MARLBOROUGH DISTRICT COUNCIL

The Marlborough District Council

Trade Waste Bylaw 2025

Summary

This summary is not part of the Trade Waste Bylaw 2025 but explains the general effects.

Trade Waste discharged into the public wastewater system can negatively impact the public wastewater system, environment, and public health. Trade waste is produced by a variety of businesses such as industrial processes and manufacturing, food outlets, service stations, hairdressers, pet shops and medical centres. The public wastewater system includes pipes, pumping stations, and treatment plants.

The purpose of this Bylaw is to manage trade waste discharges into the public wastewater system by –

- Identifying which trade waste activities are considered low risk and which activities require a trade waste agreement.
- Requiring discharges of low-risk trade waste to meet certain conditions before discharge.
- Identifying maximum limits for trade waste.
- Setting out requirements for making a trade waste control under the Bylaw.
- Setting out matters considered when issuing trade waste agreements.
- Consent applications and conditions.
- Special conditions for consents in relation to tanker trade waste disposal.

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PART ONE - Preliminary Provisions

1. Preamble

The Marlborough District Council (**Council**) hereby makes by resolution the following Marlborough District Council Trade Waste Bylaw 2025 (**Bylaw**) pursuant to the provisions of the Local Government Act 2002 (**the Act**), and any other act or authority in any way enabling the Council in that behalf.

2. Title

This Bylaw is the Marlborough District Council Trade Waste Bylaw 2025.

3. Commencement

This Bylaw shall come into force on the [__] day of [month] 2025.

4. Purpose

This Bylaw sets standards for trade waste and determines how trade waste may be accepted into the public wastewater system.

The purpose of this Bylaw is to:

(a) Protect the health and safety of people and the environment from potential adverse effects of harmful substances discharged to the public wastewater system;

(b) Protect the public wastewater system from damage and provide for its efficient operation;

(c) Assist treatment plants within the public wastewater system to process wastewater and produce biosolids of a guaranteed quality; and

(d) Encourage waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises.

5. Application

This Bylaw applies to trade premises using and disposing of trade waste in the Marlborough District.

Explanatory Note

Independent of any obligations under this Bylaw, the occupier must also comply with the requirements of the Hazardous Substances and New Organisms Act 1996, the Resource Management Act 1991, and the Building Act 1991 and all other relevant statutory requirements.

6. Interpretation

6.1 In this Bylaw, unless inconsistent with context or where otherwise expressly provided:

ACCEPTABLE TRADE WASTE means a trade waste with characteristics which comply with all the standards listed in schedule 1 of this Bylaw.

ACCESS POINT is a place where access may be made to a private sewer for inspection (including sampling or measurement), cleaning or maintenance.

AUTHORISED OFFICER means a person appointed by the Council to be responsible for any of the following functions: the acceptance, collection, treatment or disposal of wastewater, or the control, management or audit of wastewater processes.

BATCH DISCHARGE means any discharge of accumulated trade waste to the wastewater system, which has not been approved under an existing consent, and which occurs over a short period of time, and may include the discharge of tankered waste to designated points in the wastewater system.

BIOSOLIDS means treated sewage sludge.

CHARACTERISTIC means any of the physical or chemical properties of a trade waste listed in schedules 1 or 2 of this Bylaw.

CLEANER PRODUCTION means the implementation on trade premises of operations, methods and processes that reduce or eliminate the quantity and toxicity of wastes.

CONDENSING WATER means 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 or is likely to have one or more characteristics which do not comply with all of the characteristics listed in schedule 1, and which does not have any of the prohibited characteristics listed in schedule 2.

CONSENT means a consent in writing granted by the Council authorising a person to discharge trade waste to the wastewater system.

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.

COUNCIL means The Marlborough District Council and any authorised officer of the Council.

DISCHARGE means discharge of trade waste to the wastewater system

DISCHARGE MANAGEMENT PLAN means a plan agreed between the Council and an occupier for the monitoring, programming and controlling by that occupier, of the sources of trade waste from the occupier's premises, so that the discharge to the wastewater system complies with this bylaw.

DISCONNECTION means the physical cutting or sealing of a private sewer from any wastewater system.

DOMESTIC SEWAGE means liquid wastes (including matter in solution or suspension) 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 wastewater system.

EMERGENCY MANAGEMENT PLAN means a framework of strategies for preventing, reducing, responding to, or recovering from emergency situations.

ENVIRONMENTAL MANAGEMENT PLAN means an overall management plan which includes organisational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and monitoring an environmental policy.

FOOD PREMISES means:

(a) any fast food outlet operated under a franchise agreement;

(b) any fish and chip shop;

(c) any restaurant or factory canteen that has a commercial deep fat fryer or commercial waste disposal unit;

(d) any supermarket with a delicatessen and butchery;

(e) any premises registered under regulation 57 of the Food Hygiene Regulations that is occupied by a caterer or food wholesaler.

MASS LIMIT means the total mass of any characteristic of trade waste that may be discharged to the wastewater system over any 24 hour period.

MAXIMUM CONCENTRATION means the peak concentration of any characteristic of trade waste that may be discharged to the wastewater system.

OCCUPIER in relation to any trade premises, means the person occupying any trade premises or the person responsible for any trade, commercial or industrial activity undertaken on those trade premises.

PERSON includes the Crown, a corporation sole and also a body of persons whether corporate or unincorporate, and any successor.

POINT OF DISCHARGE means the boundary between the wastewater system and a private sewer or drain.

PREMISES means either:

(a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect of which a building consent has been or may be issued, or

(b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available, or

(c) Land held in public ownership (e.g. reserve) for a particular purpose, or

(d) Individual units in buildings which are separately leased.

PRIVATE SEWER means that section of a sewer, which is owned and maintained by the occupier, through which wastewater flows from the occupier's premises before entering the wastewater system.

PROHIBITED TRADE WASTE means any trade waste which has or is likely to have any prohibited characteristic.

PROHIBITED CHARACTERISTIC means any characteristic listed in schedule 2 of this Bylaw.

PUBLICLY NOTIFIED means published on at least one occasion in a newspaper circulating in the Council's district, or, under emergency conditions, notice given to the public by the most practical means available at that time.

SEWAGE SLUDGE means the solid material settled out from wastewater during the treatment process.

SEWER means all wastewater pipes, tunnels, manholes, and inspection chambers, whether privately owned or part of the wastewater system.

STORMWATER means surface water run-off resulting from rainfall.

TANKERED WASTE means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal.

TRADE PREMISES means food premises and any premises used or intended to be used for carrying on any trade or industry and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

TRADE WASTE means any liquid, with or without matter in suspension or solution therein, that is, or may be, or is prohibited from being, discharged to the wastewater system from trade premises in the course of any trade or industrial process or operation or in the course of any activity or operation of a like nature; but does not include condensing water, cooling water, stormwater, or domestic sewage.

TRADE WASTE AGREEMENT means an agreement between the Council and an occupier, regarding a discharge that was entered into prior to the making of this bylaw.

WASTEWATER means water or other liquid, including sewage and waste matter in solution or suspension, discharged to the wastewater system.

WASTEWATER SYSTEM means all sewers, pumping stations, storage tanks, sewage treatment plants, sea outfalls and other related structures owned by or under the control of the Council, used for receiving, treatment and disposal of wastewater.

6.2 Any expression not defined in Clause 6.1 of this Bylaw that is defined in the Local Government Act 1974 or the Act has the same meaning as in those Acts.

PART TWO - General

7. Classification of Trade Waste Discharges

7.1 The Council classifies trade waste in three categories:

(a) **Acceptable** trade waste may be discharged to the wastewater system with the consent of the Council, subject to the standard conditions contained in Schedule Four.

(b) **Conditional** trade waste may be discharged to the wastewater system subject to the consent of the Council, and in accordance with any specific conditions imposed in that consent that are additional to the standard conditions. The Council may decline to grant consent to discharge conditional trade waste.

(c) **Prohibited** trade waste may not be discharged to the wastewater system.

7.2 The Council may make modifications to the acceptable characteristics set out in Schedule One for individual discharges when considered appropriate.

7.3 The nature and levels of any characteristic may be varied to enable compliance with any new resource consent issued to the Council under the Resource Management Act 1991, or other legal requirements imposed on the Council.

8. General Condition

8.1 No person may cause or allow any discharge, except with the consent of the Council.

8.2 Nothing in this Bylaw authorises any person to cause or allow storm water to enter a sewer or the wastewater system, unless specific approval is given in a consent.

8.3 No person may cause or allow a prohibited discharge.

8.4 The nature and levels of the characteristics of any wastewater discharged to the wastewater system must always comply with the limits for physical characteristics and the limits for chemical characteristics set out in Schedule One, except where the Council authorises a variation in the nature and levels of such characteristics by issuing a consent.

8.5 Specific approval must be obtained from the Council before heavy metals, halogenated aliphatic compounds or pesticides within the maximum concentrations in Schedule One can be discharged.

9. Storage, Transport, Handling and Use of Hazardous Materials

9.1 No person may store, transport, handle or use, or cause or allow to be stored, transported, handled, or used any of the materials listed below, in a way which may result in that material entering the wastewater system and potentially causing harmful effects.

9.2 Materials include:

(a) Raw materials;

(b) products or wastes containing corrosive, toxic biocidal, radioactive, flammable or explosive materials;

(c) 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; and/or

(d) any other material likely to be harmful to the wastewater system, or treatment processes, or likely to be deleterious to the health and safety of Council staff and the public.

9.2 Every occupier must take all reasonable steps to prevent the entry of the materials listed above into the wastewater system as a result of leakage, spillage or any other mishap.

PART THREE - Trade Waste Consents

10. Application for a Trade Waste Consent

10.1 Any person may apply to the Council by completing the form provided and lodging the application with the Council.

10.2 Forms can be found and submitted on the Council's website. Additionally, physical forms can be found and submitted at the Council's offices at 15 Seymour Street, Blenheim.

10.2 Any person may apply for:

(a) For consent to discharge any trade waste into the wastewater system;

(b) To vary the characteristics of a discharge of trade waste in respect of which consent has previously been granted; or

(c) To alter the conditions of a consent,

10.3 An application for consent for a batch discharge may be made by completing the separate "Batch Discharge" form which is available at the locations listed in Clause 10.2.

10.4 Applicants must ensure that the application and all related documentation, including any additional information sought under Clause 11.3 of this Bylaw, is accurate and properly executed.

10.5 Where premises have separate points of discharges from more than one area, a separate copy of the description of the trade waste and premises must be included in applications for consent in respect of each area. This applies whether the discharges from each area are part of one process or separate processes.

10.6 Every application must be accompanied by an application fee in accordance with the Council's current scale of charges.

11. Processing Applications

11.1 The Council will acknowledge an application for consent, in writing, within 10 working days of receipt of that application and the application fee.

11.2 Council may deal with the owner as well as the occupier of any trade premises.

11.3 Before processing an application, the Council may:

(a) ask the applicant to provide additional information relevant to the application;

(b) if the discharge is likely to be a discharge of conditional trade waste, ask the applicant to provide:

(i) Discharge Management Plan;

(ii) an Environmental Management Plan;

(iii) an Emergency Management Plan;

(iv) ask the applicant to provide independent verification of any information supplied by the applicant; and

(c) have the discharge investigated and analysed as provided for in Clause 17 and 19 of this Bylaw.

11.4 The Council will notify the applicant of any additional information required under this Clause within 10 working days of receipt of the application.

11.5 Within 20 working days from the day of receipt of an application complying with this Bylaw, or within 20 working days from the day of receipt of any additional information required, whichever is the latter, the Council, after considering the matters set out in Clause 12 of this Bylaw, will notify the applicant of its decision in writing and —

(a) If it declines consent, give reasons for that decision; or

(b) If it grants consent;

(i) classify the trade waste as either acceptable or conditional (irrespective of the wording of the application) and issue an appropriate notice of consent; and

(ii) inform the applicant in writing of the decision and the conditions that it intends to impose on the discharge;

(iii) enter into consultation with the applicant in regard to the final form of the conditions to be imposed; or

(c) Notwithstanding the consultation process in Clause 11(b)(iii) of this Bylaw, the Council may make the final decision on conditions that will be imposed.

11.6 The Council will publish data annually, within three months of the end of the financial year, showing:

(a) the current capacity of the wastewater system to receive those characteristics controlled by mass limits; and

(b) the total mass of those controlled characteristics that were allocated over the financial year; and

(c) the capacity held in reserve for future trade waste discharges and as a safety factor against accidental discharge; and

(d) the total mass of those controlled characteristics that were actually received into the wastewater system over the financial year.

12. Considerations When Consenting to a Trade Waste Discharge

12.1 In considering any application for a consent to discharge from any trade premises or tanker waste contractors, and in imposing any conditions on such a consent, the Council may have regard to the quality, volume, and rate of discharge, either on its own or in combination with other discharges. In particular, the Council may have regard to:

(a) The health and safety of Council's staff and the public;

(b) The limits and/or maximum values for characteristics of trade waste specified in Schedules One and Two of this Bylaw;

(c) The extent to which the trade waste may react with other trade waste or domestic sewage to produce an undesirable effect, including the settlement of solids, or the production of odours, or accelerated corrosion and deterioration of the wastewater system;

(d) The flows and velocities in the sewer and the material or construction of the sewer;

(e) The capacity of the sewer and the capacity of any wastewater treatment works;

(f) The nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment works, including the adoption of cleaner production techniques;

(g) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewage sludge, and any discharge to air, associated with the conveyance, treatment or disposal of wastewater or sewage sludge (including the necessity for compliance with any resource consent and any relevant receiving water quality guidelines);

(h) Other existing or likely future discharges; and

(i) The capacity of the premises and site equipment to comply with consent conditions.

12.2 The Council may also take into account any mass limits it may set from time to time, that apply to the wastewater system, and in so doing may consider:

(a) Conditions in the wastewater system near the trade waste discharge point and elsewhere in the wastewater system;

(b) The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;

(c) 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;

(d) Any requirements on the Council to reduce the pollutant discharge of the wastewater system;

(e) The total mass of the characteristic allowable in the wastewater system, and the proportion (if any) to be reserved for future allocations; and

(f) Whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the sewer reticulation, treatment process, or receiving water (or land).

12.3 In considering any application for a consent and in imposing any conditions on such a consent, the Council must consider any existing relevant documents, in particular any Discharge Management Plan or Environmental Management Plan or Emergency Management Plan.

13. Conditions of Consent

13.1 Every consent granted will include a condition specifying the duration of the consent, which will be determined in accordance with Clause 15 of this Bylaw.

13.2 Every consent to discharge acceptable trade waste is subject to the standard conditions in Schedule Four.

13.3 Every consent to discharge conditional trade waste is subject to any of the standard conditions in Schedule Four and any special conditions that the Council may impose on that consent. Such conditions may include, but are not limited to:

(a) The particular sewer or sewers to which the discharge can 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 mass limits and maximum concentrations;

(d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;

(e) The degree of acidity, or alkalinity of the discharge at the time of discharge;

(f) The temperature of the trade waste at the time of discharge;

(g) The provision by the occupier, at the occupier's expense, of appropriate screens, grease traps, silt traps or other pre-treatment works to prevent or control the discharge of solids or oil and grease;

(h) The provision and maintenance at the occupier's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to private sewers for sampling and inspection;

(i) A sampling and testing programme and flow measurement requirements;

(j) The method to be used for measuring flow rates and taking samples of the discharge for use in determining the amount of any trade waste charges applicable to that discharge;

(k) The provision and maintenance by the occupier, at the expense of the occupier of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the premises, and for the testing of such meters;

(l) The provision and maintenance, at the occupier's expense, of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;

(m) The provision by the occupier to the Council of flow and/or volume records and results of analyses; and

(n) The implementation of an approved Discharge Management Plan, Environmental Management Plan or Emergency Management Plan.

14. Duration

14.1 Consents may be granted for a term of up to 5 years.

14.2 In considering the duration of a consent, the Council may consider:

(a) The nature of the trade activity, or the process design and/or management of the premises such that the occupier has a demonstrated ability to comply with the conditions of the consent during its term;

(b) The use of cleaner production techniques;

(c) Any investment in cleaner production equipment or techniques;

(d) Any investment in pre-treatment facilities; and

(e) Any Discharge Management Plan, Environmental Management Plan or Emergency Management Plan.

15. Technical Review and Variation

15.1 If any new information or change in circumstances becomes known to the Council at any time during the term of a consent, the Council may, by written notice to the consent holder and following a reasonable period of consultation with the consent holder, review that consent and vary any condition of the consent.

15.2 The holder of a consent may, at any time during the term of the consent, seek to vary any condition of that consent by written application to the Council in accordance with Clause 10.2(c) of this Bylaw.

15.3 For the purposes of the consultation in Clause 15.1, the Council may also consult with the owner of the Trade Premises.

PART FOUR - Other Consents

16. Tanker Trade Waste Consents

16.1 Liquid waste contractors wishing to dispose of liquid waste to Council disposal facilities must have a conditional trade waste consent associated with the property where the associated vehicles are stored.

16.2 Tankered waste must not be discharged into the public wastewater system, except at approved locations. Unless otherwise directed, these locations are specifically:

(a) Hardings Road septage receival facility; and/or

(b) Bluegums Landfill Facility.

16.3 In addition to any general conditions imposed under Clause 8, the following specific conditions will apply to all trade waste consent applications related to tankered waste:

(a) Council may require all tanker waste operators discharging to directly or indirectly into the Council sewerage system to be compliant with the current Liquid and Hazardous Code of Practice 2012;

(b) Where required for specific loads, have safety data sheets supplied to an authorised Council officer detailing the characteristics of the trade waste;

(c) Where required, if trade waste is not known or likely to be above acceptable parameters for disposal at Council facilities, before loading the material it must be tested to determine the characteristics of the contents;

(a) For advice on required parameters please contact an authorised Council officer.

(d) Specialist advice on pre-treatment of acceptance before disposal may be required;

(e) The cost of all testing and advice shall be the responsibility of the applicant or the original source of the trade waste;

(f) Disposal approval for specific loads is required in writing from authorised Council officer;

(g) Tanker waste that is subject to pre-approval is not to be picked up and transported to the site until appropriate arrangements and method for disposal have been determined by an authorised Council officer; and/or

(h) A minimum of 24 hours' notice shall be given to the disposal site, as outlined in Clause 10.2, personnel prior to disposal of any discharges that are unknown or extraordinary and have additional testing complete.

16.4 Despite any other clause in this Bylaw, no person shall dispose of, or allow the disposal of, tanker trade waste by:

(a) Falsely disclose the characteristics and/or amount of tankered waste;

(b) Discharge tanker waste disposals to the sewerage system in a diluted or undiluted form without a controlled waste consent;

(c) Dispose of tanker trade waste into the sewerage system at any place other than at the prescribed location; or

(d) Dispose of tanker trade waste in contravention of a consent.

PART FIVE - Sampling, Testing and Monitoring

17. Flow Metering

17.1 Flow metering is required:

(a) On any discharge when there is not a reasonable relationship between a metered water supply to the premises, and the discharge; and/or

(b) When the occupier and the Council cannot agree on a suitable method of flow estimation.

17.2 The occupier is responsible for the supply, installation and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge.

17.3 Any flow meter is subject to the approval of an authorised Council officer but remains the property of the occupier.

17.4 Measurement of flow must be carried out by or on behalf of the occupier in accordance with the following British Standards or their replacements: BS 3680: Part 11A; BS 3680: Part 11B; and BS 5728: Part 3.

17.5 Records of flow and/or volume must be made available to the Council without undue delay, on request by the Council.

17.6 Flow meters must be readily accessible for reading and maintenance, and as close as practicable to the point of discharge.

17.7 The occupier must ensure the flow metering equipment and instrumentation is calibrated upon installation and at least once a year thereafter, and must ensure that metering equipment and instrumentation is accurate to within ±10% of its reading. Calibration is to be undertaken in accordance with New Zealand Standard 10012: Part 1, or its replacement. Each calibration result must be independently certified, and a copy of that certification must be submitted to the Council.

17.8 Should any flow meter be found to be inaccurate, the Council may adjust any fees levied for the relevant discharge according to the results of the calibration tests and backdate those fees for a period at the discretion of the Council not exceeding 12 months.

18. Estimating Discharge

18.1 Where a discharge is not measured by a flow meter or similar apparatus, the Council may estimate the discharge on the basis of:

(a) A percentage of the water supplied to the premises;

(b) The characteristics of the discharge measured at a previous time during similar operating conditions; or

(c) Characteristics of the discharge measured during a period immediately preceding the charging period.

18.2 Should any flow meter be out of repair, or cease to register, or be removed, the Council may estimate the discharge for the period since the previous reading of that flow meter based on:

(a) the average of the previous 4 (if available) billing periods charged to the occupier;

(b) any other factors for the purpose of arriving at a reasonable estimate when there is reasonable evidence the average of the previous 4 billing periods would be an unreasonable estimate of the discharge; or

(c) and the occupier must pay the fee determined according to such estimate.

18.3 Where a meter has been tampered with, the Council may declare the meter reading void and estimate the discharge as provided above.

19. Monitoring

19.1 The Council may require the occupier to monitor the discharge of the trade waste under the terms of its consent. For the avoidance of doubt, it is an offence against this Bylaw to fail to monitor discharge when required to do so by the Council.

19.2 The Council may independently monitor compliance with the terms of the consent.

19.3 The occupier may request that all independent samples, or composite sample(s), taken by the Council or independent analyst nominated by the occupier, are divided into 3 equal parts on completion of sampling – with:

(a) The first portion of each sample, or composite sample, delivered to the occupier;

(b) The second portion of each sample, or composite sample, delivered to the Council or an approved alternative laboratory for analysis; and

(c) The third portion of each sample, or composite sample, delivered to the Council or an approved alternative laboratory for retention for a period of not less than 20 working days from the date of receipt, and in such a manner which preserves as far as is reasonably possible the characteristics of the sample.

19.4 Where any portion of a sample, or composite sample, is to be delivered in accordance with Clause 19.3 of this Bylaw, it must be delivered within 4 hours of the sampling being completed, and if not, fresh sampling must be undertaken.

20. Sampling and Analysis

20.1 Sampling must be undertaken:

(a) In accordance with the procedure contained in Schedule 3 or some other procedure designed to comply with the relevant British Standard: BS 6068: Section 6.10 or its replacement; and

(b) By an authorised officer or by an independent analyst nominated by the occupier and approved by the Council.

20.2 Analysis must be undertaken:

(a) In accordance with methods or procedures validated against the current edition of the American Wastewater Association "AWWA Standard Methods for the Examination of Water and Wastewater" or by such alternative method or procedure agreed in writing between the occupier and the Council; and

(b) By a laboratory accredited for the purpose, or an alternative laboratory approved by the Council.

20.3 Where an independent analyst or alternative laboratory fails to perform any of the functions relating to sampling or analysis in accordance with this Bylaw or its Schedules, the Council may approve another independent analyst or alternative laboratory to undertake those functions.

20.4 Where an authorised officer or accredited laboratory fail to perform any of the functions relating to sampling or analysis in accordance with this Bylaw or its Schedules, fresh sampling must be undertaken.

21. Dilution

21.1 The occupier must not add or permit or cause the addition of any water to any trade waste solely in order to vary the level of any characteristic of the waste except with the consent of the Council.

PART SIX - Bylaw Administration

22. Review of Decisions

22.1 If any person is dissatisfied with a decision of the Council made under this Bylaw, that person may request a review of that decision. Such request must be made to the Council, in writing, not later than 20 working days after the decision is notified.

22.2 On the receipt of such a request, the decision of the Council will be suspended provided that the occupier complies with the provisions of this Bylaw at all times. A decision relating to the matter in the request will be made within 20 working days of receiving the receipt in accordance with the relevant provisions of this Bylaw.

22.3 Notwithstanding Clause 22.2 of this Bylaw, the receipt of a notice to review any decisions relating to a summary cancellation will not result in the suspension of the summary cancellation.

22.4 Where the decision which is the subject of a request for a review imposes a time limit, the time begins to run when the review is completed.

22.5 Nothing in this clause affects any right of appeal under any Act.

23. Accidents

23.1 The occupier must inform the Council immediately of any accident, including, but not limited to, spills or process mishaps, which may result in a breach of a consent or this Bylaw.

24. Payment and Invoicing

24.1 The Council may recover fees and charges in accordance with the Act.

24.2 Fees and charges are set by Council resolution and will be reviewed every three years. Despite this, Council may adjust fees and charges from time to time based on inflation.

24.3 The Council may, from time to time, by resolution publicly notified, prescribe charges payable by an applicant or occupier of trade premises in relation to the consents, approvals, services given, inspections, performance against consent conditions, and the like, provided by the Council for the administration of applications, consents, monitoring activities and enforcement of consents, and of this Bylaw; and

(a) The consent holder shall be liable to pay any consent charges fixed by the Council from time to time; and

(b) Any consent charge fixed is payable by an occupier of trade premises at the time of any grant of application for a consent.

24.4 In accordance with sections 150 and 151 of Act, the Council may, from time to time, by resolution, fix charges in respect of the treatment, reception and disposal of trade waste. A consent holder is liable to pay such charges as are assessed in accordance with the scale of charges applicable at the time.

24.5 Charges determined in accordance with Clause 24.2 of this Bylaw:

(a) Will be invoiced in the first month (July) of the financial year ending June in respect of which they are payable. The invoice will provide each occupier with the information and calculations by which the charges have been determined; and

(b) Are due and payable by the 20th day of the month following the month in which the invoice is issued; and

(c) May be payable in either quarterly or monthly instalments, by agreement between Council and the occupier.

24.6 All sums payable pursuant to Clause 24.1 and 24.2 of this Bylaw and pursuant to any scale of charges in force for the time being, are recoverable as a debt.

24.7 The occupier is deemed to be continuing to discharge trade waste, and to be liable for all associated charges, until the consent is cancelled or terminated in accordance with this Bylaw.

24.8 For the purpose of calculating trade waste charges in accordance with the scale of charges fixed from time to time under Clause 14 of this Bylaw, the number of operational days in a charge period are as set out in the consent and, where the Council has reasonable cause to believe discharges are occurring on additional days, the charges may include a reasonable assessment of the number of such additional days.

25. Authorised Officers

25.1 Every authorised officer of the Council who exercises any power conferred under this Bylaw must hold, and produce if required to do so, proof of his or her identification and formal proof of his or her authority as an officer of the Council.

25.2 If the Council reasonably believes trade waste is being or has been discharged from premises, an authorised officer of the Council, or any independent analyst approved in accordance with Clause 20.1(b) of this Bylaw, may enter those premises during normal working hours or while the premises are in operation, in order to determine any characteristics of any discharge by:

(a) Taking readings and measurements; or

(b) Taking samples of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

26. Transfer or Termination of Rights and Responsibilities

26.1 Consents are issued in the name of the occupier. The consent holder must not, unless written approval is obtained from the Council:

(a) Transfer to any other party the rights and responsibilities provided for under this Bylaw, or under their consent;

(b) Allow a point of discharge at the occupier's premises to serve another premise, or allow the private sewer to the point of discharge at the occupier's premises to extend by pipe or any other means to serve another premise; and

(c) Allow wastewater from any other party to be discharged at the point of discharge authorised to in the consent.

26.2 The Council may authorise the transfer of a consent on change of ownership of a premises provided the characteristics of the trade waste remain unchanged from those authorised by the consent.

26.3 The occupier must give at least 48 hours notice in writing to the Council of a requirement for disconnection of the discharge connection and/or termination of the consent. The occupier must notify the Council of the address details for final invoicing.

27. Cancellation

27.1 The Council may cancel a consent at any time, by giving written notice to the occupier, if:

(a) The occupier discharges any trade waste unlawfully and, in the opinion of the Council, damage to any part of the wastewater system or danger to the health or safety of anybody is likely to occur as a result of the discharge; or

(b) The occupier discharges any prohibited substance.

27.2 The Council may cancel a consent at any time following 25 working days notice to the occupier for:

(a) Failure to comply with any condition of that consent;

(b) Failure to maintain effective control over a discharge;

(c) Failure to comply with any provision of this Bylaw;

(d) The existence of any circumstances which, in the opinion of the Council, render it necessary in the public interest to cancel the consent; or

(e) Failure to pay any charges levied pursuant to this Bylaw in respect of the reception, treatment and disposal of trade waste.

28. Service of Documents

28.1 Any document required to be served under this Bylaw to an occupier may be served by email.

28.2 Any document served in accordance with Clause 28.1 of this Bylaw is deemed to have been served upon the recipient upon confirmation of receipt.

28.3 Any notice or document to be served must be signed by an authorised officer of the Council.

29. Transitional Provisions

29.1 Every consent or trade waste agreement in effect at [_____] shall continue in force as if it were a consent made under this Bylaw.

29.2 Where an existing consent or trade waste agreement is silent as to its term, it is terminable on six months written notice by the Council, or five years from the date on which this bylaw comes into force, whichever is the earlier.

PART SEVEN - Enforcement

30. Offences

30.1 Every person commits an offence who:

(a) Fails to comply with, or acts in contravention of, any provision of this Bylaw, except Clauses 11, 12, 13, 14, 15, 16, 18, 19.2, 19.3, 19.4, 20, 22, 25, 26, 28, 29, 30, 31 and the Schedules; or

(b) Breaches the conditions of any consent granted under this Bylaw.

30.2 Every person who commits an offence against this Bylaw is liable upon conviction to a fine not exceeding $200,000.00 in accordance with section 242(5) of the Act.

Schedule One - Acceptable Discharge Characteristics

Physical Characteristics	Remarks in this column are guidance only
1. Flow (i) The 24-hour volume shall be less than 5 m^3. (ii) The maximum instantaneous flow rate shall be less than 2.0 l/s.	Flows larger than these values may be permitted as a "conditional" trade waste consent.
2. Temperature The temperature shall not exceed 50 °C	Higher Temperatures: • Cause increased damage to sewer structures. • Increase the potential for anaerobic conditions to form in the wastewater. • Promote the release of gases such as H_2S and NH_3. • Can adversely affect the safety of operations and maintenance personnel. A lower maximum temperature may be required for large volume discharges.
3. Solids (i) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm and gross solids shall have an acquiescent settling velocity which shall not exceed 50 mm/minute. (ii) The suspended solids content of any wastewater shall have a maximum concentration which shall not exceed 2000 g/m^3. (iii) The settleable solids content of any wastewater shall not exceed 50 ml/L. (iv) The total dissolved solids concentration in any wastewater shall be subject to the approval of the Council having regard to the volume of the waste to be discharged, and	Gross solids can cause blockages. High suspended solids contents can cause sewer blockages and overload the treatment processes. Where potential for such problems exists a limit of 1000 g/m^3 may be more appropriate.

the suitability of the wastewater system and the treatment plant to accept such waste. (v) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the wastewater system or treatment plant shall not be present	
5. Oil and Grease (i) There shall be no free or floating layer. (ii) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council, is not biodegradable shall not exceed 200 g/m^3 as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range pH 6.0 to pH 10.0. (iii) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m^3 when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range pH 4.5 to pH 10.0. (iv) Emulsified oil, fat or grease shall not exceed 100 g/m^3 as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw sewage throughout the range pH 4.5 to pH 10.0.	In terms of oil and greases, biodegradable refers to: (e) the bioavailability of the oil and greases; and (f) the biochemicals thereby produced, meaning: (i) the oil and grease content of the waste decreases by 90% or more when the wastewater is subjected to a simulated wastewater treatment process which matches the wastewater treatment system.
6. Solvents and other Organic Liquids There shall be no free layer (whether floating or settled) of solvents or organic liquids.	
6. Emulsions of Paint, Adhesive, Rubber and Plastic *For the purposes of this sub-clause, Latex emulsion' means an emulsion containing paint, adhesive, rubber, plastic, or similar material.*	Latex emulsions vary considerably in their properties and local treatment works may need additional restrictions depending on the experience of the specific treatment plant and the quantity of latex to be treated.

'Treatable' in relation to emulsion wastewater, means the Total Organic Carbon content of the waste decreases by 90% or more when the wastewater is subjected to a simulated wastewater treatment process which matches the Council's treatment system. (i) Latex emulsions which are not treatable may be discharged into the wastewater system subject to the total suspended solids not exceeding 1000g/m^3 (ii) The Council may require pre-treatment of latex emulsions if the emulsion wastewater unreasonably interferes with the operation of the Council treatment plant. (iii) Latex emulsions of both treatable and non-treatable types, shall be discharged to the wastewater system only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the wastewater system.	Latex emulsions will coagulate when unstable and can sometimes cause sewer blockage. Latex emulsions are stable when diluted or in the correct pH range.
7. Radioactivity Radioactivity levels shall not exceed National Radiation Laboratory guidelines.	Refer National Laboratory *Code of Safe Practice for the use of Unsealed Radioactive Materials NRL.CI.*
8. Colour No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the final effluent discharge consent.	Colour may cause aesthetic impairment of receiving waters and adverse effects on lagoon treatment processes and ultra-violet disinfection. Where potential for such problem exists, a level of colour which is rendered not noticeable after 100 dilutions may be used as a guideline. Where UV disinfection is used special conditions may apply.

Chemical Characteristics

Remarks in this column are guidance only

1. pH Value

The pH shall be between 5.0 and 10.0 at all times.

Extremes of pH:

- can adversely affect biological treatment processes
- can adversely affect the safety of operations and/or maintenance personnel
- cause corrosion of sewer structures
- increase the potential for the release of toxic gases such as H_2S and HCN

2. Organic Strength

Oxygen demand is measured by either Biological Oxygen Demand (**BOD**) or Chemical Oxygen Demand (**COD**).

BOD is the preferred measure for trade waste. A BOD restriction may be related to mass limits.

The following limits have been set:

Organic Strength - BOD		
BOD	Mass Limits	2,000 mg/sec

Organic Strength - COD		
COD	Mass Limits	5,000 mg/sec

This may be expressed as:

COD	Composite limits (equivalent to these examples)	2,500 mg/L @ 2L/s 5,000 mg/L @ 1L/s

BOD

BOD relates to the amount of oxygen required to treat or neutralise a specified type of wastewater using a biological treatment.

The NZ Standard 9201 recommends an acceptable BOD maximum of 1000 mg/L.

COD

Recently the method for COD determination has been amended so that a less toxic catalyst is used. Therefore, the NZ Standard 9201 comments on toxicity are no longer relevant.

Investigations on Seaview effluent since 1994 and a literature review establish that the ratio of BOD:COD is a relative constant for domestic sewage at 1:2.5

3. Inhibitory Chemicals No waste, whether or not diluted with wastewater, may inhibit the performance of the wastewater treatment process such that the Council is significantly at risk of or prevented from complying with its resource consent.	
4. Maximum Concentrations The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in the following tables:	

Table A: General Chemical Characteristics

Characteristic	**Maximum Concentration g/m^3**	**Remarks in this column are for guidance only.**
MBAS (Methylene blue active substances)	500	MBAS is a measure of anionic surfactants. High MBAS can: • adversely affect the efficiency of activated sludge plants • impair the aesthetics of receiving waters
Ammonia (as N) • Free ammonia • Ammonium salts	50 200	High ammonia: - may adversely effect the safety of operations & maintenance personnel - may significantly contribute to the nutrient load to the receiving environment.
Kjeldahl nitrogen	150	High Kjeldahl nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 150 g/m^3 should be used as a guideline for sensitive receiving waters.

Table A: General Chemical Characteristics		
Total phosphorus (as P)	50	High phosphorus may significantly contribute (as P) to the nutrient loading of the receiving environment. A value of 50 g/m^3 should be used as a guideline for sensitive receiving waters.
Sulphate (measured as SO_4)	500 1500 (with good mixing)	Sulphate: • may adversely affect wastewater system structures. • may increase the potential for the generation of sulphides in the wastewater if the sewer is prone to become anaerobic.
Sulphite - (as SO_2)	15	Sulphite has potential to release $S0_2$ gas and thus adversely affect the safety of operations & maintenance personnel. It is a strong reducing agent and removes dissolved oxygen thereby increasing the potential for anaerobic conditions to form in the wastewater.
Sulphide - as H_2S on acidification	5	Sulphides in wastewater may: • cause corrosion of wastewater system structures, particularly the top non-wetted part of a sewer. • generate odours in sewers which could cause public nuisance.

Table A: General Chemical Characteristics		
		• release the toxic H2S gas which could adversely affect safety.
Chlorine (as Cl_2) • Free chlorine • Hypochlorite	3 30	Chlorine: • can adversely affect the safety of operations & maintenance personnel. • can cause corrosion of wastewater system structures.
Dissolved Aluminium	100	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate as a scale which may cause a sewer blockage.
Dissolved Iron	100	Iron salts may precipitate and cause a sewer blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Boron - (as B)	25	Boron is not removed by conventional treatment. High concentrations in effluent may restrict irrigation applications. Final effluent use and limits should be taken into account.
Bromine - (as Br_2)	5	High concentrations of bromine may adversely affect the safety of operations & maintenance personnel.

Table A: General Chemical Characteristics		
Fluoride - (as F)	30	Fluoride is not removed by conventional wastewater treatment; however pre-treatment can easily and economically reduce concentrations to below 20 g/m³.
Cyanide - weak acid dissociable (as CN)	5	Cyanide may produce toxic atmospheres in the sewer and adversely affect the safety of operations & maintenance personnel.

Table B: Heavy Metals+		
Metal	**Maximum Concentration g/m³**	**Remarks in this column are for guidance only**.
Antimony Arsenic Barium Beryllium Cadmium Chromium Cobalt Copper Lead Manganese Mercury Molybdenum Nickel Selenium Silver Thallium Tin Zinc	10 5 10 0.005 0.5 5 10 10 10 20 0.05 10 10 10 2 10 20 10	Heavy metals have the potential to: • impair the treatment process • impact on the receiving environment • limit the reuse of sludge and effluent.

+ Heavy metals shall be accepted up to the maximum concentrations given only when specifically approved.

Table C: Organic Compounds		
Compound	**Maximum Concentration g/m^3**	**Remarks in this column are for guidance only**.
Formaldehyde - (as HCHO)	50	Formaldehyde in the sewer atmosphere can adversely affect the safety of operations & maintenance personnel.
Phenolic Compounds - (as phenols) excluding chlorinated phenols	50	Phenols may adversely affect biological treatment processes. They may not be completely removed by conventional treatment and subsequently impact on the environment.
Chlorinated Phenols	0.02	Chlorinated phenols can adversely affect biological treatment process and may impair the quality of the receiving environment.
Petroleum Hydrocarbons	30	Petroleum hydrocarbons may adversely affect the safety of operations & maintenance personnel.
Halogenated Aliphatic Compounds$^+$	1	Because of their stability and chemical properties these compounds: may adversely affect the treatment processes. • may impair the quality of the receiving environment. • may adversely affect the safety of operations & maintenance personnel

Table C: Organic Compounds		
Compound	**Maximum Concentration g/m^3**	**Remarks in this column are for guidance only**.
Monocyclic Aromatic Hydrocarbons	5	These compounds (also known as benzene series) are relatively insoluble in water, and are normally not a problem in trade waste. They may be carcinogenic and may adversely affect the safety of operations maintenance personnel.
Polycyclic (or polynuclear) Aromatic Hydrocarbons (PAHs)	0.05	Many of these substances have been demonstrated to have an adverse effect on the health of animals; some are also persistent and are not degraded by conventional treatment processes.
Halogenated Aromatic Hydrocarbons (HAHs) Polychlorinated Biphenyls (PCBs) Polybrominated Biphenyls (PBBs)	0.002 0.002 0.002	Because of their stability, persistence and ability to bio-accumulate in animal tissue these compounds have been severely restricted by health and environmental regulators.
Pesticides (general)+ (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total	Pesticides: • may adversely affect the treatment processes. • may impair the quality of the receiving environment. • may adversely affect the safety of operations & maintenance personnel.
Organophosphate Pesticides*+	0.1	

* Excludes pesticides not registered for use in New Zealand.

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

Schedule Two - Prohibited Characteristics

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

   a) Interfere with the free flow of sewage in the wastewater system;

   b) Damage any part of the wastewater system;

   c) In any way, directly or indirectly, cause the quality of the effluent or residual biosolids and other solids from any wastewater treatment plant in the catchment to which the waste was discharged to breach the conditions of a consent issued under the Resource Management Act 1991, or water right, permit or other governing legislation;

   d) Prejudice the occupational health and safety risks faced by wastewater system workers;

   e) After treatment be toxic to fish, animals or plant life in the receiving waters;

   f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or

   g) Have a colour or colouring substance that causes the discharge of any wastewater treatment plant to receiving waters to be coloured.

2. A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule One, unless specifically approved by an authorised Council officer for that particular consent.

3. A discharge has a prohibited characteristic if it has any amount of:

   a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;

   b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule One), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;

   c) Asbestos;

   d) The following organo-metal compounds:

      - tin (as tributyl and other organotin compounds);

- chromium (as organic compounds);

e) Any organochlorine pesticides;

f) Genetic wastes, including 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; or

h) Radioactivity levels in excess of National Radiation Laboratory guidelines.

Schedule Three - Measurement and Sampling Characteristics of a Trade Waste Discharge

1. Sampling of a Trade Waste

1.1 An Instantaneous Sample

(a) Three grab samples of the discharge shall be taken at intervals of not less than 1 minute or more than 5 minutes.

(b) The three grab samples must be combined using equal volumes of all three samples to obtain the instantaneous sample.

1.2 A Four Hour Average Sample

(a) No less than 12 grab samples shall be taken from the discharge over a continuous four hour period. The samples shall be taken at reasonably even intervals over the whole period. The intervals between the samples must not be less than five minutes nor more than 20 minutes. The samples shall be mixed using equal volumes of all samples to obtain the four hour average sample.

(b) The four hour flow period used when taking a four hour average sample shall be a continuous period of four hours during which the discharge is occurring and:

(i) shall as far as practical be representative of the discharge occurring on a typical working day; and

(ii) shall exclude periods of decreased discharge prior to or after the day's operations.

1.3 A Twenty-Four Hour Flow Proportionate Sample

(a) No less than 18 grab samples shall be taken from the discharge over a continuous 24/hr period. The samples shall be taken at reasonably even intervals over the whole period. The intervals between the samples must not be less than 15 minutes nor more than 60 minutes. Whenever more than one sample is taken within a 60-minute period the samples must be of equal quantity and may be stored with other samples taken during that 60 minute period in a common container.

(b) The 24/hr flow proportionate sample is then obtained by taking a part of the contents of each container and mixing all such samples together. The size of the part of each container sample

that is used shall be in direct proportion to the volume of discharge that occurred from the time a sample was first placed in the particular container to the time a sample was first placed in the next container.

2. Use of Independent Analysts

2.1 An independent analyst shall:

(a) Take samples and make measurements at times and in the manner specified in the occupiers consent;

(b) Analyse samples in accordance with Clause 20 and 10 of this Bylaw; and

(c) Deliver the results of any such analysis in accordance with this schedule.

2.2 Requirements of an Independent Analyst

(a) An inspection undertaken in accordance with this bylaw may be undertaken during a period of 5 working days. Prior to such inspection period, the Council shall give not less than five working days' notice to an independent analyst of the commencement date of the inspection period.

(b) During any inspection period, the independent analyst shall take such samples, recordings and measurements at such time as may be directed by the Council prior to the commencement of the inspection period.

(c) Every independent analyst shall provide to the Council a certificate signed by the analyst at the time when any sample or finding is delivered to the Council. The certificate shall:

(i) describe the source of any sample, the time and date it was taken, and the method used to take it; and

(ii) certify that the sample has been taken in accordance with the requirements of this Bylaw; and

(iii) describe the findings of any analysis, their source and the methods used to determine them; and

(iv) Certify that the analysis has been made in accordance with the requirements of this Bylaw.

3. Inspection, Sampling and Determination of Final Results

3.1 Determination of the Characteristics of a Discharge

(a) Where it is necessary to ascertain the characteristics of any discharge or of any ingredient of any discharge pursuant to or for the purposes of any provision of this Bylaw, the provisions of this schedule apply.

3.2 Taking Samples, Measurements or Readings

(a) When methods are prescribed in a consent for taking samples, measurements or readings of a discharge for use in determining the amount of any trade waste charges applicable to that discharge, the Council or independent analyst shall use those methods.

(b) When taking samples, measurements, or readings of a discharge, for use in determining the characteristics of a discharge in order to ascertain:

(i) whether or not the discharge is in breach of the provisions of this Bylaw or any consent; or

(ii) whether the discharge is a simple, controlled, or prohibited trade waste;

(c) Then any form of sampling or measurement that is described in Clause 20 of this Bylaw may be used as specified by the Council prior to the commencement of sampling or, if no method is specified, any other form of sampling or may be used at the Council's discretion.

3.3 Composite Samples

The Council may retain samples taken under this Bylaw as separate samples or may mix them to form a composite sample or samples.

3.4 Sample Division

On the completion of sampling, each of the samples or the composite sample or samples, as the case may be, will be divided into three parts and each of those parts placed in a suitable container sealed and marked with sufficient information to indicate the time and place of the taking of the samples.

4. Retention of the Third Part of the Sample

4.1 The third portion of each sample, or composite sample, will be delivered to the Council or an approved alternative laboratory for retention for a period of not less than 20 working days from the date of receipt, and in such a manner which preserves as far as is reasonably possible the characteristics of the sample.

5. Analysis of Samples

5.1 Analysis by an Occupier Nominated Independent Analyst

(a) When an occupier has nominated an independent analyst pursuant to Clause 20.1(b) and that analyst takes a sample, the first portion of each sample or composite sample shall be analysed to determine those characteristics which may be specified by the Council in the occupier's consent.

5.2 Analysis by a Council Nominated Independent Analyst

(a) When an occupier has not nominated an independent analyst pursuant to Clause 20.1(b), the Council will collect the sample. It shall deliver the first portion to the occupier if requested according to clause 19 and shall have the second portion of each sample or composite sample analysed by an independent analyst nominated by the Council to determine those characteristics which may be specified by the Council in the occupant's consent.

5.3 Alternative Methods

(a) Alternative methods of analysis of any trade waste characteristic may be used instead of the methods approved in accordance with Clause 20 of this Bylaw if the alternative method or methods are agreed upon in writing by both the occupier and the Council at the time the consent to discharge is granted, and the alternative method or methods are described in the notice of consent.

(b) Methods of analysis and preservation approved by the Council under Clause 20 of this Bylaw are available for public inspection at the offices of the Council.

5.4 Sample Storage

(a) When samples are stored prior to analysis, they shall be kept in a manner which as far as possible preserves the samples' characteristics.

(b) When it is not possible to preserve a particular characteristic of a sample, then analysis of the sample to determine that characteristic shall begin promptly upon receipt of the sample.

5.5 Completion of Analysis

Every analysis shall be completed by an independent analyst within five working days of receipt of the sample by the independent analyst.

5.6 Delivery of Measurement Results

Where any analysis is completed by an independent analyst in accordance with the provisions of this Bylaw, the independent analyst shall deliver a copy of the results of the analysis to the Council and to the occupier within six working days. Any non-compliance with the terms of the consent must be reported to the Council and to the occupier as soon as is practically possible and within one working day.

Schedule Four - Standard Conditions for Acceptable Trade Waste

The Council may impose conditions on a consent including, but not limited to, the following:

1. This consent is personal to the occupier and is not transferable without written approval;

2. The quantity of wastewater and the point of discharge may not be changed from that specified in the application submitted by the Occupier and approved in this consent, except with the written permission of the Council;

3. The Council may cancel this consent if the occupier fails to comply with any condition of the Consent or fails to maintain effective control over the discharge;

4. Records of flow and/or volume must be made available for viewing at any time at the request of Council;

5. Trade waste that contains any matter or substance listed as prohibited in schedule 2 of the Bylaw is not acceptable and may not be discharged into the wastewater system;

6. Temperature must not exceed 50°C unless a higher temperature is approved;

7. pH must be always between 5.0 and 10.0 unless otherwise approved;

8. Solids which may block sewers or pumps are prohibited. These include dry solids, non-faecal solids more than 15 mm, heavy solids which settle faster than 50 mm/minute, fibrous material, sheet films, and anything which may react to form a solid mass or interfere with the free flow of wastewater in the wastewater system;

9. Solvents, fuels, and organic fluids (including oil, fat and grease) must not be present as a free layer (whether floating or settled);

10. Dissolved or emulsified solvents, fuels and organic liquids are prohibited;

11. Emulsified oils must not exceed 500 g/m^3 and the emulsion must be stable;

12. Sulphides must not exceed 5 g/m^3 (as H_2S on acidification);

13. Oxidized sulphur compounds must not exceed 500 g/m^3 (as sulphate);

14. Specific approval must be obtained from the Council before heavy metals within the maximum concentrations in Schedule One can be discharged;

15. Specific approval must be obtained from the Council before pesticides within the maximum concentrations in Schedule One can be discharged;

16. Specific approval must be obtained from the Council before halogenated aliphatic compounds within the maximum concentrations in Schedule One can be discharged; and/or

17. Condensing or cooling waters are prohibited.

Schedule Five – Trade Waste Charges

Fees and charges are set by Council resolution. This will be achieved through the annual planning process, fee setting or a similar transparent public process in accordance with the Act.

The following table sets out in categories being charged, or may charge, under the tenure of this bylaw.

Note: A wide range of categories has been provided in the following table to leave options open and promote awareness for future changes in the Council's Wastewater System requirements.

A.	**Administrative Charges**	
Category		**Description**
A1	Compliance monitoring	The cost of sampling and analysis of trade waste charges.
A2	Trade waste application fee	Payable on an application for a trade waste discharge.
A3	Reinspection fee	Payable for each re-inspection visit by Council where a notice served under this bylaw has not been complied with by the trade waste discharger.
A4	Special rates for loan charges.	Additional rates for servicing loans raised for the purposes of constructing or improving the sewerage system.
A5	Temporary Discharge fee	Payable prior to receipt of temporary discharge.
A6	New or additional trade premises	Pay the annual fees and a pro rata proportion of the various trade waste charges relative to flows and loads.
B.	**Trade waste Charges**	
Category		**Description**
B1	Volume	Payment based on the volume discharged $/m^3$
B2	Flow rate*	Payment based on the flow rate discharged $l/min.
B3	Suspended solids	Payment based on the mass of suspended solids $/kg.
B4	Organic loading*	Biochemical oxygen demand or chemical oxygen demand $/kg/day.
B5	Nitrogen	Payment based on the defined form(s) of nitrogen $/kg.
B6	Metals	Payment based on the defined form(s) of the metal(s) $/kg.
B7	Screenable solids	Payment based on the mass of screenable solids $/kg.
B8	Incentive rebate	A rebate for discharging materials beneficial to the Council's wastewater system $/kg and/or m^3.

B9	Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodation industrial growth increases since 2007 $/kg/day.
C.	**Tankered Waste Charges**	
Category		**Description**
C1	Tankered wastes*	Set as a fee(s) per tanker load, or as a fee(s) per cubic meter, or as an annual fee dependent on trade waste category.

* categories currently being used (2010)

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