



# **HAURAKI DISTRICT COUNCIL**

## **CONSOLIDATED BYLAW**

### **Part 4: (Trade Waste and Wastewater)**

## Table of Contents

<b>PART 4: (TRADE WASTE AND WASTEWATER)</b> .....	<b>1</b>
<b>1.0 INTRODUCTION</b> .....	<b>2</b>
1.1 SCOPE .....	2
1.2 TITLE OF THIS PART OF THE BYLAW .....	2
1.3 ENABLING ENACTMENTS.....	2
1.4 LIST OF SCHEDULES PASSED IN TERMS OF PART 4.....	3
1.5 ADOPTION, AMENDMENT AND REVOCATION OF SCHEDULES .....	3
1.6 DEFINITIONS AND INTERPRETATION.....	4
<b>2.0 TRADE WASTE</b> .....	<b>11</b>
2.1 SCOPE .....	11
2.2 TRADE PREMISES AND OTHER USERS TO WHICH THIS CLAUSE APPLIES.....	11
2.3 CONTROL OF DISCHARGES .....	12
2.4 STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS SUBSTANCES OR MATERIALS .....	12
2.5 TRADE WASTE DISCHARGES AND CONSENTS .....	13
2.6 TRADE WASTE APPROVAL CRITERIA .....	22
2.7 SAMPLING, TESTING AND MONITORING .....	24
2.8 MONITORING .....	27
2.9 WASTE IN TANKERS .....	28
2.10 DISINFECTED OR SUPER CHLORINATED WATER .....	29
2.11 REVIEW OF DECISIONS.....	30
2.12 ACCIDENTAL DISCHARGE AND NON-COMPLIANCE WITH CLAUSE 2 OF PART 4 – TRADE WATER AND WASTEWATER .....	30
2.13 CHARGES AND FEES.....	31
2.14 TRANSITIONAL PROVISIONS .....	35
<b>3.0 WASTEWATER</b> .....	<b>36</b>
3.1 PURPOSE .....	36
3.2 ACCEPTANCE OF DISCHARGE.....	36
3.3 APPROVAL TO CONNECT .....	36
3.4 PREMISES .....	37

## PART 4: (TRADE WASTE AND WASTEWATER)

### BYLAW PART

#### PART 4 (TRADE WASTE AND WASTEWATER)

##### **Purpose**

The purpose of the Part 4 (Trade Waste and Wastewater) is to:

- Ensure sustainable environmental protection.
- Minimize the reception and disposal costs to the community of trade waste and wastewater.
- To encourage and promote industry to treat trade waste onsite to an appropriate and cost effective level.
- To have a fair and equitable trade waste wastewater charging policy and to encourage sustainable industry activity throughout the district.
- To ensure that industry maintains trade wastewater discharges within agreed and consented flow and contaminate levels.

Part 4 (Trade Waste and Wastewater) is part of the Hauraki District Council Consolidated Bylaw. Part 1 (Introduction) of the Consolidated Bylaw contains provisions that apply to Part 4 (Trade Waste and Wastewater) by providing generally applicable definitions, administrative measures and enforcement measures.

## **1.0 INTRODUCTION**

### **1.1 SCOPE**

The purpose of Part 4 of the Bylaw is to enable the Council as Wastewater Authority, to regulate:

- (a) the discharge of trade waste to the sewerage system operated by it.
- (b) the drainage of wastewater from domestic premises into the sewerage system operated by it.

### **1.2 TITLE OF THIS PART OF THE BYLAW**

This Part shall be known and cited as the Part 4 (Trade Waste and Wastewater) of the Hauraki District Council Consolidated Bylaw 2007 and shall come into operation on the date specified by public notice after the Hauraki District Council makes this Bylaw. For expediency this Part of this Bylaw may be referred to in this or other Parts of this Bylaw as Part 4 (Trade Waste and Wastewater)

### **1.3 ENABLING ENACTMENTS**

This Part of this Bylaw is made pursuant and subject to:

- (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;
- (e) Health and Safety in Employment Act 1992;
- (f) Land Transfer Act 1952;
- (g) Land Transport Rule Dangerous Goods 2005, Rule 45001/1
- (h) Local Government Act 2002;
- (i) Local Government (Rating) Act 2002;
- (j) Property Law Act 1952;
- (k) Plumbers, Gasfitters and Drainlayers Act 1976;
- (l) Plumbers, Gasfitters and Drainlayers Act 2006; and
- (m) Resource Management Act 1991; and

## 1.4 LIST OF SCHEDULES PASSED IN TERMS OF PART 4

Schedule 1: Appendix A	Application for Trade Waste Discharge;
Schedule 1: Appendix B	Description of Trade Waste And Premises;
Schedule 1: Appendix C	Application for Temporary Discharge;
Schedule 1: Appendix D:	Consent Form;
Schedule 1A:	Permitted Discharge Characteristics;
Schedule 1B:	Prohibited Characteristics;
Schedule 1C:	System of Charging in respect of Volume and Strength of Trade Wastes and Special Wastes;
Schedule 1D:	Trade Waste Charges;
Schedule 2:	Abbreviations;
Schedule 3:	Codes and Standards and Sources of Reference
Schedule 4:	Waste Minimisation Devices (Table 1.1)
Schedule 5:	Wastewater drainage policy for the discharge and acceptance of wastewater
Schedule 5: Appendix A	Example Of A Memorandum Of Encumbrance
Schedule 5: Appendix B	Example Of A Deed Of Covenant
Schedule 5: Appendix C	Application Form
Schedule 5: Appendix D	Point Of Discharge Location
Schedule 5: Appendix E	Layout At Point Of Discharge

## 1.5 ADOPTION, AMENDMENT AND REVOCATION OF SCHEDULES

The Council may from time to time adopt, amend or revoke by resolution the Schedules of this Part of the Bylaw listed in clause 1.4

## 1.6 DEFINITIONS AND INTERPRETATION

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

**ACCEPTABLE DISCHARGE** means trade waste and wastewater with physical and chemical characteristics which comply with the requirements of the Council set out in Schedule 1A of this Part of the Bylaw;

**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 New Zealand 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 word is used generically throughout this Part of this Bylaw to include products containing biosolids (e.g. composts);

**BURIED SERVICES** means all public and private sewers, rising mains, trunk sewers and other underground utilities under the responsibility of the Council;

**CERTIFICATE OF TITLE** means a certificate registering the freehold ownership of land available to any owner under the Land Transfer Act 1952;

**CHARACTERISTIC** means any of the physical or chemical characteristics of trade waste and wastewater and may include the level of a characteristic;

**CLEANER PRODUCTION** means the implementation on trade premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimize and manage trade waste by:

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

**CONDENSING WATER or COOLING WATER** means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension;

**CONDITIONAL TRADE WASTE** means trade waste which has conditions placed upon the consent holder by the Council;

**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 sewerage system;

**CONSENT HOLDER** means the person occupying trade premises who has obtained a consent to discharge or direct the manner of discharge of trade waste from any premises to the Council's sewerage system, and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder;

**CONTAMINANT** includes any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat:

- (a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
- (b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged;

or as described or contained in the Resource Management Act 1991;

**CONTINGENCY MANAGEMENT PROCEDURES** means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the sewerage system;

**CUSTOMER** means a person who either 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 Council;

**DISCONNECTION** means the physical cutting and sealing of any of the Council's water services, utilities or public sewers for use by any person;

DISCHARGE means discharge trade wastes or wastewater to, or into a public sewer whether directly or indirectly by means of any private sewer, and “the discharge” has a corresponding meaning;

DEED OF COVENANT means an agreement whereby a party stipulates as to the truth of certain facts, or binds himself to give something to another, or to do or not to do any act;

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. Such activities shall include the draining of domestic swimming and spa pools subject to this Part of this Bylaw;

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

FEES AND CHARGES means the list of items, terms and prices for services associated with the discharge trade waste or wastewater as adopted by the Council in accordance with section 150 and 151 of the Local Government Act 2002;

FOUL WATER means the discharge from:

- (a) any sanitary fixtures (any fixture which is intended to be used for sanitation – the term used to describe activities of washing and/or excretion carried out in a manner or condition such that the effect on health is minimized, with regard to dirt and infection); or
- (b) any sanitary appliance (an appliance which is intended to be used for sanitation which is not a sanitary fixture – included are machines for washing dishes and clothes);

HAZARDOUS WASTES or HAZARDOUS SUBSTANCES means hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996;

INFILTRATION means water entering a public or private sewer from groundwater through defects such as poor joints, and cracks in pipes or manholes. It does not include inflow;

**INFLOW** means water discharged into a private or public sewer from non-complying connections or other construction faults. It includes storm water entering through illegal down pipe connections or from low gully traps;

**LEVEL OF SERVICE** means the measurable performance standards on which the Council undertakes to receive wastewater from its customers;

**MANAGEMENT PLAN** means the plan for management of operations on the premises from which trade wastes come, and may include provision for cleaner production, waste minimization, discharge, contingency management procedures, and any relevant industry code of practice;

**MASS LIMIT** means the total mass of any characteristic that may be discharged to the sewerage system over any stated period from any single point of discharge or collectively from several points of discharge;

**MAXIMUM CONCENTRATION** means the instantaneous peak concentration that may be discharged at any instant in time;

**MEMORANDUM OF ENCUMBRANCE** means an agreement for the payment by any person or persons by yearly or periodical payments or otherwise of any annuity, rent charge, or sum of money other than a debt where land owned by the person or persons is legally defined and used as security should failure to pay occur;

**METER** means an instrument that is designed to measure liquid flowing through it;

**MONITORING EQUIPMENT** includes any device or combination of devices considered appropriate by the Council to measure on site or remotely and record any characteristic of trade waste and wastewater;

**OCCUPIER** means the person occupying trade premises connected to the sewerage system;

**PERMITTED DISCHARGE** means a trade waste or wastewater discharge that has been approved by, or is acceptable to, the Council and as long as it has the physical and chemical characteristics which comply with the requirements of the Council standard as defined in Schedule 1A of this Part of this Bylaw;

POINT OF DISCHARGE is the boundary between the public sewer and a private sewer. For the purposes of monitoring, sampling and testing, the point of discharge shall be as designated in the trade waste consent;

PRE-TREATMENT means any processing of trade waste designed to reduce or vary any characteristic in a waste before discharge to the sewerage system in order to comply with a trade waste consent;

PREMISES 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; 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 a particular purpose such as a reserve; or
- (d) individual units in buildings which are separately leased or separately occupied;

PRIVATE SEWER means that section of sewer between the consent holder's or customer's premises and the point of discharge through which trade waste or wastewater is conveyed from the premises. This section of sewer is owned and maintained by the consent holder or customer (or group of customers);

PUBLIC SEWER means the sewer and lateral connections that carry away wastewater and trade waste from the point of discharge. The public sewer is owned and maintained by the Council;

PROHIBITED TRADE WASTES means a trade waste that has prohibited characteristics as defined in Schedule 1B and does not meet the conditions of Schedule 1A. The waste is not acceptable for discharge into the Council's system unless specifically approved by it as conditional trade waste;

RISING MAIN means a public sewer through which wastewater is pumped;

SEWAGE means foul water and may include trade wastes;

SEWAGE SLUDGE means the material settled out and removed from sewage during the treatment process;

SEWERAGE SYSTEM means the collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of wastewater and trade waste;

SIGNIFICANT INDUSTRY is a term used to indicate the relative size of a given industry compared to the capacity of the sewerage system (including sewage treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the sewerage system. Loads can be the conventional loadings of BOD5 and SS or some other particular contaminant such as boron or chromium which will have an effect or the propensity to have an effect on the sizing of the sewerage system, the on-going system operation and/or the quality of the treated effluent that is discharged;

STORM WATER 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 short-term discharge of an unusual waste from premises subject to an existing consent;

TRADE PREMISES means:

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

and includes any land or premises wholly or mainly used for agricultural or horticultural purposes;

TRADE WASTE is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the 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; storm water which cannot be practically separated, or domestic sewage;

TRUNK SEWER means a public sewer, generally greater than 150 mm in diameter, which forms a part of the sewerage system;

WASTEWATER means water or other liquid, including waste matter in solution or suspension, discharged from a premises;

WASTEWATER AUTHORITY means the Council including its authorised agents, responsible for the collection, treatment and disposal of trade waste and wastewater;

## **2.0 TRADE WASTE**

### **2.1 SCOPE**

The purpose of clause 2 is to provide for the fulfilment by the Council as Wastewater Authority of its obligations by:

- (a) acceptance of long-term, intermittent, or temporary discharge of trade waste to the sewerage system;
- (b) establishment of three grades of trade waste:
  - i) permitted;
  - ii) conditional; and
  - iii) prohibited.
- (c) evaluation of individual trade waste discharges against specified criteria;
- (d) correct storage of materials to protect the 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 acceptance for discharge into the sewerage system;
- (g) sampling and monitoring of trade waste discharges to ensure compliance with this Part of this 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) establishment of waste minimization and management programmes (including sludges) for trade waste producers.

### **2.2 TRADE PREMISES AND OTHER USERS TO WHICH THIS CLAUSE APPLIES**

- (a) Clause 2 of this Part of this bylaw shall apply to any premises within the district where trade waste is:
  - i) discharged or is intended or likely to be discharged; and
  - ii) collected by tanker for intended discharge; into the sewerage system operated by the Council or its agents.
- (b) The Council may in its sole discretion refuse to accept any type of trade waste that does not comply with this Part of this Bylaw.

## **2.3 CONTROL OF DISCHARGES**

### **2.3.1**

No person shall:

- (a) discharge, or allow to be discharged, any trade waste into the sewerage system except in accordance with the provisions of this Part of this Bylaw;
- (b) discharge, or allow to be discharged, a prohibited trade waste into the sewerage system;
- (c) add or permit the addition of condensing or cooling water to any trade waste which discharges into the sewerage system unless with the prior written consent of the Council, or
- (d) add or permit the addition of storm water to any trade waste which discharges into the sewerage system unless with the prior written consent of the Council.

### **2.3.2**

When any person fails to comply with clause 2.3.1 and a reasonable alternative method cannot be agreed with the discharging party, the Council may physically prevent discharge into the sewerage system.

### **2.3.3**

Any person discharging into the sewerage system shall also comply with requirements of the Hazardous Substances and New Organisms Act, 1996 and the Resource Management Act, 1991.

## **2.4 STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS SUBSTANCES OR MATERIALS**

- (a) Every person on a trade premises shall take reasonable steps to prevent the entry of a hazardous substance or a material listed in clause 2.4(c) from entry into the sewerage system as a result of:
  - i) leakage;
  - ii) spillage;
  - iii) failure to take adequate precautionary measures; or
  - iv) other mishap.
- (b) No person shall store, transport, handle or use, or cause to be stored, transported, handled or used a hazardous substance or a material listed in clause 2.4(c) in a manner that may cause the substance or material to enter the sewerage system.
- (c) A material referred to in 2.4 (a) and (b) is:

- i) a product or waste containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials;
- ii) likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream
- iii) likely to be deleterious to the health and safety of humans or animals or harmful to the sewerage system.

## **2.5 TRADE WASTE DISCHARGES AND CONSENTS**

### **2.5.1 RESTRICTION ON DISCHARGE OF TRADE WASTE**

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.

### **2.5.2 CLASSIFICATION OF TRADE WASTE DISCHARGES**

Trade waste discharge shall be classified as:

- (a) Permitted, in which case the Council may require that prior written consent be obtained;
- (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.

### **2.5.3 OBLIGATION AND DISCRETION OF THE COUNCIL**

- (a) No person shall be entitled to discharge trade waste into the sewerage system and the Council is not obliged to accept any trade waste.
- (b) 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.

### **2.5.4 APPLICATION FOR A TRADE WASTE CONSENT (“THE APPLICATION”)**

- (a) Any person who does, proposes to, or is likely to:
  - i) discharge into the sewerage system any trade waste (either continuously, intermittently or temporarily); or
  - ii) vary the characteristics of trade waste that is discharged in accordance with an existing consent to discharge; or
  - iii) vary the conditions of an existing consent to discharge; or

- iv) significantly change the method or means of pre-treatment for trade waste discharge under an existing consent.

shall apply timely to the Council, using the prescribed form, for consent for the discharge, variance or change.

- (b) The Council shall be entitled to deal with the owner or the occupier of the trade premises.

#### **2.5.5 SEPARATE COPIES OF DESCRIPTION OF TRADE WASTE AND PREMISES TO BE SUBMITTED**

Where the trade premises produces trade waste from more than one area, a separate copy of the “Description of Trade Waste and Premises” for each area, as provided for in Schedule 1, Appendix B of this Part of this Bylaw, shall be included in the 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.

#### **2.5.6 RESPONSIBILITY FOR COMPLETENESS OF APPLICATION**

- (a) The application and every document conveying required information shall contain all the required information, be properly executed and accompanied by the application fee.
- (b) The applicant shall be responsible for the correctness of the content of the application and any annexure thereto, adherence to the prescribed application process and compliance with all the requirements to obtain the trade waste discharge consent.
- (c) Every act or omission done for, or on behalf of, the eventual consent holder (whether for reward or not) in making any such application shall be deemed to be an act of the consent holder.

#### **2.5.7 INDEPENDENT VERIFICATION OF INFORMATION**

The Council may require an application to be supported by an independent report or statement completed by a suitably experienced and external auditor to verify any information supplied by the applicant, and this may include a management plan.

#### **2.5.8 COSTS OF THE PERMIT**

Every application shall be accompanied by a trade waste application in accordance with the Schedule of Fees and Charges determined in accordance with clause 2.13 of this Part of this Bylaw.

### **2.5.9 PROCESSING OF APPLICATION**

On the receipt of an application, the Council may:

- (a) require the applicant to submit additional information necessary to reach an informed decision;
- (b) require the applicant to submit a satisfactory management plan;
- (c) whenever appropriate, have the discharge investigated and analysed as provided for in clauses 2.5.1 and 2.7.3 of this Part of this Bylaw.

### **2.5.10 CONSIDERATION OF APPLICATION**

- (a) The Council shall within twenty working days of receipt of:
  - i) an application complying with clause 2.5.6(a); or
  - ii) the information required pursuant to clause 2.5.9; whichever is the later, decline the application or grant it as:
    - (A) permitted trade waste discharge consent; or
    - (B) conditional trade waste discharge consent.
- (b) When the Council grants an application it shall issue a trade waste discharge consent containing the approval and the conditions relating thereto.
- (c) When the Council declines the application it shall inform the applicant of its decision and reasons in writing.
- (d) The Council may extend the period referred to in subclause (a) if necessary.

### **2.5.11 CONSIDERATION CRITERIA**

In considering an application for a trade waste discharge consent from any premises or tankered waste into the sewerage system and imposing conditions the Council shall consider 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 storm water;
- (r) the management plan; and
- (s) tankered waste being discharged at an approved location.

### **2.5.12 CONDITIONS OF TRADE WASTE CONSENTS**

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

- (a) the public sewer or sewers into which the discharge will be made;
- (b) the maximum daily volume, the maximum rate, and the duration of discharge;
- (c) the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with clause 2.5.13;
- (d) the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) the degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) the range of temperature of the trade waste allowed at the time of discharge;

- (g) the provision by the consent holder at own expense of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- (h) the provision and maintenance by the consent holder at own expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) the provision and maintenance by the consent holder at own expense of a sampling, analysis and testing programme and flow measurement requirements;
- (j) the method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of trade waste charges applicable;
- (k) the provision and maintenance by the consent holder at own expense of meters or devices that may be required to measure the volume or flow rate of any trade waste discharged from the premises, and for the testing of the meters;
- (l) the provision and maintenance by the consent holder at own expense of services, (whether electricity, water or compressed air or otherwise), that may be required to operate meters and similar devices;
- (m) at times specified the provision in the approved format by the consent holder to the Council of all flow and/or volume records and results of analyses, including pre-treatment by-products such as sewage sludge disposal;
- (n) the provision and implementation of a management plan;
- (o) risk assessment of damage to the environment in the event of accidental discharge of a chemical;
- (p) waste minimization and management;
- (q) cleaner production techniques;
- (r) remote control of discharges;
- (s) third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- (t) requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's sewerage system, its treatment plants, or could result in the Council being in breach of any statutory obligation; and
- (u) remote monitoring of discharges.

## **2.5.13 DURATION OF CONSENTS**

### **2.5.13.1 PERMITTED TRADE WASTE DISCHARGE CONSENT**

- (a) A permitted trade waste discharge consent shall remain in force until:
- i) it is cancelled under clause 2.3.2 or 2.5.15; or
  - ii) the quantity and nature of the discharge changes significantly. (Consent for temporary discharges shall be made in accordance with Schedule 1, Appendix C of this Part of the Bylaw); or
  - iii) 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 2.5.2; or
  - iv) the Council changes the trade waste management procedures by amendment of the conditions provided for in clause 2.5.13 or any amendment to, or replacement of this Part of the Bylaw; or
  - v) 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.
- (b) After consultation with the Council regarding its requirements, the consent holder shall apply within ten working days of the aforesaid change occurring for a conditional trade waste consent, in accordance with clause 2.5.4 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.

### **2.5.13.2 CONDITIONAL TRADE WASTE DISCHARGE CONSENT**

Subject to the provisions of clause 2.5.15 and 2.11, a consent for conditional discharge of trade waste shall be issued for a period determined by the Council subject to the following conditions:

- (a) A conditional 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
  - iv) changes, a new application for a conditional trade waste discharge consent shall be made by the consent holder.
- (d) 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.

### **2.5.13.3**

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 2.6;
- (f) considerations relating to the Council's legal obligations that affect the conditions of a trade waste discharge consent ;

## **2.5.14 TECHNICAL REVIEW AND VARIATION**

### **2.5.14.1**

The Council at any time may require that a person undertaking a permitted discharge apply for a consent in accordance with clause 2.5.13.

### **2.5.14.2**

- (a) The Council may at any time during the term of a trade waste discharge consent after consultation with the consent holder vary the conditions of the consent by written notice.
- (b) The variation of the conditions may be due to:
  - i) new information becoming available to the Council;
  - ii) meeting additional resource consent requirements imposed on the discharge from the Council's treatment plant, or
  - iii) legal requirements imposed on the Council.

### **2.5.14.3**

The conditions of a consent imposed under clause 2.5.12 may at any time during the term thereof be amended by the Council upon receipt of a written application by the holder to the Council.

### **2.5.14.4**

When the effect of any amendment made under clause 2.5.14.2 to any specification of prohibited waste is to render unlawful the discharge of trade wastes previously discharged with consent of the Council, that consent shall be deemed to lapse on expiry of a period determined by the Council. The Council shall have due regard to the ability of the consent holder to adapt to the varied conditions of the consent in determining the period referred to in this clause.

## **2.5.15 CANCELLATION OF THE RIGHT TO DISCHARGE**

### **2.5.15.1 SUSPENSION OR CANCELLATION ON NOTICE**

After following due process, the Council may suspend or cancel any consent or right to discharge 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 Part of the 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;

### **2.5.15.2 NOTICE OF INTENTION**

- (a) Before taking any steps envisaged in clause 2.5.15.1 the Council shall give twenty working days written notice of its intention to the holder of a trade waste discharge consent or a right to discharge trade waste.
- (b) During the notice period provided for in clause (a) the Council may enter into discussion 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.
- (c) If any process changes require more than twenty working days, reasonable time may be given to rectify the defects or comply with the Council's requirements.

### **2.5.15.3 SUMMARY CANCELLATION**

Notwithstanding the requirements of clause 2.5.15.1 and 2.5.15.2, a trade waste discharge consent or discharge may at any time be summarily cancelled 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.

## **2.6 TRADE WASTE APPROVAL CRITERIA**

### **2.6.1 PRE-TREATMENT**

- (a) 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.
- (b) The pre-treatment system shall be provided, operated and maintained by the person discharging the trade waste at their own expense.
- (c) 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.

- (d) Except with the prior written consent of the Council, a person shall not add or permit the addition of any potable, condensing, cooling or storm water to the trade waste stream in order to vary the level of any characteristics of the waste .

### **2.6.2 MASS LIMITS**

- (a) A conditional trade waste discharge consent may impose controls on trade waste discharged by specifying mass limits for one or more characteristics of the trade waste.
- (b) Unless approved otherwise by the Council, a characteristic permitted by mass limit shall also have its maximum concentration limited to the value scheduled.
- (c) When setting mass limit allocations for a particular characteristic the Council shall consider:
- i) the operational requirements of and risk to the sewerage system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
  - ii) whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or sewage sludge;
  - iii) conditions in the sewerage system near the trade waste discharge point and elsewhere in the sewerage system;
  - iv) 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;
  - v) whether or not the applicant uses cleaner production techniques within a predetermined period to the satisfaction of the Council;
  - vi) 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;
  - vii) any requirements of the Council to reduce the pollutant discharge of the sewerage system;
  - viii) how great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the sewerage system;
  - ix) the total mass of the characteristic allowable in the sewerage system, and the proportion (if any) to be reserved for future allocations; and
  - x) whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the public sewer reticulation, treatment process, or receiving water (or land).

## **2.7 SAMPLING, TESTING AND MONITORING**

### **2.7.1 FLOW METERING**

#### **2.7.1.1**

- (a) Flow metering may be required by the Council:
- i) on discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste;
  - ii) when the Council will not approve a method of flow estimation; or
  - iii) when the discharge represents a significant proportion of the total flow/load received by the Council.

#### **2.7.1.2**

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

#### **2.7.1.3**

Records of flow and/or volume shall be available for inspection at any time by the Council, and shall be submitted to the Council at prescribed intervals by the consent holder in a format approved by the Council.

#### **2.7.1.4**

- (a) 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.
- (b) The meters shall be located in the correct position according to the manufacturer's installation instructions.

### **2.7.1.5**

- (a) The consent holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance.
- (b) The meter accuracy should be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ .
- (c) A copy of independent certification of each calibration result shall be submitted by the consent holder to the Council.

### **2.7.1.6**

Should any meter, after being calibrated, be found to have an error greater than that specified in clause 2.7.1.5(b) as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding twelve months, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

## **2.7.2 ESTIMATING DISCHARGE**

### **2.7.2.1**

Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises, or other basis that it deems reasonable be used for estimating the rate or quantity of flow for the purposes of charging.

### **2.7.2.2**

- (a) When a meter is inoperative or removed, the Council shall estimate the discharge for the period since the previous reading of such meter, based on the average of the previous twelve months charged to the person discharging trade waste and that person shall pay according to such estimate.
- (b) When, due to a large variation of discharge due to seasonal or other causes, the average of the previous twelve months is an unreasonable estimate of the discharge, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

### **2.7.2.3**

Where in the opinion of the Council a meter has been tampered with the Council, without prejudice to the other remedies available, may declare the reading void and estimate discharge as provided for in clause 2.7.2.2.

## **2.7.3 SAMPLING AND ANALYSIS**

### **2.7.3.1**

As determined by the Council sampling, testing and monitoring may be undertaken to determine if a discharge of trade waste:

- (a) complies with the provisions of this Part of the Bylaw;
- (b) is to be classified as a permitted, conditional, or prohibited, in accordance with clause 2.5.2;
- (c) complies with the provisions of Schedule 1A for permitted discharge and a consent to discharge; and
- (d) are subject to trade waste consent charges.

### **2.7.3.2**

The taking, preservation, transportation and analysis of the sample shall be undertaken by:

- (a) an authorised officer;
- (b) an agent of the Council, or
- (c) the person discharging

in accordance with accepted industry standard methods or by a method specifically approved by the Council.

### **2.7.3.3**

The person discharging trade waste shall be responsible for all reasonable costs.

### **2.7.3.4**

When 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.

### **2.7.3.5**

In accordance with the provisions of Part 1 – Introduction, an authorised officers or agent of the Council may enter a 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.

## **2.8 MONITORING**

### **2.8.1 MONITORING FOR COMPLIANCE**

#### **2.8.1.1**

The Council is entitled to monitor and audit any trade waste discharge for compliance.

#### **2.8.1.2**

Regardless whether for a permitted trade waste discharge consent or a conditional trade waste discharge, consent discharge monitoring may be carried out as follows:

- (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) When the occupier has provided a meter, monitoring equipment or other apparatus for measuring the volume or composition of trade wastes passing into a public sewer due regard shall be had by the Council in making a composite sample, or when it is arriving at the average value from separate samples, for differences in the volume of trade wastes at the time of taking of separate samples.
- (d) The Council will audit the sampling and analysis carried out by a person who monitors their own discharge of trade waste. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- (e) 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

- (f) The Council will audit the trade waste discharge consent conditions including any management plans.

The Council may in its discretion determine that the costs of monitoring shall be met by the person who discharges trade waste through direct payment to the laboratory or to the Council.

## **2.8.2 SAMPLING METHODOLOGY**

### **2.8.2.1**

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 person who discharges the trade waste 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 twenty working day, calculated from date of the notice to the occupier, for additional analysis if required.

### **2.8.2.2**

Due consideration will be given to changes that could occur in the trade waste samples and measures to mitigate the changes will be adopted where practicable.

### **2.8.2.3**

The samples shall be handled in an appropriate manner to ensure that the characteristics being tested for are, as far as reasonably possible, preserved.

### **2.8.2.4**

Samples shall be preserved, handled, transported and delivered to the approved laboratory according to the best practice and approved standards.

## **2.9 WASTE IN TANKERS**

### **2.9.1**

No person shall discharge trade waste from a tanker into the Council's sewerage system unless in compliance with the Liquid and Hazardous Wastes Code of Practice 2003.

## **2.9.2**

The Council may accept the discharge of trade waste from a tanker at an approved location.

## **2.9.3**

Tankered waste 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 potentially hazardous components of the trade waste;
- (c) be tested to determine its character if the contents of the trade waste is not known. Provided that specialist advice on pre-treatment or acceptance may be required by the Council. The cost of testing and advice shall be borne by the consent holder;
- (d) not be collected and transported to the disposal site until the appropriate arrangements and method for disposal have been determined by the Council;

## **2.9.4**

A tanker shall be thoroughly cleaned before the collection of trade waste for disposal into the sewerage system to prevent contamination between different loads.

## **2.9.5**

At least twenty four hours notice shall be given to the Council by a person intending to discharge trade waste other than from domestic septic tanks into the sewerage system.

## **2.9.6**

A person who disposes of or causes the disposal of trade waste from a tanker:

- (a) and incorrectly discloses the characteristics or amount thereof; or
  - (b) in to the Council's sewerage system other than at the approved location
- will be in breach of this Part of the Bylaw.

## **2.10 DISINFECTED OR SUPER CHLORINATED WATER**

### **2.10.1**

Water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the sewerage system.

### **2.10.2**

When a person intends to discharge water into the sewerage system as provided for in clause 2.10.1 that person shall apply to the Council for a temporary trade waste discharge consent.

### **2.10.3**

No water referred to in clause 2.10.1 shall be disposed of into a storm water drain without the prior written consent of the Council.

## **2.11 REVIEW OF DECISIONS**

### **2.11.1**

The provisions of clause 4.3 of Part 1 (Introduction) shall apply to an appeal against a decision by an authorised officer.

### **2.11.2**

A person appealing against the decision of an authorised officer shall lodge with the Council a written notice of appeal not later than twenty working days from the date of the decision setting out the grounds of appeal and providing sufficient detail of matter to enable the appeal authority to adjudicate on the issues.

## **2.12 ACCIDENTAL DISCHARGE AND NON-COMPLIANCE WITH CLAUSE 2 OF PART 4 – TRADE WATER AND WASTEWATER**

### **2.12.1**

A person who discharges trade waste shall immediately upon becoming aware of:

- (a) an accident relating to;
- (b) spillage of; or
- (c) a defect in the process of discharging

trade waste that may result in the non-compliance with the standards or processes determined by this Part of the Bylaw inform the Council thereof.

### **2.12.2**

A person who reports an accident, spillage or defect as provided for in clause 2.12.1 shall disclose any information that may contribute to:

- (a) the restoration of the integrity of the trade waste disposal system,
- (b) the cleaning of any spillage; or
- (c) the determination of the risks associated with the trade waste.

### **2.12.3**

In the event of any accident, spillage or defect referred to in clause 2.12.1 occurring when the person holds a conditional trade waste discharge consent, the Council may:

- (a) review the consent under clause 2.5.14; or
- (b) require the consent holder to review the contingency management procedures and re-submit the management plan to the Council for its approval.

### **2.12.4**

In the event of any accident, spillage or defect referred to in clause 2.12.1 on the premises to which permitted discharge applies, the Council may require the person discharging to apply for a conditional trade waste discharge consent.

## **2.13 CHARGES AND FEES**

### **2.13.1 CHARGES**

#### **2.13.1.1**

- (a) The Council may determine a system of charging in respect of volume and strength of trade wastes and special wastes and charges pursuant to section 150 and 151 of the Act.
- (b) The Council may from time to time determine and recover fees and charges in accordance with sections 150 and 151 of the Act.
- (c) The Council may set separate charges for different categories of volume and strength of trade waste discharged into the sewerage system within the district.

#### **2.13.1.2**

- (a) The system of charging in respect of volume and strength of trade wastes and special wastes referred to in clause 2.13.1.1(a) shall be contained in Schedule 1C of this Part of the Bylaw;
- (b) The trade waste charge categories shall be contained in Schedule 1D of this Part of the Bylaw;

#### **2.13.1.3**

Trade waste charges shall be levied as determined by the Council and the occupier of the premises concerned shall pay the charges so assessed within one calendar month after each period.

#### **2.13.1.4**

When a person appeals the determination of a charge in accordance with clause 2.11, the calendar month shall run from the date of any decision made that clause or the final determination of the matter under the Act.

### **2.13.2 INVOICING**

#### **2.13.2.1**

Trade waste charges shall be invoiced in accordance with the Council's standard commercial practice.

#### **2.13.2.2**

The invoice shall contain the information and calculations used to determine the extent of the charges and fees due in regard to trade waste discharges.

### **2.13.3 CEASE TO DISCHARGE**

#### **2.13.3.1**

The person discharging trade waste shall be deemed to be continuing the discharge until notice of discontinuance is given to the Council.

### **2.13.3.2**

The person discharging trade waste shall be liable for all charges until the expiry of the period of the notice or the provision of the service to that person is terminated by the Council, whichever is the latter.

## **2.13.4 FAILURE TO PAY**

### **2.13.4.1**

Fees and charges payable under this Part of the Bylaw shall be recoverable as a debt.

### **2.13.4.2**

If the person discharging trade waste fails to pay any fees and charges under this Part of the Bylaw the Council may cancel that person's right to discharge in accordance with clause 2.5.15.1(a)(vi).

## **2.13.5 ENTRY TO TRADE WASTE PREMISES BY AUTHORISED OFFICERS**

### **2.13.5.1**

In addition to the provisions of the Act and Part 1 (Introduction), which shall remain applicable, an authorised officer may at any reasonable time enter a premises believed to be discharging trade waste to determine the characteristic of any discharge by:

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

### **2.13.5.2**

Entry by an authorised officer on to a premises under clause 2.13.5.1 shall be in compliance with the health and safety policies of that particular premises. Nothing in the health and safety policies of a trade premises shall prevent the entry of an authorised officer to that premises under clause 2.13.5.1.

## **2.13.6 TRANSFER OR TERMINATION OF RIGHTS AND RESPONSIBILITIES**

### **2.13.6.1**

A trade waste consent shall be issued in the name of the consent holder.

### **2.13.6.2**

With the exception of permitted discharges to which this clause does not apply, the holder of a consent to discharge trade waste shall not, unless written approval is obtained from the Council:

- (a) transfer to any other party the rights and responsibilities provided for in the trade waste discharge consent or this Part of the Bylaw;
- (b)
  - i) allow a point of discharge; or
  - ii) allow the drain to that point to extend by pipe or any other means to serve another premises;
- (c) allow sewage from another party to be discharged at the point of discharge to which the trade waste discharge consent applies.

### **2.13.6.3**

With the exception of permitted discharges to which this clause does not apply, the Council shall not withhold the approval of the renewal of a trade waste discharge consent on when the ownership of the premises change provided that the characteristics of the trade waste discharge remain unchanged.

### **2.13.6.4**

- (a) The person discharging trade waste shall give 48 hours notice in writing to the Council of that person's requirement for disconnection of the discharge connection and/or termination of the trade waste discharge consent.
- (b) Notwithstanding clause (a), when the demolition or relaying of the trade waste discharge drain is required the person discharging trade waste shall give seven working days notice to the Council.
- (c) When the disconnection is permanent the Council may at its discretion determine that the person discharging trade waste shall be liable for trade waste charges to the end of the current charging period.

- (d) The person discharging shall notify the Council of an address to enable the Council to provide that person with the final invoice or other notices.

#### **2.13.6.5**

- (a) When a person discharging trade waste ceases to occupy premises from which the discharge occurs into the sewerage system the trade waste discharge consent granted shall terminate.
- (b) Notwithstanding clause (a) the person discharging trade waste shall remain liable for any obligations existing at the date of termination.

### **2.14 TRANSITIONAL PROVISIONS**

Every person who regularly discharges trade waste into the sewerage system at the date that this Part of the Bylaw is passed may continue to so provided that no discharge not in accordance with this Part of the Bylaw shall be allowed beyond 1 July 2008.

## **3.0 WASTEWATER**

### **3.1 PURPOSE**

- (a) The purpose of clause 3 is to provide for the fulfilment by the Council as Wastewater Authority of its obligations by providing for the acceptance of wastewater drainage from domestic and trade premises to the sewerage system.
- (b) The quality and quantity limits that separate domestic wastewater from trade waste are determined by clause 2 (Trade Waste) of this Part.

### **3.2 ACCEPTANCE OF DISCHARGE**

#### **3.2.1 DOMESTICE WASTEWATER**

Every domestic premise shall be entitled to have its wastewater accepted by the Council subject to:

- (a) the premises lying within an area which is served by the sewerage system,
- (b) payment of the appropriate charges for wastewater services in respect of the premises;
- (c) payment of the appropriate rates and charges due to the Council in respect of that premises in general; and
- (d) compliance with the requirements of this Part of the Bylaw.

#### **3.2.2 TRADE WASTE**

The acceptance of trade waste from domestic premises within the sewerage system is subject to the provisions of clause 2 of this Part of the Bylaw.

### **3.3 APPROVAL TO CONNECT\***

No person other than authorised officers or agents of the Council, shall without prior written permission, make any connection to or otherwise interfere with any part of the Council's sewerage system.

---

\* The Council does not guarantee to receive wastewater without interruption, however the Council will use all reasonable endeavours to ensure that any disruption is kept to a minimum

## **3.4 PREMISES**

### **3.4.1 FLOW RATE**

The maximum instantaneous flow rate discharged from a domestic premise shall not exceed 2.0 litres/sec.

### **3.4.2 PROHIBITED CHARACTERISTICS**

No wastewater with prohibited characteristics as determined in Schedule 1B of this Part shall be discharged into the sewerage system.

### **3.4.3 WASTE MINIMIZATION**

In order to meet the requirements of sustainable management as promoted by the Resource Management Act 1991, the Council recommends that the devices contained in Schedule 4 (table 1.1) be installed on installations made from the date of adoption of the Schedule.

### **3.4.4 ACCESS**

#### **3.4.4.1 ACCESS FOR INSPECTION**

Subject to the provisions of the Act and Part 1 (Introduction), which shall remain applicable,

- (a) an authorised officer or authorised agent may between 7.30 am and 6 pm on any day enter a premises to gain access to and about the point of discharge for the purposes of monitoring, testing, and maintenance work; and
- (b) for the purpose of ascertaining whether the drains are being misused pursuant to section 182 of the Act, the occupier of the premises shall allow the authorised officer or authorised agent unrestricted access to and about the point of discharge at any hour.

#### **3.4.4.2 NON-COMPLYING CONNECTIONS**

The occupier shall allow the Council, access to any area of the premises with any necessary equipment for the purposes of ascertaining whether connections that do not comply with the requirements of this part of the Bylaw have been made.

### **3.4.4.3 PREVENTION OF INFLOW AND INFILTRATION**

The owner or occupier of the premises shall prevent any storm water or groundwater entering the sewerage system. This includes roof downpipes, surface water run-off, overland flow, and sub-surface drainage.

### **3.4.5 DISCONNECTION**

#### **3.4.5.1 NOTICE OF INTENTION TO DEMOLISH OR REMOVE BUILDING**

- (a) When the owner of a premises intends to demolish or remove a building that is connected to the sewerage system that person shall give the Council seven working days prior written notice of the intention.
- (b) The demolition or removal shall not commence until the property has been disconnected from the sewerage system by the Council.

#### **3.4.5.2 NOTICE OF REQUIREMENT FOR DISCONNECTION**

When the owner of a premises requires the disconnection of the discharge connections to the sewerage system due to relaying of the drain that person shall give the Council two working days prior written notice of the intention.

### **3.4.6 SEWERAGE SYSTEM**

#### **3.4.6.1 GENERAL**

- (a) The restrictions contained in clauses 3.4.6.2 to 3.4.6.4 shall apply to:
  - i) building work or loading over buried services; and
  - ii) excavation near sewers.
- (b) The Council may at its own discretion impose additional restrictions on for the protection of the sewerage system after consideration of:
  - i) proposed work methods;
  - ii) the depth of excavation;
  - iii) the soil physical properties, and
  - iv) other site specific factors.

#### **3.4.6.2 BUILDING OVER BURIED SERVICES**

- (a) No building shall be built over buried services, or closer than the greater of:
  - i) 1.5 metres from the centre of any main or public sewer, or

- ii) the depth of the centre line of the public sewer, plus the diameter of the public sewer, plus 0.2 metres from the centre of that public sewer, subject to compliance with clause 3.1 of NZS 3604.
- (b) Subject to prior written permission of the Council, a building developer may meet the cost of diverting the sewerage system (including any manholes) in accordance with the standards that have been adopted by Council;
- (c) When clause (a) and (b) are found to be impractical and the building cannot be sited elsewhere on the property or modified to conform with the above conditions and it is essential for the proposed building to be built on that part of the property, approval may be granted subject to the building developer meeting the cost of any specific requirements. These may include the provision of access points, pipe strengthening, pipe replacement, ducting, additional support of the building's foundations and relocatable construction.

#### **3.4.6.3 LOADING OR MATERIAL OVER PUBLIC SEWERS**

- (a) No person shall cause the crushing load imposed on a public sewer to exceed that which would arise from the soil overburden plus a H N-HO-72 wheel or axle load (as defined by Transit New Zealand Bridge Manual).
- (b) No person shall place any additional material over or near a public sewer without approval.
- (c) Access points shall not be covered in any way by any person unless such action is approved by the Council. Removal of any covering material or adjustment of the access point shall be at the property owner's expense.

#### **3.4.6.4 EXCAVATION NEAR PUBLIC SEWERS**

No person shall excavate, or carry out piling or similar work closer than:

- (a) 5 metres from the centre line of any rising main or trunk sewer, or
- (b) 2 metres from the centre line of any public sewer,

without the prior written permission of the Council. The Council may impose conditions on the carrying out of any work near the public sewer.

#### **3.4.7 STORAGE OF HAZARDOUS MATERIALS**

The occupier shall not store raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which, when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to the Council sewerage system or the health and safety of the Council staff and the public, without taking all

reasonable steps to prevent entry into the public or private sewer from leakage, spillage or other mishap.

In compliance with the provisions of the Local Government Act, 2002 and the Bylaws Act, 1910, this Part is passed by the Hauraki District Council on 30 January, 2008.

THE COMMON SEAL of THE HAURAKI DISTRICT COUNCIL was affixed this 5 day of February 2008 in the presence of:

\_\_\_\_\_

Mr. John Tregidga, Mayor

\_\_\_\_\_

Mr. Langley Cavers, Chief Executive Officer