



**KAWERAU DISTRICT COUNCIL
General Bylaw Part 10: Trade Waste (2010)**

Kawerau District Council

General Bylaw Part 10: Trade Waste (2010)

Explanatory Statement

The General Bylaw Part 10: Trade Waste (2010) is the tenth in a series of parts that makes up the Kawerau District Council General Bylaw.

General bylaws, by their nature, address a diverse range of matters. Kawerau District's 1997 General Bylaw contained all those matters in a single document of 12 chapters and almost 100 pages. To improve functionality, Council has made each chapter into a discrete part that can be read and used on its own. Taken together, the parts make up the General Bylaw.

This part of the Bylaw provides control measures for the discharge of trade waste and for the storage, transportation, handling and use of hazardous or harmful materials in the Kawerau District.

The General Bylaw is made pursuant to Part 8 of the Local Government Act 2002.

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Kawerau District Council General Bylaw Part 10: Trade Waste (2010)

1 Title

This part of the Kawerau District Council General Bylaw shall be known as the Kawerau District Council General Bylaw Part 10: Trade Waste (2010).

2 Commencement

This part of the Bylaw shall come into force on the 1st day of September 2010.

3 Repeal

As from the day this part of the Bylaw comes into force, the Kawerau District Council Trade Waste Bylaw 2000 and any amendments in force in the Kawerau District shall be repealed.

4 Application of Bylaw

This part of the Bylaw shall apply to all trade premises within the Kawerau District where trade wastes are discharged or likely to be discharged to the sewerage system operated by the Council or its agents.

It shall also apply to tankered wastes that may be discharged to the sewerage systems operated by the Council or its agents.

Pursuant to section 196 of the local Government Act, the Council may refuse to accept any type of trade waste which is not in accordance with this Bylaw.

Nothing in this part of the Bylaw shall derogate from any of the provisions of any relevant legislation or regulations, or of any consents granted under such legislation or regulations.

5 Scope

The Bylaw provides for the control of:

- (a) Long-term, intermittent or temporary discharge of trade waste; and
- (b) Storage, transportation, handling and use of hazardous or harmful materials.

6 Definitions

The definitions in the Kawerau District Council General Bylaw Part 1: – Introductory (2009) shall apply to this part of the Bylaw.

For the purposes of this part, the following definitions shall also apply:

CHARACTERISTICS	Any of the physical or chemical characteristics of a trade waste and includes its flow, temperature, composition, concentration, colour, pH value and Biochemical Oxygen Demand.
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CONDENSING WATER	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.
DOMESTIC SEWAGE	Liquid wastes (including matter in solution or suspension therein) discharged from premises used solely for residential purposes or wastes of the same character disposed from other premises, but does not include any solids, liquids, or gases that may not lawfully be discharged into a sewer.
OCCUPIER	The person occupying trade premises who discharges, or has obtained a trade waste consent, or directs the manner of discharge of waste water from any premises to the sewer.
POINT OF DISCHARGE	The boundary between the public sewer and a private drain.
PROHIBITED TRADE WASTE	A trade waste that has prohibited characteristics as defined in section 11. The waste is not acceptable for discharge into the Council's system unless specifically approved by Council.
SEWER	That section of public sewer downstream of the point of discharge.
TRADE PREMISES	Any land, premises or vehicle used or intended to be used for carrying on any trade or industry, and includes any land, premises or vehicle wholly or mainly used for agriculture or horticulture purposes.
TRADE WASTE	Any liquid, with or without matter in suspension or solution, that is, or may be discharged from a trade premise to the Council 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 water, surface water, or domestic sewage.
TRADE WASTE CONSENT	A consent in writing given under this Bylaw by the Kawerau District Council authorising an occupier to discharge trade waste.

TREATMENT WORKS
OPERATOR

The entity that is engaged from time to time in operating the wastewater treatment works and includes Carter Holt Harvey Limited together with its successors.

WASTEWATER

Water or other liquid, including waste matter in solution or suspension, discharged from premises to a sewer.

WASTEWATER TREATMENT
WORKS

The anaerobic wastewater treatment plant located at Spencer Avenue, Kawerau and any or all plant or processes or methods used in treating or disposing of domestic sewage, but excluding the Kawerau District Council pump station located at Spencer Avenue, Kawerau.

7 Compliance with the Bylaw

7.1 Control of discharges

7.1.1 No Person shall:

- (a) Discharge, or allow to be discharged, any trade waste to the sewerage system except in accordance with the provisions of this Bylaw.
- (b) Discharge, or allow to be discharged, a prohibited trade waste into the sewerage system.
- (c) Add or permit the addition of condensing or cooling water to any trade waste which discharges into the sewerage system unless specific approval is given in a consent; or
- (d) Add or permit the addition of stormwater to any trade waste which discharges into the sewerage system unless specific approval is given in a consent.

7.1.2 In the event of failure to comply with 7.1 (a) – (d) the Council may physically prevent discharge to the sewerage system if a reasonable alternative action cannot be established with the discharging party or parties.

7.1.3 Any person discharging to the Council sewerage system shall also comply with requirements of the Hazardous Substances and New Organisms (HSNO) Act and the Resource Management Act.

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

- (a) All persons on trade premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 7.2(c) of this Bylaw from entry into the sewerage system as a result of leakage, spillage or other mishap.

- (b) No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by HSNO or any of the materials listed in 7.2(c) in a manner that may cause the material to enter the sewerage system and cause harmful effects.
- (c) Materials referred to in 7.2 (a) and (b) are those:
 - (i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials.
 - (ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream.
 - (iii) Likely to be harmful to the health and safety of the Council's staff, Approved Contractors and the public or to cause damage to the sewerage system.

8 Application for trade waste discharge consent

8.1 Every occupier of trade premises who wishes to:

- a) Discharge any trade waste anywhere within the District; or
- b) Vary the characteristics of a consent to discharge that has been previously granted; or
- c) Vary the conditions of a consent to discharge that has previously been granted

shall apply in the manner prescribed by Council from time to time.

8.2 Every application shall be accompanied by a trade waste application fee in accordance with the Council's schedule of rates and charges.

8.3 Every applicant for a trade waste consent shall forthwith provide to the Council all such additional information as the Council considers necessary to consider the application.

9 Consideration criteria

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

- a) The health and safety of Council staff and the public.
- b) The extent to which trade waste may react with other trade waste or domestic wastewater to produce an undesirable effect.
- c) The flows and velocities in the sewer and the material or construction of the sewer.

- d) The capacity of the sewer and the capacity of any wastewater treatment works.
- e) The nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment works.
- f) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewer sludges, and any discharge to air, (including the necessity for compliance with any resource consent, discharge permit or water classification).
- g) Consideration for other existing or future discharges.
- h) The terms of any agreement entered into with any person for the treatment of wastewater.

9.2 No trade waste consent shall be granted unless the treatment works' operator consents in writing to the trade waste consent (provided always that the consent of the treatment works' operator shall not unreasonably be withheld).

9.3 No trade waste consent shall be granted if the discharge contains, or is likely to contain, prohibited characteristics.

10 Discharge characteristics

The nature, level and maximum concentrations permissible for the characteristics of any discharge shall not exceed those specified in the First Schedule or any applicable trade waste consent.

11 Prohibited characteristics

A discharge has prohibited characteristics if it has any characteristics which exceed the concentration or other limits specified in the Second Schedule or any applicable trade waste consent.

12 Conditions of trade waste consent

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

- a) The particular public sewer to which the discharge will be made.
- b) The maximum daily volume of the discharge and the maximum rate of discharge and the duration of maximum discharge.
- c) The maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits.
- d) The period or period of the day during which the discharge, or a particular concentration, or volume of discharge may be made.
- e) The degree of acidity, or alkalinity of the discharge at the time of discharge.

- f) The temperature of the trade waste at the time of discharge.
- g) The provision by the occupier, at the occupier's expense, of screens, grease traps, silt traps or other treatment works to prevent or control the discharge of solids or grease.
- h) The provision and maintenance at the occupier's expense of inspection chambers, man holes or other apparatus or devices to provide reasonable access to drains for sampling and inspection.
- i) A sampling and testing programme in flow measurement requirements.
- j) The method by which flow rates are to be measured and samples taken for use in determining the amount of any trade waste charges applicable to that discharge.
- k) The provision and maintenance by, and at the expense of the occupier of such meters or devices that may be required to measure the volume or flow rate of any trade waste being discharged from the premises and for the testing of such meters.
- l) The provision and maintenance at the occupier's expense of such services (whether electricity, water or compressed air or otherwise) which may be required in order to operate meters or similar devices.
- m) The provision by the occupier to the Council of all flow and/or all volume records and results of analyses.
- n) The occupier complying with any reasonable direction of the Council which has the object of preserving the wastewater treatment works from harm.

13 Consent duration

Trade waste consents granted under this part of the Bylaw shall expire at the end of a term fixed by the Council which shall not exceed five years.

14 Consent review and variation

- 14.1 The Council may at any time during the time of a trade waste consent, by written notice to the occupier (following a reasonable period of consultation), vary any condition to such consent as the Council considers necessary:
- 14.2 To meet any resource consent imposed on the discharge from the wastewater treatment works or with any other legal requirements effecting the carriage of trade waste in the sewer and the treatment of that and other waste.
- 14.3 Following a review of the technical issues considered when setting conditions of consent, due to new information becoming available.
- 14.4 To prevent likely or present harm to the wastewater treatment works.

15 Charges

- 15.1 The consent holder shall be liable to pay for the treatment and/or reception and/or disposal of trade wastes and any related material.
- 15.2 The Council shall from time to time fix the charges payable in respect of the treatment or reception or disposal of trade wastes.
- 15.3 All sums payable for charges under this part of the Bylaw shall be recoverable as a debt due.

16 Consents not transferable

A trade waste consent shall not be transferable.

17 Accidents

The occupier shall inform the Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of his/her trade waste consent in particular, or this part of the Bylaw in general.

18 Cancellation

- 18.1 The Council may at any time summarily cancel any trade waste consent by giving written notice if:
- a) The Council is lawfully directed to withdraw or otherwise terminate the trade waste consent.
 - b) The consent holder discharges any trade waste unlawfully and in the opinion of the Council, damage to any sewer, treatment plant or the environment, or danger to the health or safety of any person is likely to occur as a result of the discharge.
- 18.2 The Council may, on the giving of adequate notice in writing to the occupier, cancel any trade waste consent if the occupier:
- a) Fails to comply with any condition of the consent.
 - b) Fails to maintain effect control over the discharge.
 - c) Threatens the safety of, or threatens to cause damage to any sewer, treatment plant or the environment or threatens the health or safety of any person.
- or if, in the opinion of the Council:
- d) Circumstances exist which render it necessary in the public interest to cancel the consent.

Revocations and changes

The Trade Waste Bylaw 2000 is hereby revoked.

The Kawerau District Council General Bylaw Part 10: Trade Waste (2010) was duly made by a resolution passed at a meeting of the Kawerau District Council held on 31 August 2010 following a special consultative procedure and compliance with section 148 of the Local Government Act 2002. In April 2012, minor changes and corrections were made in accordance with section 156(2) of the Local Government Act 2002.

The Common Seal of the
Kawerau District Council
was affixed hereto in the presence of:

.....
Mayor

.....
Chief Executive Officer

.....
Date

FIRST SCHEDULE – PERMITTED DISCHARGE CHARACTERISTICS

1 Introduction

- 1.1** The nature and levels of the characteristics of any trade waste discharged to the Council sewerage system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.
- 1.2** The Council shall take into consideration the combined effects of trade waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.
- 1.3** An additional column in tables 1, 2 and 3 for mass limits may be added as required.
- 1.4** The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council.

2 Physical Characteristics

2.1 *Flow*

- (a) The 24-hour flow volume shall be less than 5m³.
- (b) The maximum instantaneous flow rate shall be less than 2.0L/s.

NB: The flow conditions (a) and (b) above shall not apply to Norske Skog Tasman.

2.2 *Temperature*

The temperature shall not exceed 40°C.

2.3 *Solids*

- (a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15mm.
- (b) The suspended solids content of any trade waste shall have a maximum concentration which shall not exceed 2000g/m³ for significant industry this may be reduced to 600g/m³.
- (c) The settleable solids content of any trade waste shall not exceed 50mL/L.
- (d) The total dissolved solids concentration in any trade waste shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- (e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of sewage in the drainage system or treatment plant shall not be present.

2.4 *Oil and Grease*

- (a) There shall be no free or floating layer.
- (b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200g/m³ as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage, throughout the range of pH 6.0 to pH 10.0.
- (c) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500g/m³ when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.
- (d) Emulsified oil, fat or grease shall not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range of pH 4.5 to pH 10.0.

2.5 *Solvents and other Organic Liquids*

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

2.6 *Emulsions of paint, latex, adhesive, rubber, plastic*

- (a) Where such emulsions are not treatable, these may be discharged into the sewer subject to the total suspended solids not exceeding 1000g/m³ or the concentration agreed with the Council.
- (b) The Council may determine that the need exists for pre-treatment of such emulsions if they consider that trade waste containing emulsions unreasonably interferes with the operation of the Council treatment plant e.g. reduces % UVT (ultra violet transmission).
- (c) Such emulsions of both treatable and non-treatable types shall be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public sewer.

2.7 *Radioactivity*

Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

2.8 *Colour*

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

3 Chemical Characteristics

3.1 *pH value*

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

3.2 *Organic strength*

The Biochemical Oxygen Demand (BOD₅) of any waste may require to be restricted where the capacity for receiving and treating BOD₅ is limited. A BOD₅ restriction may be related to mass limits.

Where there is no treatment system for organic removal, the BOD₅ shall not exceed 1000g/m³. For significant industry this may be reduced to 600g/m³.

3.3 *Maximum concentrations*

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

Table 1 – General Chemical Characteristics

Characteristic	Maximum concentration (g/m³)
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	5000 1500 (with good mixing)
Sulphite (measured as SO ₂)	15
Sulphide – as H ₂ S on acidification	5
Chlorine (measured as Cl ₂)	
- free chlorine	3
- hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5

Table 2 – Heavy Metals

Metal	Maximum concentration (g/m³)	Metal	Maximum concentration (g/m³)
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.05
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.5	Selenium	10
Chromium	5	Silver	2
Cobalt	10	Thallium	10
Copper	10	Tin	20
Lead	10	Zinc	10

Table 3 – Organic Compounds and Pesticides

Characteristic	Maximum concentration (g/m³)
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) Excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) Aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2
Organophosphate pesticides	0.1

SECOND SCHEDULE – PROHIBITED CHARACTERISTICS

Prohibited Characteristics

- 1 Any discharge has prohibited characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately, or in the course of time:
 - a) Interfere with the free flow of sewage in the sewer or wastewater treatment works.
 - b) Damage any part of the sewer or wastewater treatment works.
 - c) In any way, directly or indirectly, cause the quality of the effluent or residual biosolids and other solids from the wastewater treatment works in the catchment to which the waste is discharged to breach the provisions of the Hazardous Substances and New Organisms Act 1996 or the conditions of a consent issued under the Resource Management Act 1991, or water right, permit or other governing legislation.
 - d) Prejudice the occupational health and safety risks faced by wastewater treatment workers.
 - e) After treatment, be toxic to animals, fish or plant life in the receiving waters.
 - f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance.
 - g) Have a colour or colouring substance that causes the discharge from the wastewater treatment works to receiving waters to be coloured.

- 2 A discharge has prohibited characteristics if it has any amount of:
 - a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass.
 - b) Liquid, solid or gas which could be flammable or explosive in the waste, including oil, fuel, solvents (except as allowed for in any applicable trade waste consent), 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 organo pesticides
 - f) Genetic wastes being all wastes that contain, or are likely to contain, genetically altered material from premises where the genetic alteration of any material is conducted.

- 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.
- i) Water containing grease, oils, toxin or conspicuous colour.