following definitions shall apply:

“Acceptable Discharge” means a wastewater with physical and chemical characteristics which comply with the requirements of the WDC standard as defined in Schedule 1A of these Bylaws.

“Access Point” is a place where access may be made to a public or private sewer for inspection (including sampling or measurement), cleaning or maintenance. The location of the access point shall be in accordance with the NZ Building Code.

“Analyst” means a testing laboratory approved in writing by the Council.

“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. The term Biosolid/Biosolids is used generically throughout this Part of the Bylaw to include products containing Biosolids (e.g. composts).

“Characteristic” means any of the physical or chemical characteristics of a trade waste referred to in Schedules 1A and 1B.

“Cleaner Production” means the implementation on trade premises, of 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 a consent in writing given by the Council and signed by an authorised officer authorising a Person to discharge trade wastes to the Council’s 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.

“**Council**” means the Whakatane District Council (WDC).

“**Discharge Management Plan**” means the plan agreed between the WDC and the consent holder for the monitoring, programming and controlling by the consent holder of the sources of trade waste from the consent holder’s premises, so that the discharge to the wastewater system complies with the WDC’s requirements.

“**Disconnection**” means the physical cutting and sealing of any of the Council’s water services, utilities, or Public Sewer for use by any Person.

“**Domestic Wastewater**” means either that wastewater which is discharged from premises used solely for residential activities or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge.

“**Drain**” means that section of private drain between the consent holder’s premises and the point of discharge through which wastewater is conveyed from the premises. This section of drain is owned and maintained by the consent holder.

“**Hazardous Materials**” means raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials or any other material which when mixed with the wastewater system is likely to generate toxic, flammable, explosive or corrosive materials or any other material likely to be deleterious to the WDC wastewater system or the health and safety of humans or animals; or any hazardous substance as defined in the Hazardous Substances and New Organisms Act 1996.

“**Mass Limit**” means the total mass of any characteristic that may be discharged to the WDC 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 who discharges, or has obtained a consent to discharge or direct the manner of discharge of wastewater from any premises to the public sewer of the WDC.

“**Owner**” means the person owning the property from which trade wastes discharge is made.

“**Person**” includes a corporation and also a body of Persons whether corporate or unincorporate.

“**Point of Discharge**” is the boundary between the public sewer and a private drain.

“Pretreatment” means any processing of trade waste designed to reduce any characteristic in a waste before discharge to the wastewater system.

“Premises” means either:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued, or
- (b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available, or
- (c) Land held in public ownership (for example, a reserve) for a particular purpose, or
- (d) Individual units in buildings, which are separately leased or separately occupied.

“Prohibited Trade Waste” means a trade waste which shall not be discharged into the WDC system, as defined in Schedule 1B of this Part of the Bylaw.

“Schedule of Rates and Charges” means the list of items, terms and prices for services associated with the discharge of wastewater as approved by the WDC.

“Sewage Sludge” means the solid material settled out and removed from wastewater during the treatment process.

“Sewer” means the main public sewer and lateral connections that carry away wastewater and trade waste from the Point of Discharge. This section of sewer is owned and maintained by the WDC.

“Standard Methods for the Examination of Water and Wastewater” means the latest edition, including any amendments and supplements, as published by the American Water Works Association (AWWA)/American Public Health Association/Water Environment Federation).

“Stormwater” means all surface water run-off resulting from precipitation.

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

“Temporary Discharge” means any discharge of an intermittent or short duration. Such discharges include the intermittent or short-term discharge of waste not provided for under an existing discharge Consent.

“Territorial Authority” (TA) means a city, council, or district council.

“Trade Premises” includes:

- (a) Any Premises used or intended to be used for any industrial or trade purpose; or
- (b) Any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- (c) Any other Premises from which a Contaminant is discharged in connection with any industrial or trade process;
- (d) Any other Premises discharging other than Domestic Sewage;

and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes (see Schedule 1C for examples).

“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 Council’s Sewerage System in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include Condensing or Cooling waters; Stormwater which cannot be practically separated, or Domestic Sewage.

“Wastewater” means water or other liquid, including waste matter in solution or suspension, discharged from a premises to a sewer.

“Wastewater Authority” means the Council, including its authorised agents, responsible for the collection, treatment and disposal of Trade Waste and Wastewater.

Abbreviations

\$/kg	dollars per kilogram
\$/L/s	dollars per litre per second
\$/m ³	dollars per cubic metre
oC	degrees Celsius
ANZECC	Australian New Zealand Environment and Conservation Council
B	boron
_c BOD ₅	Carbonaceous Biochemical Oxygen Demand
Br ₂	bromine
BTF	Biological Trickling Filter
Cl ₂	chlorine
CN	cyanide
CFU	Coliform Forming Units
COD	Chemical Oxygen Demand
DAF	dissolved air floatation
DP	deposited plan
DS	dry solids
F	fluoride
FOGs	fats, oils and greases
g/m ³	grams per cubic metre
GST	goods and services tax
H ₂ S	hydrogen sulphide

HAHs	halogenated aromatic hydrocarbons
HCHO	formaldehyde
HCN	hydrogen cyanide
Hr	hour
kg/day	kilogram per day
L	litre
L/s	litre per second
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	millimetres
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
s	second
SBR	sequencing batch reactor
SO ₄	sulphate
SS	suspended solids concentration
TOG	total oil and grease
UV	ultra violet
UVT	ultra violet transmission
WC	water closet

PART 2 COMPLIANCE WITH THE BYLAW

2.2 CONTROL OF DISCHARGES

2.2.1 No person shall:

- (a) Discharge, or allow to be discharged, any Trade Waste to the Council's Sewerage System except in accordance with the provisions of this Part of the Bylaw; or
- (b) Discharge, or allow to be discharged, a Prohibited Trade Waste into the Council's Sewerage System; or
- (c) Add or permit the addition of Condensing or Cooling Water to any Trade Waste which discharges into the Council's Sewerage System unless specifically approved by the Council; or
- (d) Add or permit the addition of Stormwater, Infiltration or Inflow to any Trade Waste which discharges into the Council's Sewerage System unless specifically approved by the Council; or
- (e) Use refuse or garbage grinders, and macerators to dispose of solid waste from Trade Premises to the Council's Sewerage System unless specifically approved by the Council.

2.2.2 In the event of failure to comply with clause 2.2.1 (a) – (e) of this Part of the Bylaw, the Council may physically prevent discharge to the Council's Sewerage System if a reasonable alternative action cannot be established with the discharging party or parties.

2.2.3 Any Person discharging to the Council's Sewerage System shall also comply with requirements of the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991.

2.3 STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS OR HARMFUL MATERIALS

2.3.1 All persons on trade premises shall take all reasonable steps to prevent the entry of any of the materials listed in clause 2.3.3 of this Part of the Bylaw from entry into the Council's Sewerage System as a result of leakage, spillage, and failure to take adequate precautionary measures or other mishap.

2.3.2 No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by the Hazardous Substances and New Organisms Act 1996 or any of the materials listed in clause 2.3.3 in a manner that may cause the material to enter the Council's Sewerage System.

2.3.3 Materials referred to in clause 2.3.1 and 2.3.2 are:

- (i) A product or waste containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; and
- (ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the Wastewater stream; and
- (iii) Likely to be deleterious to the health and safety of humans or animals or be harmful to the Council's Sewerage System.

2.4 TRADE WASTE DISCHARGES AND CONSENTS

2.4.1 Restrictions on Discharge of Trade Waste

2.4.1.1 No person shall discharge, or cause to be discharged, a Trade Waste into the Sewerage System except in accordance with the provisions of this Part of the Bylaw.

2.5 CLASSIFICATION OF TRADE WASTE DISCHARGES

2.5.1 Trade waste discharges shall be classified as:

- (a) **Permitted:** In which case the Council may require that prior written consent be obtained; or
- (b) **Conditional:** In which case the Council shall require that prior written consent be obtained; or
- (c) **Prohibited:** In which case the Council's consent for discharge will not be granted.

2.6 OBLIGATION AND DISCRETION OF THE COUNCIL

2.6.1 No person shall be entitled to discharge Trade Waste into the Sewerage System and the Council is not obliged to accept any Trade Waste.

2.6.2 An application for the discharge of Trade Waste shall not be approved when the Trade Waste discharge contains, or is likely to contain, Characteristics which are prohibited in accordance with Schedule 1B of this Part of this Bylaw.

PART 3 TRADE WASTE CONSENTS

2.7 APPLICATION FOR A TRADE WASTE CONSENT

2.7.1 Application form

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

- (a) Discharge into the Council's Sewerage System any Trade Waste (either continuously, intermittently or temporarily); or
- (b) Change the characteristics of a trade waste discharged under an existing consent, or;
- (c) Change the conditions of an existing consent, or
- (d) Significantly change the method or means of Pre-treatment for discharge under an existing Consent;

shall, if required by the Council make an application using the prescribed form for the Consent of the Council (attached to this Part of the bylaw in Schedule 1D) to the discharge of that Trade Waste, or to the proposed variations.

2.8 CONSIDERATION OF THE APPLICATION BY THE COUNCIL

2.8.1 The WDC reserves the right to deal with the owner of a trade premises as well as the occupier of any premises.

2.8.2 Where the trade premises produces trade waste from more than one area, a separate copy of the Description of trade waste and premises shall be included in any application for trade waste discharge for each area. This applies whether or not the separate areas are part of a single or separate trade process.

2.8.3 The applicant shall ensure that the application and every other document conveying required information is properly executed.

2.8.4 The WDC may require an application to be supported by an independent and external auditor to verify any or all information supplied by the applicant, and/or a Discharge management plan.

2.8.5 Any discharge of an intermittent or short duration shall be applied for on the separate Temporary discharge form provided in Schedule 1D (Appendix C). Such discharges include the short term discharge of an unusual waste from an consent holder with an existing trade waste consent, and the discharge of tankered wastes to designated points in the WDC systems.

2.8.6 Every application shall be accompanied by a trade waste application fee in accordance with the WDC's schedule of fees and charges.

2.8.7 The application for consent will not be processed until the application fee is paid.

2.9 INFORMATION AND ANALYSIS

- 2.9.1 On the receipt of any application for a trade waste consent to discharge from any premises or to alter an existing discharge, the WDC may:
- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision, and
 - (b) Whenever appropriate shall have the discharge investigated and analysed as provided for in clause 2.18 and 2.20 of this Part of the Bylaw. [Check numbering], and
 - (c) Require the applicant to submit a Management Plan to the satisfaction of the Council.
- 2.9.2 The WDC shall notify the applicant of any requirement under clause 2.9.1 within 20 working days of receipt of the application.

2.10 DETERMINING THE APPLICATION

- 2.10.1 Within 20 working days (or extended as necessary by the Council) of receipt of an application complying with this Part of the Bylaw and/or all requirements under clause 2.9, whichever is the later, the WDC shall, after considering the matters in clause 2.11 do one of the following in writing:
- (a) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal, or
 - (b) Grant the application as a trade waste consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice.
- 2.10.2 Granting a consent or permitting any discharge under this Part of the Bylaw does not relieve any person responsible for the discharge of a trade waste from any obligations to obtain any other consent or permission for the discharge under any other statutory requirement or obligation.

2.11 CONSIDERATION CRITERIA

- 2.11.1 In considering any application for a Trade Waste Consent to discharge from any Trade Premises or Tankered Waste into the Council's Sewerage System and in imposing any conditions on such a Consent, the Council shall take into consideration the quality, volume, and rate of discharge of the Trade Waste from such Premises or tanker in relation to:
- (a) the health and safety of humans or animals or harm to the Sewerage System;
 - (b) the limits and/or maximum values for Characteristics of Trade Waste as specified in Schedules 1A and 1B of this Part of the Bylaw;

- (c) the extent to which the Trade Waste may react with other waste or Foul Water to produce settlement of solids, production of odours, accelerated corrosion and deterioration of the Sewerage System or other undesirable effects;
- (d) the flows and velocities in, and the material and construction of the Public Sewer and Sewerage System;
- (e) the capacity of the Public Sewer and Sewerage System and the capacity of any Sewage treatment works and other facilities;
- (f) the nature of the Sewage treatment process and the degree to which the Trade Waste is capable of being treated in the Sewage treatment works;
- (g) the timing and balancing of flows into the Sewerage System;
- (h) enactments relating to
 - i. the discharge of raw or treated Wastewater into receiving waters;
 - ii. the disposal of Sewage Sludges;
 - iii. the beneficial use of Biosolids;
 - iv. the discharge into the atmosphere, and
 - v. resource consents, discharge permits and water classification;
- (i) the effect of the Trade Waste discharge on the ultimate receiving environment;
- (j) the conditions applicable to 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 of 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 minimization practices;

- (p) requirements and limitations related to Sewage Sludge disposal and reuse;
- (q) control of Stormwater;
- (r) the Management Plan; and
- (s) Tankered Waste being discharged at an approved location.

2.12 CONDITIONS OF TRADE WASTE CONSENT

2.12.1 Any trade waste consent to discharge may be granted subject to any such conditions the WDC may impose, including but not limited to:

- (d) The public sewer or sewers to which the discharge will be made, and
- (e) The maximum daily volume, the maximum rate and the duration of the discharge, and
- (f) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with Schedule 1A, and
- (g) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made, and
- (h) The degree of acidity, or alkalinity of the discharge at the time of discharge, and
- (i) The temperature of the trade waste at the time of discharge, and
- (j) The provision by the consent holder, at their expense, of screens, grease traps, silt traps, oil separators, or other pre-treatment works to prevent or control the discharge of solids, oils or grease or any other non-compliant material, and
- (k) The provision and maintenance by the consent holder, at their expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection, and
- (l) The provision and maintenance by the consent holder at their expense of a sampling, analysis and testing programme and flow measurement requirements;

- (m) 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 Trade Waste charges applicable;
- (n) 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, and
- (o) The provision and maintenance, at the consent holders expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices, and
- (p) The provision by the consent holder to the WDC of all flow and/or volume records and results of analyses, and
- (q) The requirement for a waste minimisation and management programme, and
- (r) The provision and implementation of a Management Plan;
- (s) Risk assessment of damage to the environment in the event of accidental discharge of a chemical;
- (t) Cleaner Production techniques;
- (u) Remote control of discharges;
- (v) Remote monitoring of discharges;
- (w) Third party treatment, carriage, discharge or disposal of by-products of Pre-treatment of Trade Waste (including Sewage Sludge disposal);
- (x) 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
- (y) The meeting of any other conditions reasonably necessary to achieve or ensure compliance with this Part of the bylaw.

2.13 DURATION

2.13.1 Permitted Discharges

2.13.1.1 A permitted trade waste consent shall remain in force until:

- (a) it is cancelled under clause 2.15; or
- (b) the quantity and nature of the discharge changes significantly. (Consent for Temporary Discharges shall be made in accordance with Schedule 1D, Appendix C of this Bylaw); or
- (c) if in the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a Conditional Trade Waste discharge or Prohibited Trade Waste discharge in accordance with clause 2.5 of this Part of the Bylaw; or
- (d) the Council changes the Trade Waste management procedures by amendment of the conditions provided for in clause 2.12 or any amendment to, or replacement of this Bylaw; or
- (e) the conditions on resource consents held by the Council issued under the Resource Management Act 1991 for the Sewerage System and the residuals from it change.

2.13.1.2 After consultation with the Council regarding its requirements, the consent holder shall apply within 10 Working Days of the aforesaid change occurring for a Conditional Trade Waste Consent, in accordance with clause 2.7 of this Part of the Bylaw. No discharge of Trade Waste shall take place until the application for a Conditional Trade Waste Consent is approved.

2.13.2 Conditional Discharges

2.13.2.1 Subject to the provisions of clause 2.8 and 2.11 a Consent for a contestable discharge of Trade Waste shall be issued for a period determined by the Council subject to the following conditions:

- (a) A Trade Waste Consent may be issued for a period not exceeding five years to a Consent Holder who at the time of application satisfies the Council that the:

- (i) (A) nature of the trade activity; or
- (B) process design; and/or
- (C) management of the Premises

are such that the Consent Holder has a demonstrated ability to meet the conditions of the Consent during its term;

and/or

- (ii) (A) Cleaner Production techniques are currently being successfully being utilized on the Premises, or
(B) that a significant and substantial investment in Cleaner Production equipment or techniques is being made;

and/or

- (iii) significant and substantial investment in Pre-treatment facilities has been made to the extent that a longer period of certainty for the amortizing of this investment is considered reasonable.

(b) Unless issued in accordance with clause (a), a Conditional Trade Waste discharge Consent shall not be issued for longer than two years.

(c) When

- (i) the holder of the Consent;
- (ii) the owner of the Premises; or
- (iii) the use of the Consent changes, a new application for a Conditional Trade Waste discharge Consent shall be made by the Consent Holder.

2.13.2.2 When the conditions on resource consents for the Sewerage System and the residuals from it change the Council may review the Conditional Trade Waste discharge Consent.

2.13.2.3 The Council may review the conditions of a Trade Waste Consent from time to time for one or more of the following reasons:

- (a) the level of compliance with the conditions of the Consent, including any accidents including spills or process mishaps;
- (b) considerations relating to the Council's resource Consents for the Sewerage System;
- (c) considerations relating to the Council's environmental policies and the intended objectives and outcomes;
- (d) new control and treatment technologies and processes that are implemented by the Council;
- (e) any of the considerations outlined in clause 2.11;
- (f) considerations relating to the Council's legal obligations that affect the conditions of a Trade Waste discharge Consent.

2.14 TECHNICAL REVIEW AND VARIATION

- 2.14.1 The WDC 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 extent as the WDC considers necessary to meet any new resource consent imposed on the discharge from the WDC's treatment plant, or with any other legal requirements imposed on the WDC.
- 2.14.2 The consent holder of a trade waste consent to discharge may at any time during the term of a consent, by written application to the WDC, seek to vary any condition of consent, as provided for in clause 2.12 of this Part of the Bylaw.
- 2.14.3 The WDC 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 of consent following a review of the technical issues considered when setting conditions of consent, due to new information becoming available.

2.15 CANCELLATION OF THE RIGHT TO DISCHARGE

2.15.1 Suspension or cancellation on notice

- 2.15.1.1 The Council may suspend or cancel any Consent or right to discharge at any time following 20 Working Days' notice to the Consent Holder or Person discharging any Trade Waste:
- (a) for the failure to:
 - (i) comply with any condition of the Consent;
 - (ii) maintain effective control over the discharge; or
 - (iii) limit in accordance with the requirements of a Trade Waste discharge consent the volume, nature, or composition of Trade Waste being discharged;
 - (iv) provide, and when appropriate, update a Management Plan as required for a Conditional Trade Waste disposal Consent;
 - (v) follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence; or
 - (vi) pay any charges under this Bylaw.
 - (b) in the event of any negligence which, in the opinion of the Council, threatens:
 - (i) the safety of the Sewerage System;
 - (ii) to cause damage to any part of the Sewerage System or the treatment plant; or
 - (iii) threatens the health and safety of humans or animals;
 - (c) if an occurrence happens that, in the opinion of the Council,

- (i) poses a serious threat to the environment; or
 - (ii) renders it necessary in the public interest to cancel the right to discharge.
- (d) in the event of a breach of a resource consent held by the Council issued under the Resource Management Act 1991.

2.15.2 Cancellation Timeframes

2.15.2.1 Before taking any steps envisaged in clause 2.15.1, the Council shall give 20 working days written notice of its intention to the holder of a trade waste discharge consent or a right to discharge trade waste.

2.15.2.2 During the notice period provided for in clause 2.15.2.1, the Council may enter into discussions with the holder of the trade waste discharge consent or the right to discharge trade waste affected by the notice to rectify the defect or to take steps to ensure compliance with the Council's requirements to the Council's satisfaction.

2.15.2.3 If any process changes require more than 20 working days, reasonable time may be given to rectify the defects or comply with the Council's requirements.

2.15.3 Summary Cancellation

2.15.3.1 Notwithstanding the requirements of clause 2.15.1 and 2.15.2, a trade waste discharge consent or discharge may at any time be summarily cancelled or stopped by the Council by giving to the Consent Holder or Person discharging written notice of summary cancellation if:

- (a)
 - (i) a prohibited substance is discharged; or
 - (ii) Trade Waste is unlawfully discharged; from that person's premises;or
- (b) the continuance of discharge, in the opinion of the Council,
 - (i) may be a threat to the environment or public health;
 - (ii) may result in a breach of a resource consent held by the Council in accordance with the Resource Management Act 1991; or
 - (iii) puts at risk the ability of the Council to comply with conditions of a resource Consent issued to it in accordance with the Resource Management Act 1991 or requires identified additional treatment measures or costs to avoid a breach of a resource Consent;or
- (c) the Council is lawfully directed to terminate the consent summarily.

PART 4 TRADE WASTE APPROVAL CRITERIA

2.16 PRE-TREATMENT

- 2.16.1 The Council may consent to a Trade Waste discharge subject to the provision of appropriate Pre-treatment system to enable the Person discharging Trade Waste to comply with this Part of the Bylaw.
- 2.16.2 The Pre-treatment system shall be provided, operated and maintained by the Person discharging the Trade Waste at their own expense.
- 2.16.3 Except with the prior written consent of the Council, a Person shall not use refuse or garbage grinders and macerators to dispose of solid waste from the Trade Premises to the Sewerage System.
- 2.16.4 Except with the prior written consent of the Council, a Person shall not add or permit the addition of any potable, condensing, cooling, infiltration or storm water to the Trade Waste stream in order to vary the level of any Characteristics of the waste.

2.17 MASS LIMITS

- 2.17.1 A trade waste consent to discharge may impose controls on a trade waste discharge by specifying mass limits for any characteristics, or for any conditional discharge.
- 2.17.2 Mass limits may be imposed for any characteristic. Any characteristic controlled by mass limit shall also have its maximum concentration limited to the value scheduled unless approved otherwise.
- 2.17.3 When setting mass limit allocations for a particular characteristic the WDC shall consider:
- (a) Conditions in the wastewater system near the trade waste discharge point and elsewhere in the wastewater system, and
 - (b) 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, and
 - (c) Whether or not the applicant uses cleaner production techniques, and
 - (d) Whether or not the applicant has established to the satisfaction of the WDC a programme to achieve cleaner production techniques within a satisfactory period, and
 - (e) 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, and

- (f) Any requirements of the WDC to reduce the pollutant discharge of the wastewater system, and
- (g) How great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater system, and
- (h) The total mass of the characteristic allowable in the wastewater 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 5 SAMPLING, TESTING AND MONITORING

2.18 FLOW METERING

2.18.1 Flow metering may be required by the Council:

- (a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste, or
- (b) when the Council will not approve a method of flow estimation; or
- (c) when the discharge represents a significant proportion of the total flow/load received by the Council.

2.18.2 The consent holder shall be responsible for the supply, installation and maintenance of any meter required by the WDC for the measurement of the rate or quantity of discharge of trade waste. These devices shall be subject to the approval of the WDC, but shall remain the property of the consent holder.

2.18.3 Records of flow and/or volume shall be available for viewing at any reasonable time by the WDC, and shall be submitted to the WDC at prescribed intervals.

2.18.4 Meters shall be:

- (i) located in a position approved by the Council;
- (ii) provide the required degree of accuracy; and
- (iii) shall be readily accessible for reading and maintenance.

- 2.18.5 The meters shall be located in the correct position according to the manufacturer's installation instructions.
- 2.18.6 The consent holder shall arrange for confirmation of the flow metering equipment and instrumentation by a Person approved by the Council upon installation and at least once a year thereafter to ensure performance within $\pm 10\%$ of its reading. A copy of independent certification of each calibration result shall be submitted to the WDC.
- 2.18.7 Should any meter, after being calibrated, be found to register a greater or lesser discharge than the quantity of wastewater actually passed, the WDC, after consultation with the consent holder, may make an adjustment in accordance with the results shown by such tests backdated for a period at the discretion of the WDC, but not exceeding twelve months, and the consent holder shall pay a greater or lesser amount according to such adjustment.

2.19 ESTIMATING DISCHARGE

- 2.19.1 Where no meter or similar apparatus is warranted, the WDC 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.
- 2.19.2 Should any meter be out of repair or cease to register, or be removed, the WDC shall estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 4 billing periods charged to the consent holder) and the consent holder 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 4 billing periods would be an unreasonable estimate of the discharge the WDC shall take into consideration other relevant evidence for the purpose of arriving at a reasonable estimate, and the consent holder shall pay according to such estimate.
- 2.19.3 Where a meter has been tampered with, the WDC (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

2.20 SAMPLING AND ANALYSIS

- 2.20.1 As determined by the Council sampling, testing and monitoring may be undertaken to determine:
- (a) If a discharge complies with the provisions of this Part of the Bylaw;
 - (b) If a discharge is to be classified as Conditional, Permitted or Prohibited, refer to clause 2.5;

(c) If a discharge complies with the provisions of Schedule 1A for Permitted Discharge and any Consent to discharge; and

(d) What Trade Waste Consent charges are applicable to that discharge.

2.20.2 The taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of the Council, or the Person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council. 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.

2.20.3 All authorised officers or authorised agents of the Council, or any 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:

(a) Taking readings and measurements;

(b) Carrying out an inspection; and/or

(c) Taking samples for testing,

of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

2.20.4 Authorization for entry to Premises is given under the Local Government Act 2002 and entry shall be in compliance with the health and safety policies of that particular site.

2.21 MONITORING FOR COMPLIANCE

2.21.1 The Council is entitled to monitor and audit any trade waste discharge for compliance. Monitoring may be carried out, and may include, without limitation, all or any of the following:

(a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an Approved laboratory by agreed/approved analytical methods;

(b) The sampling procedure will be appropriate to the Trade Waste and the analysis;

(c) 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;

(d) The Council will audit the sampling and analysis carried out by an Analyst. Analysis will be performed by an Approved laboratory. Inter-laboratory checks are to be part of this process; and

(e) The Council will audit the Trade Waste Consent conditions including any Management Plans.

2.21.2 At the discretion of the Council all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

2.22 DILUTION

2.22.1 The consent holder shall not (unless approved) add, or permit the addition of, any water whatsoever to any waste stream solely in order to vary the level of any characteristic of the waste.

2.23 SAMPLING METHODOLOGY

2.23.1 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.

2.23.2 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.

2.23.3 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.

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

2.24 TANKERED WASTES

2.24.1 Tankered Wastes shall not be discharged into the Council's Sewerage System by any Person or Consent Holder not compliant with the Liquid and Hazardous Wastes Code of Practice.

2.24.2 The Council may accept Tankered Wastes for discharge at an approved location. Tankered Wastes shall:

- (a) Be transported by a Consent Holder to discharge domestic septic tank or industrial wastes;
- (b) Have material safety data sheets (MSDS) supplied to the Council detailing the contents of a waste;
- (c) Be tested to determine their character if the contents of the waste are not known. Specialist advice on Pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the consent holder;
- (d) Not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;
- (e) 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
- (f) Have 24 hours notice given for the disposal of wastes other than those sourced from domestic septic tanks.

2.24.3 Any Person illegally disposing of, or causing to be disposed, Tankered Waste either by incorrect disclosure of contents (Characteristics and/or amount) or dumping into the Council's Sewerage System other than the prescribed location will be in breach of this Part of the Bylaw.

2.25 CHARGES AND PAYMENT

- 2.25.1 The Council may recover fees and charges in accordance with the Local Government Act 2002 and in accordance with the Council's Schedule of Fees and Charges.
- 2.25.2 The consent holder shall be liable to pay for the discharge of trade wastes and any related material in accordance with Appendix 1 of this Part of the Bylaw which covers fees and charges.

2.26 INVOICING

- 2.26.1 All charges determined in accordance with clause 2.25 shall be invoiced in accordance with the 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.

2.27 CEASE TO DISCHARGE

- 2.27.1 The person discharging shall be deemed to be continuing the discharge of Trade Waste and shall be liable for all charges, until notice of Disconnection is given.

2.28 FAILURE TO PAY

- 2.28.1 All fees and charges payable under this Part of the Bylaw shall be recoverable as a debt.
- 2.28.2 If the person discharging fails to pay any fees and charges under this Part of the Bylaw the Council may cancel the right to discharge in accordance with clause 2.15 of this Part of the Bylaw.

2.29 RECOVERY OF COSTS

- 2.29.1 The Council may recover costs under the Local Government Act 2002 relating to section 150 and section 151, for willful damage or negligent behaviour (section 175 of the Act) and remedying damage arising from breach of this Part of the Bylaw (section 176 of the Act).

2.30 AUTHORISED OFFICERS

- 2.30.1 All officers appointed by the Council under or for the purpose of the revoked Whakatane District Council Trade Waste Bylaw 1996, and holding office at the time of the coming into operation of this Part of the Bylaw, shall be deemed to have been appointed under this Part of the Bylaw.
- 2.30.2 All authorised officers of the Council, or other Persons authorised under section 174 or section 177 or paragraph 32 of schedule 7 of the Local Government Act 2002, shall possess and produce on request warrants of authority and evidence of identity.
- 2.30.3 Any authorised officers 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 or any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; or
 - (c) Observing accidental occurrences and clean-up.
- 2.30.4 The extent and level of delegation to Authorised Officers will be in accordance with the Council's Register of Statutory Delegations and Warrants.
- 2.30.5 Authorization for entry to Premises is given under the Local Government Act 2002 and entry shall be in compliance with the health and safety policies of that particular site.

2.31 NON COMPLYING CONNECTIONS

- 2.31.1 The customer shall allow the WDC with any necessary equipment, access to foul and stormwater systems of the premises for the purpose of ascertaining whether non complying connections have been made.

2.32 TRANSFER OR TERMINATION OF RIGHTS AND RESPONSIBILITIES

- 2.32.1 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 WDC:
- (a) Transfer to any other party the rights and responsibilities provided for under this Part of the Bylaw, and under their consent,
 - (b) Allow a point of discharge to serve another premises, or the private drain to that point to

extend by pipe or any other means to serve another premises,

- (c) In particular and not in limitation of the above allow wastewater from any other party to be discharged at their point of discharge.

2.32.2 Transfer of a trade waste consent on change of ownership of a premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.

2.32.3 The person discharging shall give 48 hours notice in writing to the WDC of his or her 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 7 working days. The occupier shall notify the WDC of the new address details for final invoicing.

2.33 SERVICE OF DOCUMENTS

2.33.1 Delivery or Post

2.33.1.1 Any notice or other document required to be given, served or delivered under this Part of the Bylaw to a Person discharging may (in addition to any other method permitted by law) be given or served or delivered by being:

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

2.33.2 Service

2.33.2.1 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.

2.33.3 Signature

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

2.34 OFFENCES

- 2.34.1 Every person or consent holder or owner or occupier of any trade premises who:

- (a) Fails to comply with or acts in contravention of any provision within this Part of the Bylaw, or;
- (b) Breaches the conditions of any consent granted under this Part of the Bylaw, or;
- (c) Fails to comply with a notice served under this Part of the Bylaw;

commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242 of the Act or the issue of an infringement notice under section 245 of the Act.

- 2.34.2 In all cases the Council may recover costs associated with damage to the Council's Sewerage System and/or breach of this Part of the Bylaw in accordance with section 175 and section 176 of the Local Government Act 2002 respectively.

2.35 TRANSITIONAL PROVISIONS

2.35.1 Applications

2.35.1.1 Any application for a consent to discharge trade waste for which a consent has not been granted at the time of coming into force of these Bylaws shall be deemed to be an application made under clause 2.5 of this Part of the Bylaw.

2.35.2 Existing Trade Waste Consents

2.35.2.1 Every existing Trade Waste Consent shall continue in force as if it were a Consent under this Part of the Bylaw until it reaches its expiry date provided that no Consent shall run beyond the 1st August 2009.

2.36 REVIEW OF DECISIONS

2.36.1 If any person is dissatisfied with any decision of an authorised officer of the WDC made under this Part of the Bylaw, that person may, by notice delivered to the Chief Executive Officer of the Council not later than 20 working days after the decision of the authorised officer is served upon that person, request the Chief Executive Officer to review any such decision and such a decision shall be final.

2.36.2 Nothing in this clause shall affect any right of review or appeal available under the law.

2.37 ACCIDENTS AND NON-COMPLIANCE

2.37.1 The person discharging shall inform the WDC immediately on discovery of any accident including spills or process mishaps, which may cause a breach of their trade waste consent in particular, or of this Part of the Bylaw in general.

SCHEDULE 1A ACCEPTABLE DISCHARGE CHARACTERISTICS

1A.1 Introduction

- 1A.1.1** The nature and levels of the characteristics of any wastewater discharged to the WDC system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the WDC as part of an approval to discharge a wastewater.
- 1A.1.2** The WDC 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 WDC believes are appropriate.
- 1A.1.3** The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the WDC – refer to clause 2.13 of this Part of the Bylaw.
- 1A.1.4** Mass limits for characteristics in tables 1A.1, 1A.2 and 1A.3 may be applied by the Council as required, refer clause 2.17 of this Part of the Bylaw.

1A.2 Physical characteristics

1A.2.1 *Flow*

- (a) The 24 hour flow volume shall be less than 3 m³.
- (b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

1A.2.2 *Temperature*

The temperature shall not exceed 35 °C.

Higher temperatures:

- cause increased damage to sewer structures.
- increase the potential for anaerobic conditions to form in the wastewater.
- promote the release of gases such as H₂S and NH₃.
- can adversely affect the safety of operations and maintenance personnel.

A lower maximum temperature may be required for large volume discharges.

1A.2.3 Solids

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm and gross solids shall have acquiescent settling velocity which shall not exceed 50 mm/minute. | Gross solids can cause sewer blockages. |
| (b) The suspended solids content of any wastewater shall have a maximum concentration which shall not exceed 1000 g/m ³ . | High suspended solids contents can cause sewer blockages and overload the treatment processes. Where potential for such problems exists, a limit of 1000 g/m ³ may be more appropriate. |
| (c) The settleable solids content of any wastewater shall not exceed 50 mL/L. | |
| (d) The total dissolved solids concentration in any wastewater shall be subject to the approval of the WDC 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. | High total dissolved solids reduces effluent disposal options and may contribute to soil salinity. Where potential for such problems exists, a limit of 10,000 g/m ³ may be used as a guideline. |
| (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. | |

1A.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 WDC 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 pH 6.0 to pH 10.0.
- (c) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the WDC is biodegradable shall not exceed 500 g/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 pH 4.5 to pH 10.0.
- (d) Emulsified oil, fat or grease shall not exceed 100 g/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 pH 4.5 to pH 10.0.

Oils and greases can cause sewer blockages, may adversely effect the treatment process, and may impair the aesthetics of the receiving water. Where the treatment plant discharges to a sensitive receiving water, lower values should be considered.

In terms of oil and greases, biodegradable refers to the bio-availability of the oil and greases and the biochemicals thereby produced, and means the oil and grease content of the waste decreases by 90 % or more when the wastewater is subjected to a simulated wastewater treatment process which matches the WDC treatment system.

If quick break detergents are being used, it should be ensured that proper separation systems are being used by the occupier. If not, oil will reappear in drainage systems as a free layer.

1A.2.5 *Solvents and Other Organic Liquids*

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

Some organic liquids are denser than water and will settle in sewers and traps.

1A.2.6 *Emulsions of paint, adhesive, rubber, plastic*

For the purposes of this sub-clause:

'Latex emulsion' means an emulsion containing paint, adhesive, rubber, plastic, or similar material.

'Treatable' in relation to emulsion wastewater, means the Total Organic Carbon content of the waste decreases by 90 % or more when the wastewater is subjected to a simulated wastewater treatment process which matches the WDC treatment system.

- (a) Latex emulsions which are not treatable may be discharged into the sewer subject to the total suspended solids not exceeding 600 g/m³.
- (b) The WDC may require pretreatment of latex emulsions if the emulsion wastewater unreasonably interferes with the operation of the WDC treatment plant.
- (c) Latex 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.

Latex emulsions vary considerably in their properties and local treatment works may need additional restrictions depending on the experience of the specific treatment plant and the quantity of latex to be treated.

Latex emulsions will coagulate when unstable and can sometimes cause sewer blockage. Latex emulsions are stable when dilute or in the correct pH range.

1A.2.7 *Radioactivity*

Radioactivity levels shall not exceed National Radiation Laboratory guidelines.

Refer National Radiation Laboratory *Code of safe practice for the use of unsealed radioactive materials* NRL. C1

1A.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 final effluent discharge consent.

Colour may cause aesthetic impairment of receiving waters, and adverse affects on lagoon treatment processes and ultra-violet disinfection. Where potential for such problems exists, a level of colour which is rendered not noticeable after 100 dilutions may be used as a guideline. Where UV disinfection is used special conditions may apply.

1A.3 **Chemical characteristics**

In the setting of restrictions for chemical characteristics the WDC must be mindful of the production of harmful or noxious wastestreams from some tests, such as chemical oxygen demand and total Kjeldahl nitrogen. The need to set such restrictions and therefore the requirement to undertake the associated testing must be determined by the WDC.

1A.3.1 *pH value*

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

Extremes of pH:

- can adversely affect biological treatment processes.
- can adversely affect the safety of operations and/or maintenance personnel.
- cause corrosion of sewer structures.
- increase the potential for the release of toxic gases such as H₂S and HCN.

Relaxation of these limits to 5.5 and 11.0 is acceptable for low volume premises which discharge into a large flow.

1A.3.2 *Organic strength*

1A.3.2.1 The Biochemical Oxygen Demand (BOD) of any waste may require to be restricted where the capacity for receiving and treating BOD is limited. A BOD restriction may be related to mass limits.

Where there is no treatment system for organic removal the BOD shall not exceed 1000 g/m³.

The loading on a treatment plant is affected by Biochemical Oxygen Demand (BOD) rather than Chemical Oxygen Demand (COD). For any particular waste type there is a fixed ratio between COD and BOD. For domestic wastewater it is about 2.5:1 (COD : BOD), but can range from 1:1 to 100:1 for trade waste. Therefore BOD is important for the treatment process and charging, but because of the time taken for testing, it is often preferable to use COD for monitoring.

However, the use of COD testing must be balanced by the possible environmental effects of undertaking such tests due to the production of chromium and mercury wastes. Where a consistent relationship between BOD and COD can be established the discharge may be monitored using the COD test.

If the treatment plant BOD capacity is not limited, and sulphides are unlikely to cause problems, there may be no need to limit BOD. High COD may increase the potential for the generation of sulphides in the wastewater.

A BOD limit which is too stringent may require the installation of pretreatment systems by some occupiers, imposing unnecessary costs because the most cost effective treatment method is likely to be the WDC treatment plant.

1A.3.3 **Maximum Concentrations**

1A.3.3.1 INTRODUCTION

The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in the following tables:

General chemical

characteristics Table 1A.1

Heavy metals..... Table 1A.2

Organic compounds Table 1A.3

Where appropriate, maximum daily limits (kg/day) for mass limit controlled discharges are also given.

[Mass limits should be calculated and inserted where the WDC considers that it gives:

- (a) *The occupier more flexibility to adopt cleaner production techniques which may produce an effluent which allows the WDC to consider consenting to a higher level than the maximum concentration permissible, but for a lower total mass (without any adverse effects on the WDC system or discharge consents); or*
- (b) *The ability to allocate a fixed quantity of a particular characteristic amongst various trade premises, e.g. a heavy metal. The quantity may be fixed by reason of a discharge consent or some other constraint.*

The maximum concentration permissible should not exceed that achievable from the appropriate best available technology. Concentration limits should also be set to ensure the health and safety of the WDC personnel, the integrity of the collection systems and the treatment process.

Mass limits are more complex to administer and police and should only be adopted where the WDC has sufficient expertise and resources.]

1A.3.3.2 GENERAL CHEMICAL CHARACTERISTICS

Table 1A.1 – General chemical characteristics

Characteristic	Maximum concentration	Mass limit (kg/day)	
MBAS (Methylene blue active substances)	500 g/m ³		<p>MBAS is a measure of anionic surfactants. High MBAS can:</p> <ul style="list-style-type: none"> – adversely effect the efficiency of activated sludge plants. – impair the aesthetics of receiving waters.
Ammonia (measured as N)			<p>High ammonia:</p> <ul style="list-style-type: none"> – may adversely effect the safety of operations & maintenance personnel. – may significantly contribute to the nutrient load to the receiving environment.
– free ammonia	50 g/m ³		
– ammonium salts		200 g/m ³	
Kjeldahl nitrogen	200 g/m ³		<p>High Kjeldahl nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 150 g/m³ should be used as a guideline for sensitive receiving waters.</p>
Total phosphorus (as P)	150 g/m ³		<p>High phosphorus may significantly contribute to the nutrient loading of the receiving environment. A value of 50 g/m³ should be used as a guideline for sensitive receiving waters.</p>
Sulphate (measured as SO ₄)	1500 g/m ³ (with good mixing)	500 g/m ³	<p>Sulphate:</p> <ul style="list-style-type: none"> – may adversely affect sewer structures. – may increase the potential for the generation of sulphides in the wastewater if the sewer is prone to become anaerobic.

Sulphite (measured as SO ₂)	15 g/m ³	Sulphite has potential to release SO ₂ gas and thus adversely affect the safety of operations & maintenance personnel. It is a strong reducing agent and removes dissolved oxygen thereby increasing the potential for anaerobic conditions to form in the wastewater.
Sulphide – as H ₂ S on acidification	5 g/m ³	Sulphides in wastewater may: <ul style="list-style-type: none"> – cause corrosion of sewer structures, particularly the top non-wetted part of a sewer. – generate odours in sewers which could cause public nuisance. – release the toxic H₂S gas which could adversely affect the safety of operations & maintenance personnel.
Chlorine (measured as Cl ₂)	<ul style="list-style-type: none"> – free chlorine 3 g/m³ – hypochlorite 30 g/m³ 	Chlorine: <ul style="list-style-type: none"> – can adversely affect the safety of operations & maintenance personnel. – can cause corrosion of sewer structures.
Dissolved aluminium	200 g/m ³	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate as a scale which may cause a sewer blockage.
Dissolved iron	200 g/m ³	Iron salts may precipitate and cause a sewer blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Boron (as B)	25 g/m ³	Boron is not removed by conventional treatment. High concentrations in effluent may restrict irrigation applications. Final effluent use and limits should be taken into account.

Bromine (as Br ₂) 5 g/m ³	High concentrations of bromine may adversely affect the safety of operations & maintenance personnel.
Fluoride (as F) 30 g/m ³	Fluoride is not removed by conventional wastewater treatment, however pre-treatment can easily and economically reduce concentrations to below 20 g/m ³ .
Cyanide – weak acid dissociable (as CN) 5 g/m ³	Cyanide may produce toxic atmospheres in the sewer and adversely affect the safety of operations & maintenance personnel.

1A.3.3.3 HEAVY METALS[†]

Table 1A.2 – Heavy metals[†]

Metal	Maximum concentration (g/m ³)	Mass limit (kg/day)
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	
Silver	2	
Nickel	10	
Selenium	10	
Thallium	10	
Tin	20	
Zinc	10	

Heavy metals have the potential to:

- impair the treatment process
- impact on the receiving environment
- limit the reuse of sludge and effluent.

Where any of these factors are critical it is important that local acceptance limits should be developed.

The concentration for chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than chromium (III), and for a discharge where chromium (III) makes up a large proportion of the characteristic, higher concentration

<p>† Heavy metals shall be accepted up to the maximum concentrations given only when specifically approved.</p>

limits may be acceptable. Specialist advice should be sought.

1A.3.3.4 ORGANIC COMPOUNDS

Table 1A.3 – Organic compounds

Compound	Maximum concentration (kg/day)	Mass limit
Formaldehyde (as HCHO)	50 g/m ³	Formaldehyde in the sewer atmosphere can adversely affect the safety of operations & maintenance personnel.
Phenolic compounds (as phenols) – excluding chlorinated phenols	50 g/m ³	Phenols may adversely affect biological treatment processes. They may not be completely removed by conventional treatment and subsequently impact on the environment.
Chlorinated phenols		0.02 g/m ³ Chlorinated phenols can adversely affect biological treatment process and may impair the quality of the receiving environment.
Petroleum hydrocarbons	30 g/m ³	Petroleum hydrocarbons may adversely affect the safety of operations & maintenance personnel.

<p>Halogenated aliphatic compounds[†] 1 g/m³</p>	<p>Because of their stability and chemical properties these compounds:</p> <ul style="list-style-type: none"> - may adversely affect the treatment processes. - may impair the quality of the receiving environment. - may adversely affect the safety of operations & maintenance personnel.
<p>Monocyclic aromatic hydrocarbons 5 g/m³</p>	<p>These compounds (also known as benzene series) are relatively insoluble in water, and are normally not a problem in trade waste. They may be carcinogenic and may adversely affect the safety of operations maintenance personnel.</p>
<p>Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs) 0.05 g/m³</p>	<p>Many of these substances have been demonstrated to have an adverse effect on the health of animals. Some are also persistent and are not degraded by conventional treatment processes.</p>
<p>Halogenated aromatic hydrocarbons (HAHs) Polychlorinated biphenyls (PCBs) 0.002 g/m³ Polybrominated biphenyls (PBBs) 0.002 g/m³</p>	<p>Because of their stability, persistence and ability to bioaccumulate in animal tissue these compounds have been severely restricted by health and environmental regulators.</p>

Pesticides (general) [†] (includes insecticides, herbicides, fungicides and excludes organo-phosphate, organo-chlorine and any pesticides not registered for use in New Zealand)	0.2 g/m ³
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The category covers all pesticides other than those that are specifically listed below.

Pesticides:

- may adversely affect the treatment processes.
- may impair the quality of the receiving environment.
- may adversely affect the safety of operations & maintenance personnel.

Organophosphate pesticides ^{*†}	0.1 g/m ³
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* Excludes pesticides not registered for use in New Zealand.

† These compounds shall be accepted up to the given maximum concentration only when specifically approved.

1A.3.3.5 INHIBITORY CHEMICALS

At the choice of the WDC no waste being diluted at a fixed ratio to wastewater, nominated by the WDC, shall inhibit the performance of the wastewater treatment process such that the WDC is significantly at risk or prevented from achieving its environmental statutory requirements.

SCHEDULE 1B

PROHIBITED CHARACTERISTICS

1B.1 Introduction

This schedule defines prohibited trade wastes.

1B.2 Prohibited characteristics

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

- (a) Interfere with the free flow of sewage in the wastewater system, or
- (b) Damage any part of the wastewater system, or
- (c) In any way, directly or indirectly, cause the quality of the effluent or residual biosolids and other solids from any wastewater treatment plant in the catchment to which the waste was discharged to breach the conditions of a consent issued under the Resource Management Act 1991, or water right, permit or other governing legislation, or
- (d) Prejudice the occupational health and safety risks faced by humans, or
- (e) After treatment be toxic to fish, animals or plant life in the receiving waters, or
- (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 of any wastewater treatment plant to receiving waters to be coloured.

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

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

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

- Chromium (as organic 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 covered by NZS 4304 or any pathological or histological wastes.
- (h) Radioactivity levels in excess of National Radiation Laboratory guidelines.

SCHEDULE 1C

**EXAMPLES OF TYPES OF TRADE ACTIVITIES PRODUCING
TRADE WASTE**

Note: The examples set out are not an exhaustive list.

LIKELY TO BE PERMITTED	CONDITIONAL	CONDITIONAL
Beautician	Abattoir	Manufacturers of fertilizer
Building Construction – slab formation	Approved Stormwater discharged to Sewer	Manufacturers of paper & paper products
Café (no cooking)	Beverage manufacturers (including wineries)	Marae
Carpet cleaning mobile units	Bakeries	Mechanical workshops/service stations
Ceramics & pottery (Hobby Club)	Cafés	Medical laboratories
Coffee Lounge (no cooking)	Churches (with catering facilities)	Metal finishers
Community hall (no hot food cooked)	Clothing manufacturers	Mortuaries
Day care centre (with no hot food cooked & served onsite)	Concrete batching plants	Municipal swimming pool
Delicatessen (no meat cooked onsite. No hot food prepared or served.)	Dairy processing plants	Optical factory
Doctors' surgeries (excluding day care surgical facilities)	Day care centre (with hot food cooked & served onsite)	Pharmacies
Dog groomers	Dentists	Photo processors
Florist	Doctors' surgeries/medical centres (with day care surgical facilities)	Premises with commercial macerators
Fruit & vegetable market (retail)	Dry Cleaners	Printers
Hairdressing salon	Electroplaters	Restaurants (excluding those with commercial macerators)
Ice cream parlour	Fellmongers	Schools, polytechnics, universities (with laboratories)
Kennels	Food processors including canneries	Scientific and other laboratories
Nut shop	Foundries	Spray painting facilities
Optical processes	Fruit and vegetable processors including canneries	Stock sale yards
Painter (small commercial)	Funeral Parlour	Takeaway premises
Pet shop (retail)	Galvanizers	Tankered Wastes
Sandwich bar/salad bar	Hospitals (including day care surgical facilities)	Tanneries and leather finishing (including fellmongery)
School canteen (no cooking)	Hotels & Motels with catering facilities	Textile fibre and textile processors
School ceramics & pottery	Laundries	Truck wash facilities
Swimming pool (non municipal)	Landfills (leachate discharge)	Vaccine manufacturers
Takeaway food (no hot food)	Manufacturers of chemicals, and of chemical, petroleum, coal, rubber and plastic products	Vehicle wash facilities
Venetian blind cleaning	Manufacturers of clay, glass, plaster, masonry, and mineral products	Veterinary surgeries
	Manufacturers of fabricated metal products, machinery and equipment	Waste management processors
		Wholesalers/retailers including butchers, greengrocers & fishmongers (excluding those with commercial macerators)
		Woolscourers

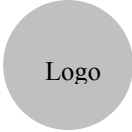
SCHEDULE 1D
APPLICATION FORMS FOR TRADE WASTE DISCHARGE

Appendix A Application for Trade Waste Discharge

Appendix B Description of Trade Waste Premises

Appendix C Application for Temporary Discharge

APPENDIX A - APPLICATION FOR TRADE WASTE DISCHARGE

<p style="margin: 0;">THE WASTEWATER AUTHORITY OF THE</p> <h1 style="margin: 0;">Whakatane District Council</h1> <p style="margin: 0;">APPLICATION FOR TRADE WASTE DISCHARGE</p>	
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------

PLEASE PRINT CLEARLY

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

.....

LOT NUMBER
.....

DP NUMBER
.....

POSTAL ADDRESS OF CUSTOMER FOR CHARGING
Name: Address:

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

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

ARE THE DOMESTIC AND TRADE WASTE STREAMS SEPARATED?
<input type="checkbox"/> Yes <input type="checkbox"/> No

TERM OF CONSENT SOUGHT
From: For a period of: <input type="checkbox"/> 1 year <input type="checkbox"/> 2 years <input type="checkbox"/> 5 years <input type="checkbox"/> Other (specify)

CONNECTIONS REQUIRED
Size: No.: Size: No.: Note – Minimum size 100 mm.

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

DESCRIPTION OF MAIN TRADE ACTIVITY
.....

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>

DIAGRAM FOR CONNECTION LOCATION (Show distances from boundaries, kerbs, buildings)
.....

VALUATION NUMBER

APPENDIX B - DESCRIPTION OF TRADE WASTE AND PREMISES

DESCRIPTION OF TRADE WASTE AND PREMISES – PLEASE PRINT CLEARLY

1 GENERAL PREMISES 1.10

1.1 Trade name and street address

.....

 Phone: Fax:

1.2 Name and address of owner/occupier

Name:
 Address:

1.3 Contact for enquiries (if different from above)

Name:
 Address:

1.4 Total volume of wastes:

Average daily volumem³
 Maximum volume in any 8 hr periodm³
 Maximum daily volumem³
 Maximum flowL/sec
 Seasonal fluctuation (range)

1.5 General characteristics of wastes: TYPICAL RANGE

Temperature (°C)	.....	.....
BOD5 (mg/L)	.....	.....
COD (mg/L)	.....	.....
Suspended solids (mg/L)	.....	.....
pH	.....	.....
Oil and greases	.....	.....
Enterococci (cfu/100ml)	.....	.....

1.6 The source of water used on the premises is:

(a) from Council m³/working day
 (b) from other sources (*state source*)
 m³/working day

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.

1.8 It is / is not proposed that domestic wastewater and trade waste should be discharged at the same point of discharge.

1.9 The proposed method for flow measurement is:

- a permanent installation of suitable flow measuring equipment
- based on water usage as measured by meter
- other, (*specify*)

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 storm water system.

1.11 Site plans of the premises are attached which clearly show the location of the following as appropriate:

- process areas
- trade waste drains
- domestic waste-water drains
- stormwater drains
- other, (*specify*)
- flow measuring devices
- emergency spill devices
- open areas draining to trade waste drains
- emergency spill containment

Main trade waste pretreatment systems

- screens
- flow balance
- chemical treatment
- pH control
- grease traps
- biological treatment

1.12 Detailed drawings and descriptions for the following are attached as appropriate:

- pretreatment systems
- flow measuring devices
- emergency spill containment
- sampling points
- method of flow meter calibration

1.13 An independent waste audit of the premises has / has not been carried out by:

.....

1.14 A Discharge Management Plan is / is not attached.

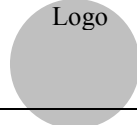
1.15 The Health and Safety Requirements and security arrangements for Council staff entering the premises are as follows: (*specify*)

.....

APPENDIX C - APPLICATION FOR TEMPORARY DISCHARGE

Whakatane District Council

APPLICATION FOR TRADE WASTE DISCHARGE



PLEASE PRINT CLEARLY

APPLICANT
Name:
Company:
Address:
.....
Phone:
Fax:
Applicant responsible for liquid waste
<input type="checkbox"/> Transportation
<input type="checkbox"/> Generation
<input type="checkbox"/> Licensed transporter

GENERATOR/TRANSPORTER OF LIQUID WASTE (Delete applicant's responsibility)
Name:
Company:
Address:
.....
Phone:
Fax:

APPLICATION SOUGHT FOR
<input type="checkbox"/> One discharge
<input type="checkbox"/> A number of discharges of the same kind of liquid waste over a period of one year

PROPOSED POINT OF DISPOSAL
.....
.....
If from premises to public sewer, which is existing trade waste consent number?
.....

PROPOSED TIMING OF DISPOSAL
Time:
Date:

LIQUID WASTE

Quantity: .....m ³
Source:
.....
.....
Process in which waste was produced:
.....
.....
.....
General characteristics
BOD ₅ : mg/L
COD: mg/L
Suspended solids: mg/L
PH:
Oil and grease: mg/L
Enterococci: cfu/100ml
List any characteristics which are likely to be greater than 50 % of concentrations stipulated in Schedule 1A of the Trade Waste Bylaw.
.....
.....
.....
.....
.....
.....

ANALYSIS
(Check with WDC whether this is required)
<input type="checkbox"/> Appended
<input type="checkbox"/> Not required

DECLARATION
We hereby certify that the above liquid waste is Accurately described
Applicant:
Transporter / Generator:

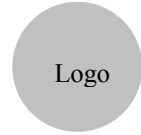
SCHEDULE 2A

TRADE WASTE CONSENT FORM

Whakatane District Council

CONSENT TO DISCHARGE TRADE WASTE TO THE PUBLIC SEWER

Pursuant to Part 2 – Trade Waste of the WDC Consolidated Bylaw 2007



To:
(Consent Holder trade name)

Address:
(Street address of Trade Premises)

Phone: Fax:

Name:
(Contact name)

Address:
(Address for charging and service of documents)

.....
(Trade activity)

In response to, and in terms of, the information declared in your application of to discharge Trade Waste from the above Premises, the Consent of the WDC is hereby given for the term and subject to the conditions set out below:

1. That this Consent relates to a proposed new discharge / an existing non-consented discharge/ renewal of a Consent / variation to an existing Consent.
2. That this is a permitted/ conditional Consent.
3. That the provisions of Part 2 of the Whakatane District Council Consolidated Bylaw 2007 are complied with at all times.
4. That this Consent is valid for a period of years and will expire on.....
5. That the Trade Waste discharged under this Consent shall consist only of wastes from the following processes:
.....
.....
.....
.....
.....
.....
.....
6. That this Consent is subject to the specific conditions set out in Schedule 1A which is attached.

For and on behalf of the Whakatane District Council

Authorized Officer:

Name:

Signature:

Date:

FOR OFFICE USE ONLY

Consent No.:

Application No.:

File No.:

APPENDIX 1 - TRADE WASTE CHARGES

Fees and charges are set by Council resolution. This will be done through the Annual Plan or other similar process in accordance with the Local Government Act 2002.

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

Table 1: Rates and charges

A. Administrative Charges	
Category	Description
A1 Compliance monitoring	The cost of sampling and analysis of Trade Waste discharges
A2 Trade Waste application fee	Payable on an application for a Trade Waste discharge
A3 Reinspection 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
A4 Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Council Sewerage System
A5 Temporary Discharge fee	Payable prior to receipt of Temporary Discharge
A6 Annual Trade Waste charges	<p>An annual management fee for a Trade Waste discharge to cover the Council's costs associated with for example:</p> <ul style="list-style-type: none"> (a) Administration; (b) General compliance monitoring; (c) General inspection of Trade Waste Premises; (d) Use of the Council Sewerage System. <p>This charge may vary depending on the Trade Waste sector and category of the discharger.</p>
B. Trade Waste Charges	
Category	Description
B1 Volume	Payment based on the volume discharged $\$/m^3$
B2 Suspended solids	Payment based on the mass of suspended solids $\$/kg$
B3 Organic loading	Biochemical oxygen demand or chemical oxygen demand $\$/kg$
B4 Nitrogen	Payment based on the defined form(s) of nitrogen $\$/kg$
B5 Phosphorus	Payment based on the defined form(s) of phosphorus

	\$/kg
B6 Metals	Payment based on the defined form(s) of the metal(s) \$/kg
B7 Enterococci	Payment based on the number of enterococci \$/cfu/100ml
B8 Transmissivity	A charge based on the inhibiting nature of the Trade Waste to UV light used by any disinfection process.
B9 Screenable Solids	Payment based on the mass of screenable solids \$/kg.
B10 Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) \$/kg and/or \$/m ³
B11 Incentive rebate	A rebate for discharging materials beneficial to the Sewerage System \$/kg and/or \$/m ³
B12 Depreciation	Operating cost related to capital and normally spread across the volume and mass charges.
B13 Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a conditional consent.
C. Tankered Waste Charges	
C1 Tankered Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on Trade Waste category
C2 Toxicity	Payment based on the defined form(s) of the toxic substance(s) \$/kg and/or \$/m ³

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

1. Trade wastes producers will be charged the actual cost involved in treating the trade wastes received by Council into the sewer or treatment plant.
2. The total cost to Council of receiving, conveying, treating and disposing of wastewater from within its district is made up of capital, maintenance, operating consumables, labour and administration costs.
3. The costs for each Discharger of wastewater are apportioned to volume, Biochemical Oxygen Demand (BOD₅), Inert Suspended Solids (ISS), Volatile Suspended Solids (VSS), total nitrogen (TN) and total phosphorous (TP) of discharged wastewater, and summed to give the total costs of reticulation to, and treatment at, the treatment plant.
4. The average annual volume in cubic metres of all sewage, wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each subsequent financial year, is designated as Q (m³/year).
5. The average annual BOD₅ in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as B_w (kg/year).
6. The average annual ISS in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as D_w (kg/year).

7. The average annual VSS in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as E_W (kg/year).
8. The average annual TN in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as F_W (kg/year).
9. The average annual TP in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as G_W (kg/year).
10. The estimated annual cost of receiving and disposing of (but not treatment) all such sewage during each subsequent financial year is designated as C_1 (\$).
11. The estimated annual costs to the Council for treatment of all sewage during each financial year is designated as C_2 (\$), and apportioned to volume, BOD₅, ISS, VSS, TN and TP on a site specific basis relating to wastewater treatment processes. The estimated apportionment of costs is shown below, however Council reserves the right to amend the basis of apportionment based on actual operational costs incurred in a given financial year.

System	% of total operational treatment cost apportioned to					
	Volume	BOD ₅	ISS	VSS	TN	TP
Other WwTP	To be confirmed on an individual basis					

12. Charges in respect of volume of wastes shall be based on either the measured volume of wastewater discharged from the premises or the volume estimated from the measured volume of water entering the premises during the period corresponding most closely with each financial year. This volume shall be designated as V (m³/year).
13. The charges in respect of BOD₅, ISS, VSS, TN and TP shall be based on the measured composition of wastewater discharged from the premises during the period corresponding most closely with each financial year. This BOD₅, ISS, VSS, TN and TP shall be respectively designated B_T , D_T , E_T , F_T , and G_T (kg/year).
14. The charge provided for in Clause 6.3.1 for each financial year levied by the Council on the Occupier shall be calculated using the following formula:

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

Where Volume, BOD₅, ISS, VSS, TN and TP should be replaced by the relevant percentages shown in (11) above.

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

15. Pursuant to Clause 5, the Occupier shall also be levied all reasonable costs incurred by Council to measure the discharge volume or characterise the discharged wastewater as required to determine (12) and (13) above.

16. Where the trade waste charge calculated, is less than the uniform water closet/urinal charge which would be applicable to this property, then the uniform water closet /pan charge will apply.
17. Council reserves the right to amend this trade waste charging system as required to recover actual operational costs relating to wastewater reticulation, treatment and disposal.

