



AGENDA

Ordinary meeting of the

**Works and Infrastructure Committee to
deliberate on submissions to the draft Water
Supply and Wastewater Bylaws**

**Tuesday 16 September 2014
Commencing at 9.00am
Council Chamber
Civic House
Trafalgar Street, Nelson**

Membership: Councillor Eric Davy (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Luke Acland, Ian Barker, Ruth Copeland, Matt Lawrey (Deputy Chairperson), Gaile Noonan, and Tim Skinner

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)
- It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the table for discussion and voting on any of these items.

16 September 2014

A1244049

Page No.

Apologies

1. Confirmation of Order of Business

2. Interests

- 2.1 Updates to the Interests Register
- 2.2 Identify any conflicts of interest in the agenda

3. Analysis of Submissions on the Draft Wastewater Bylaw

5-56

Document number A1241824

Recommendation

THAT the report Analysis of Submissions on the Draft Wastewater Bylaw (A1241824) and its attachments (A1241830 and A1241833) be received;

AND THAT the draft Wastewater Bylaw be amended to reflect the Committee's decisions on submissions (and comments).

Recommendation to Council

THAT the Wastewater Bylaw, as amended to reflect the Works and Infrastructure Committee's decision on submissions, be adopted.

Note: please bring a copy of your submissions with you to the meeting, and contact an Administration Adviser if you require assistance.

4. **Approval of Draft Water Supply Bylaw (No. 223)**

57-58

Document number A1246105

Recommendation

THAT the report Approval of draft Water Supply Bylaw (A1246105) and be received.

Recommendation to Council

THAT the Water Supply Bylaw (A1181471) be adopted.

Analysis of Submissions on the Draft Wastewater Bylaw (No. 224)

1. Purpose of Report

- 1.1 To provide an analysis of the submissions (and comments) on the draft Wastewater Bylaw to assist the Committee's decision making process.

2. Delegations

- 2.1 The Works and Infrastructure Committee has delegated authority to approve statements of proposals, and to hear and deliberate on submissions for Special Consultative Procedures falling within the Committee's areas of responsibility (which includes wastewater).
- 2.2 The Committee also has powers to recommend to Council its final decisions on Special Consultative Procedures falling within this area.

3. Recommendation

THAT the report Analysis of Submissions on the Draft Wastewater Bylaw (A1241824) and its attachments (A1241830 and A1241833) be received;

AND THAT the draft Wastewater Bylaw be amended to reflect the Committee's decisions on submissions (and comments).

Recommendation to Council

THAT the Wastewater Bylaw, as amended to reflect the Works and Infrastructure Committee's decision on submissions, be adopted.

4. Background

- 4.1 On 12 June 2014 the Works and Infrastructure Committee approved the advertising of a Statement of Proposal and draft Wastewater Bylaw (No. 224), using the Special Consultative Procedure (section 83 of the Local Government Act 2002).

- 4.2 The submission period for the draft Wastewater Bylaw 2014 ran from 14 June to 20 August 2014.
- 4.3 Section 148 of the Local Government Act 2002 outlines special requirements for bylaws relating to trade wastes. A two month consultation period is required and a copy of the proposed bylaw must be sent to the Minister of Health for comments.
- 4.4 The Associate Minister of Health, Jo Goodhew, provided comments and also requested that consultation on the bylaw be undertaken with Nelson Marlborough Health Board and the Ministries of Education and Defence to ensure they were aware of how hospital facilities, schools and land owned by the Defence Force may be affected by the proposed bylaw. This additional consultation has been carried out.
- 4.5 Four submissions on the draft Wastewater Bylaw were received. They are from: Mr Shuttleworth, Transpower New Zealand, the Ministry of Education and Tasman District Council.
- 4.6 The Associate Minister of Health's comment and the four submissions are shown in Attachment 1 to this report.

5. Discussion

Comments from the Office of Hon Jo Goodhew, Associate Minister of Health

5.1 Decisions requested:

- Add a separate prohibited category schedule to the bylaw;
- Prohibit discharge of cytotoxic ingredients to the Wastewater network;
- Place controls on the disposal of liquid antibiotics.

5.2 Recommendations:

- Do not add a separate prohibited category schedule to the bylaw;
- Prohibit the discharge of individual items as they are identified from time to time;
- Prohibit the discharge of cytotoxic ingredients to the Wastewater network;
- Place controls on the disposal of liquid antibiotics, using the example provided by the Associate Minister of Health. This means that the permitted amount of liquid pharmaceutical waste discharged monthly per pharmacy will be required to not exceed the following concentrations of active ingredients:

Volume Limit	Active Concentration
10 Litres	125mg / 5ml
5 Litres	250mg / 5ml
3 Litres	Above 250mg / 5ml

5.3 Any discharge above these limits will be a controlled discharge and require a trade waste permit.

5.4 Reasons for recommendation:

- Prohibited discharges are not separately scheduled in the current bylaw. Rather than listing all prohibited items and run the risk of missing something, the bylaw sets limits on materials that can be discharged. Anything above the maximums listed in Tables A1, A2 and A3 of the bylaw are prohibited. Adding a separate prohibited category schedule would be a duplication.
- Cytotoxins are used in the treatment of leukaemia and other cancers. They are poisonous to living cells, so should not be allowed to enter the wastewater system which relies on biological processes, or to enter the natural environment via discharges from the wastewater system.
- Liquid pharmaceutical waste is not currently included in the draft Wastewater Bylaw, so the limits recommended by the Associate Minister of Health should be included.

Submitter 1 – Mr Shuttleworth

5.5 Decision requested: To address the flooding issues occurring in the Tussock Place subdivision which are caused by debris from the cemetery.

5.6 Recommendation: Advise Mr Shuttleworth to make his submission to the Long Term Plan 2015-25.

5.7 Reasons for recommendation: This request is outside of the scope of the Wastewater Bylaw. Funding is required to address the issues raised. A letter will be sent to Mr Shuttleworth recommending that he make his submission to the Long Term Plan 2015-25.

Submission 2 - Transpower

5.8 Decision requested: Exclude electricity substations from the definition of Trade Waste.

5.9 Recommendation: Do not exclude electricity substations from the definition of Trade Waste.

- 5.10 Reasons for recommendation: Wastewater from the Stoke substation is treated as a Trade Waste B discharge. This doesn't require a permit. Fixed wastewater charges apply, as for any other office, unless condensate or cooling water is discharged to the Wastewater network.
- 5.11 This approach ensures that management of discharges can be responsive to the type of discharge from any site, rather than specifying how discharges for any particular site will be managed. This is particularly important given that Nelson and Tasman councils intend to have the same wastewater bylaw provisions wherever possible.

Submission 3 – Ministry of Education

- 5.12 Decision requested: The Ministry of Education supports the proposed approach of the Wastewater Bylaw, which is that schools are to be subject to the same discharge restrictions as all other similar users of the Council's Wastewater network.
- 5.13 Where changes are required, such as to address stormwater discharges to the Wastewater network, or to install a grease, silt or oil trap, the Ministry has asked that sufficient lead-in time be allowed to make these changes. That will enable schools to factor the cost of remediation into the programmed maintenance for the school.
- 5.14 The Ministry of Education also requested that Nelson City Council work with the Ministry to communicate the effects of the changes to the Wastewater Bylaw (from the previous Trade Waste Bylaw).
- 5.15 Recommendation: Accept submission.
- 5.16 Reasons for recommendation: Council will work with schools to help them achieve any required changes to their discharges to the Wastewater network within a reasonable timeframe. Home economics, science laboratories and mechanical engineering are the activities which are most likely to be sources of contamination.

Submission 4 – Tasman District Council

- 5.17 Decision requested: Tasman District Council is also in the process of drafting a new Wastewater Bylaw that will include the acceptance of both trade waste and domestic wastewater. The aim is to draft a bylaw that is consistent with Nelson City Council's, as a first step to a more integrated approach to updating the two councils' bylaws in future.
- 5.18 For this reason Tasman District Council officers have been using the proposed wording of Nelson City Council's draft Wastewater Bylaw as the basis for their bylaw. During this process Tasman District Council officers have identified proposed wording changes, as shown in the attachment to the submission.
- 5.19 Tasman District Council would like to see the Nelson and Tasman bylaws being as consistent as possible, so has requested that their suggested changes be included in the Nelson City Council Wastewater Bylaw.

5.20 Recommendation: Adopt all of Tasman District Council's suggested changes, with the exception of the following:

- Page 3, replace 'Tasman District Council' with 'Nelson City Council' in the Bylaw definition;
- Page 3, replace the word 'condensing' with 'condensate' ;
- Page 4, delete 'kitchen' from the grease trap definition;
- Page 7, insert the words 'commercial' and 'including educational institutions' to the Trade Waste definition. Also replace the word 'condensing' with 'condensate';
- Page 7, replace the words 'up to the Point of Discharge' with the words 'or other receiving authority' in the Wastewater System definition;
- Page 9, clause 2.1.1 (c), replace the word 'condensing' with 'condensate';
- Page 10, add the word 'as' between 'application' and 'a' in the section Consideration of an Application (a);
- Page 13, clause 3.6.1 (g), delete the words 'and/or the provisions of (clause) apply';
- Page 14, clause 3.8.2 (a), delete the word 'waste' and replace with original wording if 'substance';
- Page 17, clause 4.2.6. Delete the following two items from the list of acceptable grease traps: 'Mactrap moulded plastic grease trap' and 'Humes Interceptors';
- Page 17, clause 4.2.6 (f), reject suggested change and use original wording. Also, expand LDM to read Land Development Manual;
- Page 19, clause 5.3.2 replace 'permit holder' with 'the person discharging'.
- Page 22, clause 6.6, reject changes, maintain original wording in draft version.
- Page 23, clause 2.1, reject deletion of 2.1.3, maintain original wording from draft version.

5.21 Reasons for recommendation: Consistency between Nelson and Tasman's wastewater bylaws is an effective and efficient approach. The reasons for the recommended exceptions to acceptance of Tasman District Council's proposed changes are:

- Page 3, condensate is the correct terminology;

- Page 4, grease traps are not necessarily limited to accepting kitchen waste;
- Page 7, the additional wording has been added to ensure schools and other educational facilities are adequately covered under the definitions;
- Page 7, this has been changed to recognise any discharge from the NCC network to the NRSBU network. Point of Discharge definition is limited to the point at which a private pipe meets a public pipe;
- Page 9, condensate is the correct terminology;
- Page 10, makes for better reading of clause;
- Page 13, words deemed unnecessary;
- Page 14, preference for the use of 'substance' over 'waste';
- Page 17, the model and capacity of the Mactrap and Humes grease traps is not specified. In addition, the Mactrap and Humes grease traps are brands, and there are likely to be other brands that are acceptable and would want to be included on the list;
- Page 17, preference for the original clause which includes reference to roofing requirements;
- Page 19, to recognise the fact that the person discharging will not necessarily be a permit holder;
- Page 22, the submission had removed these sections as not relevant to their new bylaw. Deleted sections are relevant to Nelson City Council, so should be reinstated;
- Page 23, clause 2.1.3 is also used in the Land Development Manual and the Resource Management Plan.

6. Additional comment

- 6.1 Decision sought: During the consultation phase Geoff Cameron (Senior Health Protection Officer for the Nelson Marlborough District Health Board) noted that the functions of the National Radiation Laboratory have been reorganised, and therefore the bylaw should instead refer to guidance provided by the Office of Radiation Safety (Ministry of Health) and the Institute of Environmental Science and Research.
- 6.2 Mr Cameron's email is shown in Attachment 2 to this report.
- 6.3 Recommendation: Delete the reference to the National Radiation Laboratory in clause 2.6.1 of the draft Wastewater Bylaw, and replace this with 'refer to guidance provided by the Office of Radiation Safety (Ministry of Health) and the Institute of Environmental Science and Research'.

- 6.4 Reason: The amendment reflects the Government's structural changes. Including the correct sources of information ensures that there will be no delay in receiving advice about radioactivity levels, when required.

7. Options

7.1 The options are:

- Make changes to the bylaw as outlined above;
- Make no changes to the bylaw.

7.2 Making the recommended changes will enable the Council to adopt a Wastewater Bylaw that controls cytotoxins and pharmaceutical liquid waste, which have the potential to cause harm.

7.3 The recommended changes will also align the Nelson and Tasman bylaws. This is the most cost-effective and efficient option for both councils. A consistent approach is also beneficial because trade waste from both councils goes to the same wastewater treatment system, at Bells Island.

7.4 Section 146(a)(iii) of the Local Government Act 2002 specifically provides for councils to make bylaws for its district for the purpose of regulating trade waste.

8. Assessment of Significance against the Council's Significance Policy

8.1 This is not a significant decision in terms of the Council's Significance Policy because the recommended changes to the draft Wastewater Bylaw make minor improvements to the bylaw. The recommended changes do not substantially change the Council's regulation of discharges to the Wastewater network.

9. Consultation

9.1 The Council has given consideration to the views and preferences of affected or interested persons (LGA 2002 s78) by requesting submissions and considering changes to the draft Wastewater Bylaw in response to those submissions.

9.2 The Council has also sought comments from the Minister of Health and the other Government agencies potentially affected by the draft Wastewater Bylaw provisions.

10. Alignment with relevant Council Policy

10.1 Provision of wastewater services is one of the Council's core activities, as outlined in the Long Term Plan 2012-22 and in Annual Plans.

10.2 No additional costs are associated with the recommended changes to the draft Wastewater Bylaw.

- 10.3 Controlling impacts on the wastewater network supports the health of the community and the wider environment, which fits with Goal Three of Nelson 2060, that 'our natural environment is protected and healthy'.

11. Inclusion of Māori in the decision making process

- 11.1 No submissions were received from individuals or organisations specifically representing Māori interests.

12. Conclusion

- 12.1 Decisions on the submissions to the draft Wastewater Bylaw, and responses to the comments from the Associate Minister of Health and the Senior Health Protection Officer (Nelson Marlborough District Health Board), will enable both the Wastewater Bylaw to be adopted by the Council in 2014.

Phil Ruffell
Senior Asset Engineer – Utilities

Attachments

- Attachment 1: Associate Minister of Health Comments and Submissions [A1241830](#)
- Attachment 2: Comments from Geoff Cameron, Senior Health Protection Officer (Nelson Marlborough Health Board) [A1241833](#)



Office of Hon Jo Goodhew

MP for Rangitata

Minister for the Community and Voluntary Sector

Minister for Senior Citizens

Minister of Women's Affairs

Associate Minister of Health

Associate Minister for Primary Industries

29 JUL 2014

Mr Alec Louverdis
alec.louverdis@ncc.govt.nz

RECEIVED
1 AUG 2014
NELSON CITY COUNCIL
Customer Service

Ref. 14000924

Dear Mr Louverdis

Thank you for your letter of 16 June 2014 about the review of Nelson City Council's Trade Waste Bylaw. I am responding to you as the matters you raise fall within my portfolio responsibilities as Associate Minister of Health.

The Ministry of Health supports the use of trade waste bylaws as a means of reducing waste to councils' sewage treatment plants. These bylaws also protect the sewerage system, sewerage workers, and the environment. I note that your Council's Trade Waste Bylaw largely follows the 'Discharge Characteristics' requirements set by the New Zealand Standard Model Bylaw (NZS 9201:Part 23:2004) for Trade Waste or is more stringent. However, the Ministry has pointed out to me that there does not appear to be a 'Prohibited Characteristics' part of the Bylaw as provided for by Schedule 1B of the above Standard, which is considered very important.

I am also advised that the Bylaw does not stipulate trade waste fees, as is normal, but that the Council intends to revise them annually in its annual plan process. The Bylaw is also widened to cover Crown-owned institutions such as schools, hospitals, and defence facilities.

The Ministry has asked me to draw to the Council's attention the disposal of liquid waste from pharmacies. Generally, this waste is from products that have been returned by customers in accordance with the Health and Disability Services Standards – Pharmacy Services Standard NZS 8134.7:2010. However, the Ministry also recommends that as part of the 'Prohibited Characteristics' (currently missing from your draft Bylaw) you exclude the discharge of waste containing cytotoxic ingredients and place controls on the disposal of liquid antibiotics.

For example, I am advised that the Matamata-Piako District Council has recently prepared new trade waste bylaws and, after consultation with the Ministry and the Pharmacy Guild of New Zealand, has included a provision that the amount of liquid pharmaceutical waste discharged monthly per pharmacy will not exceed the below volumes and concentrations of active ingredients.

Volume Limit	Active Concentration
10 Litres	125mg / 5 ml
5 Litres	250mg / 5 ml
3 Litres	Above 250mg / 5ml

Any discharge above these limits will be a controlled discharge and require a trade waste agreement.

There is no indication from your letter that consultation has been undertaken and what the results were as per section 148(2) of the Local Government Act 2002. Therefore, as per Section 148(4), I request that consultation be undertaken with Nelson Marlborough District Health Board and the Ministries of Education and Defence so that they are aware of how hospital facilities and schools may be affected by the proposed Bylaw and are able to make submissions.

You can contact Mr Paul Prendergast, Public Health Engineer, Environmental and Border Health, on (04) 816 2672 or by email (paul_prendergast@moh.govt.nz) if you wish to discuss further any aspect of the Bylaw.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jo Goodhew', with a long horizontal flourish extending to the right.

Hon Jo Goodhew
Associate Minister of Health

Nelson City Council Public Consultation Submission form

The Nelson City Council wants your opinion.
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only			
		Submission Number	
File Ref		INITIALS	

Name RJ SHUTTLEWORTH

Daytime phone 5471362

Address 110 MARSDEN Vly STOKE

Organisation represented (if applicable) _____

Do you wish to be heard in support of your submission? YES NO # of pages

_____ If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

THE DISCHARGE OF DEBRIS & WASTEWATER FROM COOKIL LAKE

My submission is:

RECEIVED
 24 JUL 2014
 NELSON CITY COUNCIL
 Customer Service

Date 29/7/2014 Signature RJ Shuttleworth

Help with making a submission overleaf...



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www.nelsoncitycouncil.co.nz

1063272 • July 2012

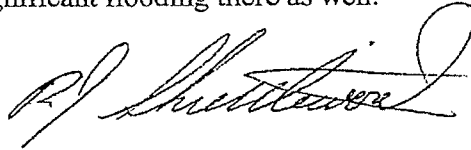
Dear Sirs,

This submission is in regard to flooding of the stream which runs through the Tussock Place subdivision. This stream is the result of the hills and valleys which surround the Marsden Valley cemetery. The cemetery run off area has been significantly increased in the last 5 years due to expansion. This stream flows through sections and backs up to others. It exits out of a 12.40mm diameter culvert into a 900mm diameter culvert which is restricted to prevent entrance and rubbish from entering, which further restricts flow as it runs under the full length of the Christian Academy playing field.

This culvert frequently blocks up as the relevant section of the council must know as it has been marked. The rubbish which causes this blockage originates from the cemetery grounds. The sections which are adjacent to this stream are obliged by their purchase agreements to keep the passageway clear. This is no longer a workable situation due to increased flow of the stream and debris with it.

We request a culvert of suitable size be placed at the cemetery to take this increase of waste water and debris to the main Poormans Stream before it gets to the houses in the subdivision.

The manager of the cemetery has been approached and is in total agreement that something needs to be done as soon as possible as there was significant flooding there as well. This is occurring at too frequently intervals.

A handwritten signature in black ink, appearing to read 'R. J. Matthews', is written over a horizontal dashed line.

Bev Mcshea

From: Submissions
Sent: Monday, 18 August 2014 9:55 a.m.
To: Administration Support
Subject: FW: Submission by Transpower NZ Ltd on the Nelson City Council Draft Wastewater Bylaw
Attachments: 20140818 Submission - Draft Wastewater Bylaw.pdf
Categories: Natascha

From: Environment Policy[SMTP:ENVIRONMENT.POLICY@TRANSPOWER.CO.NZ]
Sent: Monday, August 18, 2014 9:54:02 AM
To: Submissions
Cc: Mike Hurley; Kelly Parekowhai
Subject: Submission by Transpower NZ Ltd on the Nelson City Council Draft Wastewater Bylaw
Auto forwarded by a Rule

Good morning,

Please find attached the submission by Transpower NZ Ltd on the Nelson City Council Draft Wastewater Bylaw. Could you please confirm your receipt of this submission?

Kind regards

Kelly Parekowhai
Environmental Planner

Transpower New Zealand Ltd
96 The Terrace, PO Box 1021, Wellington 6140
DD 04 590 8586
M 027 521 0854
E kelly.parekowhai@transpower.co.nz
www.transpower.co.nz

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Submission by Transpower New Zealand Limited on the Nelson City Council Draft Wastewater Bylaw

18 August 2014

Keeping the energy flowing



TRANSPOWER



Address for Service:

Transpower New Zealand Ltd

Attn: Mr Kelly Panchovhal

PO Box 1021, Wellington, 6140

Email: environment@transpower.co.nz

Tel: 04 590 8580

Transpower New Zealand Limited | The National Grid



**SUBMISSION BY TRANSPower NEW ZEALAND LIMITED ON THE
NELSON CITY COUNCIL DRAFT WASTEWATER BYLAW**

To: Nelson City Council
submissions@ncc.govt.nz

From: Transpower New Zealand Ltd

Address for Service:

Transpower New Zealand Ltd

Attention: Kelly Parekowhai

PO Box 1021, Wellington 6140

Email: environment.policy@transpower.co.nz

Tel: 04 590 8586

Transpower NZ Ltd wishes to be heard in support of its submission.

Kelly Parekowhai
TRANSPower NZ LTD

Introduction to Transpower

Transpower is the state-owned enterprise that owns and operates the National Grid – or high voltage transmission network – that carries electricity around the country. It connects power stations owned by generating companies to substations feeding the local networks that distribute electricity to homes and businesses. Some businesses that are intensive electricity users directly connect to the National Grid. The National Grid represents the asset base and includes towers, poles, lines, cables and substations, stretching and connecting the length and breadth of the country; with two national control centres (in Hamilton and Wellington). The National Grid is supported by a telecommunications network of some 300 telecommunication sites, which help link together the components that make up the National Grid.

One of Transpower's key objectives therefore is to maintain and develop the National Grid. As part of this objective, Transpower must plan and develop the network to meet increasing demand, and to connect new generation, which contributes to New Zealand's economic and social aspirations.

Area assets

The following National Grid assets are within or traverse Nelson City:

- Stoke Substation
- Stoke to Upper Takaka A & B (STK-UTK A&B) 66kV lines on pi-poles
- Kikiwa to Stoke B 110kV (KIK-STK B) line on pi-poles
- Blenheim to Stoke A 110kV (BLN-STK A) line on towers
- Kikiwa to Stoke A 220kV (KIK-STK A) line on towers

An annotated map showing the location of the Stoke Substation has been included as **Appendix A**.

Specific comments on the Wastewater Bylaw

Transpower is concerned that the Stoke Substation (the 'site') may be captured by clauses in the Draft Wastewater Bylaw (the 'Bylaw'). The Stoke Substation has a reticulated wastewater system which enters Council drains onsite. Transpower appreciates that the drafting of the bylaw may have inadvertently captured its activities.

The Stoke Substation switchyard area has ablutions facilities which are used when Transpower staff or contractors are performing infrequent maintenance works. Given that the switchyard itself is unmanned, the loadings on this system are minimal.

Transpower notes that ElectroNet Transmission Limited have office facilities on the site which are separate from the switchyard. There are ablutions facilities in this office, which connect to the Council wastewater system. Transpower considers the volume of wastewater produced from this office to be similar to a standard commercial office.

The ablutions facilities are the only generators of wastewater on site. The stormwater system is entirely separate and consent has been obtained to discharge stormwater onsite (RM125210).

Transpower acknowledges that the substation site could be considered a trade premise. However, the wastewater onsite is not produced 'in the course of any trade or industrial process or operation' rather from the office facilities on the site.



Transpower is seeking to ensure that we would not require a trade waste permit for the Stoke Substation when the wastewater produced is not generated by a trade process, and the volume of discharge is similar to a standard commercial office.

Relief Sought

Transpower seeks that the Bylaw excludes electricity substations from trade waste given the level of discharge is similar to commercial office facilities.

Transpower seeks the following amendment to the trade waste definition to ensure the wastewater produced on site is not captured as trade waste:

“Trade Waste is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premise to a Wastewater system in the course of any trade or industrial process or operation excluding electricity substations, or in the course of any activity or operation of a like nature; and may include by special approval condensing or cooling waters and/or stormwater which cannot be practically separated, or Domestic Wastewater”.

The only source of wastewater onsite comes from the ablutions facilities. Transpower considers that this wastewater is not produced “in the course of any trade or industrial process or operation”. Therefore, the wastewater from Stoke Substation should not be captured as trade waste.

Transpower appreciates that the drafting of the bylaw may have inadvertently captured its activities.

Appendix A

Stoke Substation Site Plan



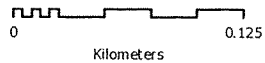
ElectroNet Transmission
Limited office facilities

Submission 2



Stoke Substation

15/08/2014 2:26:09 p.m.



Projection: NZTM 2000 Scale: 1:3,945 Plan Size: A4L

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Bev Mcshea

From: Submissions
Sent: Wednesday, 20 August 2014 2:44 p.m.
To: Administration Support
Subject: FW: Ministry of Education Submission on the Proposed changes to Nelson's Trade Waste Bylaw

Categories: Bev

From: Mathew Scott[SMTP:MATHEW.SCOTT@MINEDU.GOV.NZ]
Sent: Wednesday, August 20, 2014 2:43:47 PM
To: Submissions
Cc: Phil Ruffell
Subject: Ministry of Education Submission on the Proposed changes to Nelson's Trade Waste Bylaw
Auto forwarded by a Rule

Submission: Ministry of Education's response to the Nelson City Council's draft Wastewater Bylaw No. 224.

General Statement

The Ministry of Education (MoE) is grateful for the opportunity to make a submission on the Nelson City Council's (NCC) proposed changes to Bylaw No. 224. Given the short time for consideration of the bylaw in detail, this submission is confined to the intent of the bylaw contained in the '*Summary of Statement of Proposal: Draft Wastewater Bylaw – JUNE 2014*' as presented here:

<http://nelson.govt.nz/assets/Our-council/Downloads/water-bylaws-consultation/Summary-of-Statement-of-Proposal-Draft-Wastewater-Bylaw-5May2014-A1181552.pdf>

Although the MoE is the legal landowner of state schools, it funds schools to provide property outcomes based on its behalf. This includes compliance with bylaws for the uses and effects of lands and buildings. Therefore, it is the Ministry's preference that engagement on compliance with the NCC's bylaws is undertaken by the Council with individual schools in the first instance. The Ministry's expectation is that schools will work with the Council to ensure that they operate within the ambit of bylaws.

The following responses relate directly to the numbered paragraphs of the '*Summary of Statement of Proposal: Draft Wastewater Bylaw – JUNE 2014*' referenced above.

1. The MoE considers the timeframe for the implementation of changes to Bylaw No. 224 to be acceptable provided that the Council works with individual schools to ensure compliance. This includes the allowance of sufficient lead-in time to complete any new works needed to ensure compliance with the changes to the bylaw.
2. -
3. Given the short timeframe, the MoE has chosen not to undertake a detailed analysis of and response to the specific changes proposed to Bylaw No. 224.
4. The MoE acknowledges the need for the NCC to control the timing and volume of discharge to the wastewater network to preserve its integrity and function. The MoE considers that schools should be subject to the same restrictions on discharges as all other similar users of the NCC wastewater network.

Submission 3

5. The MoE considers that the NCC will need to work closely with individual schools on the issue of stormwater discharge to the wastewater network on a case by case basis. Due regard should be given to existing infrastructure and the value of remediation of current infrastructure that discharges of stormwater to the wastewater system. Both the volume, effect and frequency of these discharges should be taken into account when decisions are made as to the efficacy of remediating existing arrangements. Where it is determined that removing a stormwater discharge to the wastewater system is appropriate, sufficient lead-in time should be allowed to factor the cost of remediation into programmed maintenance for a school.
6. Where facilities within a school are discharging waste of a similar nature, volume and frequency as the similar facilities of trade customers that require a grease, silt or oil trap to remove waste before wastewater is discharged, the Ministry considers it appropriate that schools be held to the same standard as trade customers. Again, allowance of sufficient lead-in time should be allowed to remediate these issues where they exist.
7. The MoE acknowledges the need for the NCC to ensure monitoring and compliance of the use of its wastewater system.
8. The MoE acknowledges the need for the NCC to be able to charge for the use of the wastewater system in a consistent and efficient manner.
9. -

Further contact with the MoE on the proposed changes to Bylaw No. 224 should be addressed to Enquiries.Nelson@minedu.govt.nz and Property.Help@minedu.govt.nz. The MoE would also request that the NCC coordinate with it on the communication to schools of the effect of changes to Bylaw No.224.

>>>

Should you have any questions relating to this submission, please feel free to contact me.

Kind regards,

Mathew Scott | Senior Advisor - Contractor | Education Infrastructure Service
DDI +64 4 463 0991 | Ext 0991
45-47 Pipitea St, Wellington

Ministry of Education | Te Tāhuhu o te Mātauranga
www.minedu.govt.nz

We get the job done *Ka oti i a mātou ngā mahi*
We are respectful, we listen, we learn *He rōpū manaaki, he rōpū whakarongo, he rōpū ako mātou*
We back ourselves and others to win *Ka manawanui ki a mātou me ētahi ake kia wīkitoria*
We work together for maximum impact *Ka mahi ngātahi mo te tūkinga nui tonu*

Great Results are our bottom line *Ko ngā huanga tino pai a mātou whāinga mutunga*

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Bev Mcshea

Subject: FW: Submission on Draft Water Supply and Wastewater Bylaws
Attachments: NCC-copy-of-Draft-TDC-Wastewater-Bylaw-2.docx

From: website@nelson.govt.nz[SMTP:WEBSITE@NELSON.GOVT.NZ]
Sent: Wednesday, August 20, 2014 3:32:10 PM
To: Submissions
Subject: Submission on Draft Water Supply and Wastewater Bylaws
Auto forwarded by a Rule

Your name

Dwayne Fletcher, Activity Planning Manager, Engineering Services, Tasman District Council

Your phone number

5437263 - 027 8391013

Your email address

Dwayne.Fletcher@tasman.govt.nz

Would you like to speak in support of your submission at a hearing?

No

Is your submission about the draft Water Supply Bylaw, draft Wastewater Bylaw or both?

Draft Wastewater Bylaw

Would you like to attach a file in support of your submission?

NCC-copy-of-Draft-TDC-Wastewater-Bylaw-2.docx - [Download File](#)

Your submission

TDC is in the process of drafting a new Wastewater Bylaw that will include the acceptance of trade waste and domestic wastewater. TDC staff intend to draft a TDC Wastewater Bylaw that is consistent with NCC's as a first step to a more integrated approach to updating the two Bylaws in the future. Consequently, TDC staff have been using the proposed NCC Wastewater Bylaw wording as a basis for our own draft Bylaw. In reviewing the proposed NCC Bylaw, TDC staff have identified wording changes that will be incorporated into TDC's draft Bylaw (these are noted in the attached document). These changes are not significant in terms of content, and are largely formatting and wording proposals intended to make the document easier to read. We would like to see the NCC and TDC Bylaw wording as consistent as possible so we recommend these suggestions to NCC for inclusion in your final Wastewater Bylaw. Thank you again for the opportunity to make a submission.



B959-14
dwayne.fletcher@tasman.govt.nz
Phone 543 7263

20 August 2014

Wastewater Bylaw Consultation
Nelson City Council
PO Box 645
Nelson 7040

Dear Sir/Madam

Thank you for the opportunity to make a submission to the Nelson City Council proposed Wastewater Bylaw. I am making this submission as a staff member of the Tasman District Council. It is not a submission that has been authorised by a Council committee.

Tasman District Council is in the process of drafting a new Wastewater Bylaw that will include the acceptance of trade waste and domestic wastewater. Tasman District Council staff intend to draft a Wastewater Bylaw that is consistent with Nelson City Council's as a first step to a more integrated approach to updating the two Bylaws in the future. Consequently, Tasman District Council staff have been using the proposed wording in the Nelson City Council Wastewater Bylaw as a basis for our own draft Bylaw.

In reviewing the proposed Nelson City Council Bylaw, Tasman District Council staff have identified wording changes that will be incorporated into our draft Bylaw (these are noted in the attached document).

These changes are not significant in terms of content, and are largely formatting and wording proposals intended to make the document easier to read. We would like to see the Nelson City Council and Tasman District Council Bylaw wording as consistent as possible so we recommend these suggestions to you for inclusion in your final Wastewater Bylaw.

Thank you again for the opportunity to make a submission.

Yours sincerely

A handwritten signature in black ink, appearing to read "Dwayne Fletcher", written over a horizontal line.

Dwayne Fletcher
Activity Planning Manager

Encl.

Tasman District Council
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24 hour assistance

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DRAFT
TASMAN DISTRICT COUNCIL
WASTEWATER BYLAW

Discharge of Trade Waste and
Domestic Wastewater

August 2014

1. INTRODUCTION

Pursuant to Sections 145 and 146 of the Local Government Act 2002, the Tasman District Council makes the following Bylaw: Tasman District Council Wastewater Bylaw 2015.

The purpose of this Bylaw is to provide for the acceptance and control of Wastewater including Trade Waste to a Wastewater System operated by Council. Section # sets the quality and quantity limits to define Trade Waste and distinguish it from the discharge of Domestic Wastewater that is set out in Section #.

1.1. Commencement and Application

1.1.1. This Bylaw came into effect on [day and date]

1.2. Revocation

1.2.1 This new Wastewater Bylaw incorporates the provisions of the Tasman District Council Consolidated Bylaw Chapter 9 Trade Waste Bylaw 2005 that is revoked pursuant to Section 160A of the Local Government Act 2002.

There is no previous Bylaw for Domestic Wastewater

1.3. Scope of Bylaw

1.3.1. The Bylaw provides for:

- (a) Acceptance of long term, intermittent, or temporary discharge of Trade Waste or Domestic Wastewater to the Wastewater System;
- (b) Establishment of three grades of Wastewater Discharge^[d1]: Permitted, Conditional and Prohibited;
- (c) Evaluation of individual Trade Waste discharges against specified criteria;
- (d) Correct storage of materials in order to protect the Wastewater System from receiving^[d2] spillage;
- (e) Installation of Flow Meters, samplers or other devices to measure flow and quality of the Trade Waste discharge;
- (f) Pre-treatment of Wastewater before it is accepted for discharge to the Wastewater System;
- (g) Sampling and monitoring of Trade Waste discharges to a Wastewater System^[d3] to ensure compliance with the Bylaw;
- (h) Council to accept or refuse a Trade Waste Discharge;
- (i) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing Trade Waste or Domestic Wastewater, and the associated costs of administration and monitoring;
- (j) Administrative mechanisms for the operation of the Bylaw; and
- (k) Encouragement of waste minimisation and Cleaner Production in the commercial and industrial sectors.

1.3.2. Compliance with other Acts^[d4]

The provisions of this Bylaw do not remove or replace the obligations or requirements set out in the Building Act, the Dangerous Goods Act, Health Act, the Health and Safety in Employment Act, the Hazardous Substances and New Organisms Act, the

Land Transfer Act, the Local Government Act, The Plumbers Gasfitters and Drainlayers Act, the Property Law Act, the Rating Powers Act, the Resource Management Act, and their regulations or any other relevant statutory or regulatory requirements. In the event of any inconsistency between legislation and this Bylaw, the more stringent requirement applies.

1.3.3. Trade Premises and other users to which this Bylaw Applies

This Bylaw shall apply to all Trade Premises and Dwelling Units within the Tasman District where Trade Waste or Domestic Wastewater is discharged or likely to be discharged to a Wastewater System operated by the Council or its agents. The Bylaw shall also apply to tankered wastes collected for the purpose of discharge to a Wastewater System operated by the Council or its agents.

Pursuant to Section 195 and 196 of the Local Government 2002 the Council may refuse to accept any type of Trade Waste or Domestic Wastewater which is not in accordance with this Bylaw.

1.4. Interpretation

Act [d5] means the Local Government Act

Analyst means a testing laboratory approved in writing by Council or an Authorised Officer.

Approval or **Approved** means Approval or Approved in writing by Council or an Authorised Officer.

Authorised Officer means any officer appointed by the Council as an enforcement officer under Section 177 of the Local Government Act 2002 with the powers of entry as prescribed by Sections 171-174 of the Act. [d6]

Biosolids means treated wastewater sludge from a wastewater treatment plant that has been stabilised to the extent that it is able to be applied to land, and does not include products derived solely from industrial wastewater treatment plants. Refer to the Guidelines for the Safe Application of Biosolids to Land in New Zealand August 2003 or subsequent update.

Bylaw [d7] refers to this (Tasman District Council) Wastewater Bylaw 2015

Characteristic means any of the physical or chemical Characteristics of Trade Waste or Domestic Wastewater.

Cleaner Production means the implementation on trade premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimise and manage Trade Waste by:

- (a) Using energy and resources efficiently,
- (b) avoiding or reducing the amount of wastes produced,
- (c) Producing environmentally sound products and services;

Condensing water or [d8] **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 from the trade or commercial process or operation into solution or suspension.

Conditional Discharge means Trade Waste or Wastewater [d9] which is accepted for discharge to a Wastewater System subject to conditions placed upon the Permit Holder by the Council.

Consent refer to Trade Waste Permit

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

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

Contingency Management Procedures means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects on the environment of an unexpected or unscheduled event resulting in discharge, or potential discharge of Contaminants of concern into the Wastewater System.

Council means the Tasman District Council.

Discharge^[d10] means the discharge of Trade Wastes or Wastewater to, or into a public Wastewater System whether directly or indirectly by means of any private drain and 'the discharge' has a corresponding meaning

Disconnection or Disconnect means the physical cutting and sealing of any private drain from the Council's, utilities, drains or **Wastewater System**^[d11].

District means the Tasman District Council established under the Act which has adopted this Bylaw.

Domestic Wastewater^[d12] means wastewater discharged from premises used solely for residential purposes, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge. Such activities may include the draining of domestic swimming and spa pools subject to clause 4.2.5.

Flow Metering means the measuring of flow for the purposes of assessing compliance with this bylaw.

Foul Water means the discharge from any sanitary fixtures (any fixture which is intended to be used for washing and/or excretion carried out in a manner or condition such that the effect on health is minimised, with regard to dirt and infection) or sanitary appliance (an appliance which is not a sanitary fixture such as machines for washing dishes and clothes).

Grease Trap^[d13] means a device approved by the Council or an authorised officer that allows kitchen wastewater to cool, and the grease to separate it from the wastewater

Hazardous Substance means any substance –

- a) With one or more of the following intrinsic properties:
 - (i) Explosiveness:
 - (ii) Flammability:
 - (iii) A capacity to oxidise:
 - (iv) Corrosiveness:
 - (v) Toxicity (including chronic toxicity):

(vi) Ecotoxicity, with or without bioaccumulation; or

- b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition.

Hazardous Wastes means Trade Waste which contain any Hazardous Substances.

LGA means the Local Government Act

Liquid Waste Operator means any person who collects for disposal Wastewater via the use of a vehicle. Refer also Tankered Waste.

Management Plan means any plan for the management of operations of Premises from which Trade Waste ~~or Domestic Wastewater~~ is discharged, and may include provision for Cleaner Production, waste minimisation, , Contingency Management Procedures, and any relevant industry Code of Practice.

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

Maximum Concentration means the instantaneous peak concentration that may be discharged to a Wastewater system at any instant in time.

NRSBU means the Nelson Regional Sewerage Business Unit or its agents.

Occupier means the person occupying the trade premises connected to and discharging to the Wastewater System.

Permit refer to Trade Waste Permit

Permit Holder means the holder of a Trade Waste permit and includes any person acting with the express or implied consent of the Permit Holder and any licensee (e.g. the occupier) of the Permit Holder. 'The person discharging' has a corresponding meaning.^[d15]

Permitted Discharge means any discharge of Domestic Wastewater or any discharge of Trade Waste that complies with this bylaw and has been approved by, or is acceptable to, the Council without conditions.

Person includes a corporation sole and also a body of Persons whether incorporated or unincorporated.

Point of Discharge ^[d16] means the point where a Private Drain meets a public wastewater pipe and marks the boundary of responsibility between the owner or occupier and the Council and may differ from property boundaries as set out in (reference) or as designated in the Trade Waste Permit.

Pre-Treatment means any processing of Trade Waste or Domestic Wastewater designed to reduce or vary any characteristic in such waste before discharge to the Wastewater System in order to comply with a Trade Waste permit.

Premises means either:

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

- (b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or
- (c) Land held in public ownership (e.g. reserve) for a particular purpose; or
- (d) Individual units in buildings which are separately leased or separately occupied.

Private Drain means the section of drain owned and maintained by the owner or occupier, between the premises and the point of discharge. Private pipe or pipeline has a corresponding meaning^[d17]

Prohibited Waste Discharge^[d18] means any discharge of Trade Waste or Wastewater that does not comply with this bylaw or has not been approved by the Council. This includes any discharge of Stormwater (except that which cannot be practically separated)^[d19] to the Wastewater system.

Residential Purposes means the use of land and buildings by people for living accommodation where the occupiers intend to live at the site for a period of one month or more, and will generally refer to the site as their home and permanent address; and includes accessory buildings and leisure activities. This excludes all commercial, trade or industrial activities.

RMA^[d20] means Resource Management Act

Schedule of Rates and Charges means the list, approved by Council, of items, terms, and prices for services associated with the discharge of Trade Waste or connection to a Council Wastewater System.^[d21]

Significant Industry ^[d22] is a term to indicate the relative size of a given industry compared to the capacity of the sewerage system (including sewage treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the sewerage system. Loads can be the conventional loadings of BOD₅ and SS or some other particular contaminant (e.g. boron, chromium) which will have an effect or the propensity to have an effect on the sizing of the sewerage system, the on-going system operation and/or the quality of the treated effluent that is discharged.

Stormwater means surface water run-off resulting from precipitation events such as rain, sleet, hail, or snow.^[d23]

Tankered Waste is water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal (excluding Domestic Wastewater being conveyed within house buses, caravans, buses and similar vehicles).

TDC means Tasman District Council

Temporary Discharge means any discharge of an intermittent nature or of short duration. Such discharges include the short-term discharge of an unusual waste from premises subject to an existing permit.

Trade Premises means:

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

- (d) Any other premises discharging other than Domestic Wastewater, 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, that is or may be discharged from a trade premise to a Wastewater 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 by special approval condensing or cooling waters and/or stormwater which cannot be practically separated, or Domestic Wastewater.

Trade Waste Permit means an approval [d24] in writing authorising the person named in the permit to discharge Trade Waste to a Wastewater System.

WasteTrack is an internet based database which consolidates manifest, facility and carrier data to track liquid and hazardous wastes from generation, through transport to treatment or disposal.

Wastewater means foul water and may include Trade Wastes.

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

Wastewater System means the collection, conveyance, treatment and disposal of Wastewater, which includes domestic Wastewater and Trade Wastes, including all wastewater pipes, pumping stations, storage tanks, Wastewater treatment plants, outfalls, and other related structures owned and operated by the Council up to the Point of Discharge. [d25]

Working Day means any day of the week other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day; and
- (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
- (c) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year, or an adjusted period as required to accommodate the observation days for New Years day and New Years Holiday.

1.5. Abbreviations

Note: For abbreviations involving Litres the capital "L" has been used in the place of (internationally accepted) lower case "l" to avoid confusion with the letter "I" (capital i) or the number "1"

\$/m ³	dollars per cubic metre
°C	degrees Celsius
BOD ₅	5-day [d26] Biochemical Oxygen Demand
COD	Chemical Oxygen Demand
g/m ³	grams per cubic metre
H ₂ S	hydrogen sulphide
kg/day	kilogram per day
L/s	litres [d27] per second
L/s/Ha	litres [d28] per second per hectare

m ³	cubic metre
mL/L	millilitre per litre
pH	measure of acidity/alkalinity
ppm	parts per million

1.6. General

- 1.6.1. In this Bylaw one gender includes all genders, the singular includes the plural, and the plural includes the singular.
- 1.6.2. The word "shall" identifies a mandatory requirement for compliance with the Standard. The word "should" refers to practices which are advised or recommended.

2. COMPLIANCE WITH THE BYLAW

2.1. Control of Discharges

2.1.1. No person shall:

- (a) Discharge, or allow to be discharged, any Trade Waste or Domestic Wastewater to any Wastewater System except in accordance with the provisions of this Bylaw;
- (b) Discharge, or allow to be discharged, a Prohibited Trade Waste into a Wastewater System;
- (c) Without specific approval add or permit the addition of condensing or cooling water or stormwater to any Trade Waste or Domestic Wastewater which discharges into a Wastewater System;

2.1.2. Where any person discharges any Trade Waste or Domestic Wastewater from any premises to any Wastewater System contrary to Clause 2.1.1, the Council may disconnect the premises from the said Wastewater System if no agreement as to a reasonable alternative can be achieved with the occupier of the premises.

2.1.3. Any person discharging to any Wastewater System shall also comply with the requirements of the Hazardous Substances and New Organisms Act 1996, the Resource Management Act 1991, and the Building Act 2004.

2.1.4 It is the responsibility of the person discharging to ensure they meet the requirements of the Trade Waste permit or the permitted conditions of this bylaw.

2.2. Storage, Transport, Handing and use of Hazardous or Harmful Materials

2.2.1. All persons on all premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 2.2.3 of this Bylaw into the Wastewater System.

2.2.2. No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any Hazardous Substance or any of the materials listed in 2.2(c) in a manner that may cause the material to enter a Wastewater System.

2.2.3. Materials referred to in 2.2.1 and 2.2.2 include those:

- (a) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials;
- (b) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the Wastewater stream;
- (c) Likely to be deleterious to the health and safety of the Council staff, or its contractors or the public or be harmful to the Wastewater system.

3. WASTEWATER DISCHARGES AND TRADE WASTE PERMITS

3.1. Classification of Wastewater Discharges

3.1.1. Wastewater discharges shall be classified as one of the following types:

- (a) Permitted:
- (b) Conditional: (Trade Waste Permit required)

(c) **Prohibited Waste: (no Trade Waste Permit will be issued)** |

[d30]The Council is not obliged to accept any Trade Waste.

No application for a Trade Waste Permit for **the discharge of [d31]a Prohibited Waste** shall be approved.

3.2. Application for a Trade Waste Permit

3.2.1. Formal Application

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

- (a) Discharge into a Wastewater System any Trade Waste; or
- (b) Vary the characteristics of a Trade Waste for which a permit to discharge has previously been granted; or
- (c) Vary the conditions of any permit to discharge that has previously been granted; or
- (d) Significantly change the method or means of pre-treatment of a Trade Waste for which a permit has previously been granted.

shall complete an application in the prescribed form (available from: Council offices, 189 Queen Street, Richmond; or Council website www.tasman.govt.nz).

The Council reserves the right to deal with the owner as well as the occupier of, or any person discharging from, trade premises

3.2.2. The Council may require an application to be supported by an independent report from a suitably experienced and external auditor to verify any or all information supplied by the applicant, and may also require the provision of a management plan.

3.3. ~~Processing an Application~~ **Information and Analysis [d32]**

3.3.1. On the receipt of any application, the Council may:

- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- (b) Require the applicant to submit a management plan to the satisfaction of the Council;
- (c) Require the applicant to undertake sampling and monitoring as provided for in Clauses 5.1 and 5.3.

Consideration of an Application [d33]

Within 15 working days (or extended as necessary by the Council) of receipt of an application complying with this bylaw and/or requirements under 3.4, whichever is the later, the Council shall, after considering the matters in 3.6 action one of the following in writing:

- (a) Grant the application a Permitted Trade Waste and inform the applicant of the decision by issuing the appropriate notice

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

3.4. Consideration Criteria for a Trade Waste Permit

- 3.4.1. In considering any application for a Trade Waste permit to discharge from any trade premises or to discharge any Tankered Waste into the Wastewater System, and in imposing any conditions on such permit, the Council shall give consideration to the quality, volume, and rate of discharge of the Trade Waste from such premises or tanker having regard to:
- (a) The health and safety of the Council staff, its agents and the public;
 - (b) The limits and/or maximum values for characteristics of Trade Waste as specified in Schedule A of this Bylaw;
 - (c) The extent to which the Trade Waste may react with other Trade Waste or foul water to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Wastewater System etc;
 - (d) The flows and velocities in any sewer, or sewers and the material or construction of the sewer or sewers;
 - (e) The capacity of any sewer or sewers and the capacity of any wastewater treatment works, and other facilities;
 - (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 plant;
 - (g) The timing and balancing of flows into the Wastewater System;
 - (h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of wastewater sludges, beneficial use of Biosolids, and any discharge to air;
 - (i) The possible effect of the Trade Waste discharge on the ultimate receiving environment;
 - (j) The conditions of any resource consents for a Wastewater System and the disposal of residuals or discharges from it;
 - (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk to which humans, the Wastewater System and the environment could be exposed;
 - (l) Consideration for other existing or future discharges;
 - (m) Amenability of the Trade Waste to pre-treatment;
 - (n) Existing pre-treatment works on the [Trade] Premises
 - (o) Cleaner production techniques and waste minimization practices;
 - (p) Requirements and limitations related to wastewater sludge disposal and reuse;
 - (q) Control of Stormwater on the trade premises;

- (r) Management plans relating to the trade premises; and
- (s) Tankered waste being discharged at an approved location(s).

3.5. Conditions of Trade Waste Permit

3.5.1. Any Trade Waste permit to discharge may be granted subject to such conditions that the Council considers appropriate, including but not limited to:

- (a) The particular ~~Wastewater System~~ [d35] to which the discharge will be made;
- (b) The maximum daily volume of the discharge, the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified characteristics, including concentrations and/or mass limits determined in accordance with Clause 4.2;
- (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 Trade Waste at the time of discharge;
- (f) The temperature of the Trade Waste at the time of discharge;
- (g) The provision by the permit holder of screens, grease traps, silt traps or other pre-treatment works to control discharge characteristics to the permitted levels;
- (h) The provision and maintenance by the permit holder of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) The provision and maintenance by the permit holder of a sampling, analysis and testing programme and flow measurement requirements
- (j) The method or methods to be used for measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of rates or charges applicable to that discharge;
- (k) The provision and maintenance by and the expense of, the Consent Holder of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the premises, and for the testing of such meters;
- (l) At the request of Council and in a Council approved format, the permit holder shall provide flow and/or volume records and results of analyses (including pre-treatment by products e.g. wastewater sludge disposal);
- (m) The provision and implementation of a management plan;
- (n) Risk assessment of damage to the environment arising from an accidental discharge of a chemical into the Wastewater system;
- (o) The introduction of Waste minimisation and management;
- (p) The introduction of Cleaner production techniques;
- (q) Remote control of discharges;

- (r) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including Wastewater sludge disposal);
- (s) The provision of a bond or insurance in favour of the Council where failure to comply with the permit could result in damage to the Wastewater System or could result in the Council being in breach of any statutory obligation; and
- (t) Remote monitoring of discharges.

3.6. Duration

3.6.1. Permitted Discharges and Conditional Discharges

Permitted Discharges^[d36] and Conditional discharge permits shall remain in force until either:

- (a) The permit is cancelled under Clause 2.1.2 or Clause 3.8;
- (b) The quantity and nature of the discharge changes significantly.
- (c) If in the opinion of the Council the nature of the Trade Waste or Domestic Wastewater being discharged changes or is likely to change to such an extent that it becomes a conditional or prohibited Trade Waste;
- (d) The Council changes the Wastewater management procedures by implementation of changed Wastewater Bylaw conditions or any amendment to, or replacement of, its Wastewater Bylaw; or
- (e) The conditions imposed on any resource consent for a Wastewater System and the residuals or discharges from it are changed.
- (f) A fixed termination date, or duration if set by the Council.
- (g) The Permit Holder ceases to operate from the trade premises from which the discharge arises. In the situation where the Permit Holder or the owner of the premises changes, or there is a change of use, a new application for a conditional Trade Waste permit shall be made and/or the provisions of (clause) apply.^[d37]

In all cases, after appropriate consultation with the Council, the holder of any permit terminated pursuant to this clause, shall within 10 working days of the event occurring apply for a conditional permit in accordance with Clause 3.2 No new discharge shall take place until such time as this application has been approved.

3.7. Technical Review and Variation

- 3.7.1. The Council may at any time require a person undertaking a permitted discharge to apply for a permit in accordance with Clause 3.2.
- 3.7.2. The Council may at any time during the term of a Trade Waste permit, by written notice to the Permit Holder, review any condition to such an extent as the Council considers necessary following a review of the technical issues considered when setting conditions of consent. This is due to new information becoming available or to meet any new resource consent imposed on the discharge from the Council treatment plant, or with any other legal requirements imposed on the Council
- 3.7.3. A Permit Holder may at any time during the term of a permit, by written application to the Council, seek to vary any condition of such permit, imposed pursuant to clause 3.5 of this Bylaw.

3.8. Cancellation of a Trade Waste Permit^[d38]

3.8.1. Suspension or Cancellation on Notice

The Council may at any time following 20 working days notice to the Permit Holder suspend or cancel any consent, permit or right to discharge for one or more of the following reasons unless the Permit Holder within that 20 days takes action, or commences action to remedy the situation:

- (a) For failure to comply with any condition of the permit;
- (b) For failure to maintain effective control over the discharge;
- (c) For failure to limit in accordance with the requirements of any permit the volume, nature, or composition of Trade Waste being discharged;
- (d) For any negligent act or omission which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the Wastewater System or threatens the health or safety of any person;
- (e) If any occurrence happens that, in the opinion of the Council, poses a potential serious threat to the environment;
- (f) In the event that the discharge results in a breach of a resource consent held by the Council issued under the RMA;
- (g) Failure to provide and when appropriate update a Management Plan as required for a conditional permit;
- (h) Failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- (i) Failure to pay any charges under this Bylaw; or
- (j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.

3.8.2. Summary Cancellation

Notwithstanding Clause 3.8.1 above, may on giving to the Permit Holder written notice, cancel any Trade Waste permit where:

- (a) The discharge contains any Prohibited Waste^[d39];
- (b) The Council is lawfully directed to withdraw or otherwise to terminate the permit summarily;
- (c) They discharge any Trade Waste without the appropriate permit;
- (d) If the continuance of the discharge is, in the opinion of the Council, an immediate threat to the environment or public health;
- (e) If in the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with any conditions of a resource consent and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent, or contractual obligation.

4. WASTEWATER DISCHARGE APPROVAL CRITERIA

4.1. Pre-treatment

- 4.1.1. The Council may approve a Trade Waste discharge subject to the provision, operation, and maintenance by the Permit Holder of appropriate pre-treatment systems to enable the person discharging to comply with the Bylaw.
- 4.1.2. No refuse or garbage grinder or macerator shall be used within any trade premises discharging to a Wastewater System except with the express approval of the Council.
- 4.1.3. The person discharging shall not, except with the express approval of the Council, add or permit the addition of any potable, condensing, cooling water or stormwater to any Wastewater stream.

Note: Condensing and cooling water shall not be discharged to a stormwater drain or natural waterway without the express approval of the Council.

4.2. Mass Limits

- 4.2.1. A conditional Trade Waste permit to discharge may impose controls on a Trade Waste discharge by specifying mass limits for any characteristic. Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value specified in Schedule A of this bylaw unless approved otherwise.
- 4.2.2. When setting the mass limit for a particular characteristic the Council shall consider:
 - (a) The operational requirements of and risk to the Wastewater System, and risks to occupational health and safety, public health, and the state of the ultimate receiving environment;
 - (b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or wastewater sludge;
 - (c) Conditions in the Wastewater System near the Trade Waste discharge point and elsewhere in the Wastewater System;
 - (d) The extent to which the available industrial capacity of the Wastewater system was used in the last financial period and is expected to be used in the forthcoming period;
 - (e) Whether or not the applicant uses cleaner production techniques within a period satisfactory to the Council;
 - (f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
 - (g) Any requirements on the Council to reduce the pollutant discharge from the Wastewater System;
 - (h) The proportion which the mass flow of the characteristic of the discharge will be of the total mass flow of that characteristic in the Wastewater System;
 - (i) The total mass of the characteristic allowable in the Wastewater System, and the proportion (if any) to be reserved for future allocations; and
 - (j) Whether or not the characteristic will interact with other characteristics and thereby increase or decrease the effect of either characteristic on the Wastewater System, or on the receiving environment.

4.2.3. Tankered Wastes

No person shall discharge any tankered wastes into any Wastewater System other than in compliance with the Liquid and Hazardous Wastes Code of Practice and with the written approval of the Council.^[d40]

Tankered wastes shall:

- (a) Be transported by a Liquid Waste Operator with the necessary Trade Waste Permit to discharge domestic septic tank or industrial wastes;
- (b) If requested, have material safety data sheets (MSDS) supplied to the Council detailing the contents of a waste;
- (c) Be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the Permit Holder;
- (d) Not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;
- (e) Only be transported in a tanker which has been thoroughly washed prior to collecting any load for disposal into the Wastewater System; and
- (f) Only be disposed after at least 24 hours notice has been given for the disposal of wastes other than those sourced from domestic septic tanks.
- (g) Be recorded by the Liquid Waste Operator using WasteTRACK or similar waste tracking system approved by Council.

Any person illegally disposing of, or causing to be disposed, tankered waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's Wastewater System other than at an approved location in accordance with items (a)-(g) above will be in breach of the Bylaw.

~~No person shall engage a Liquid Waste Operator to collect, transport or dispose of any liquid waste if that operator does not utilise a waste tracking system as required in (g) above.~~^[d41]

4.2.4. Disinfected/Super Chlorinated Water

Any water used during the repair and construction of water mains shall be de-chlorinated to provide a residual chlorine level of less than 0.5ppm prior to discharge into the Wastewater System.

Any chemical neutralisation of the chlorine shall not introduce any substances that exceed the limits specified in Schedule A of this Bylaw

NOTE: No such water shall be disposed of to any stormwater drain or water course except in compliance with the Freshwater Rules of the Resource Management Plan

4.2.5. ~~Swimming Pool or Spa Pool Discharge~~^[d42]

Owners are required to demonstrate that the pool drain has been fitted with a flow limiting device to ensure the discharge to the Council's Wastewater System does not exceed a maximum instantaneous flow of 2 litres per second and the discharge is to be within the permitted characteristics set out in Table A.1. The Council reserves the

right to further limit the rate and timing of the discharge. Discharges are not permitted within 3 days of a rain event.

The residual chlorine concentration in the discharge shall be less than 0.5 g/m³ and if the reason for the discharge is due to chemical imbalance (including pH < 6 or > 9) then the Council must be consulted before the discharge occurs.

4.2.6. Discharges via Grease Traps or Sediment and Oil Traps^[d43]

Any premise that discharges fats, oils, grease (FOGs), or sediment shall have an appropriate grease trap or sediment and oil interceptor and shall obtain a Trade Waste Permit.

Acceptable grease traps include:

- NZ Building Code - G13 Acceptable Solution 2 type in ground grease trap
- Mactrap moulded plastic grease trap
- Humes Interceptors
- Any other type of grease trap or sediment and oil interceptor will require the approval of the Council prior to installation. Any grease trap shall have a minimum capacity of 500L.

All grease traps and sediment and oil interceptors shall be maintained in an operable condition in accordance with the following criteria:

- (a) All traps shall be serviced at least once every three (3) months to remove all sediment, fat oil and grease
- (b) At no time shall the sediment layer in any trap exceed 20 % of the depth or volume of the trap
- (c) At no time shall the fat/oil/grease layer exceed 20% of the depth or volume of the trap
- (d) Servicing shall be also undertaken at any time as necessary to maintain operational efficiency of the trap
- (e) All servicing shall be conducted by an approved liquid waste operator who complies with Clause 4.2.3 above.
- (f) Sediment and oil interceptors for washdown bays must be suitably banded with its catchment area minimised. A first flush system shall be installed discharging to a stormwater system. The interceptor shall be operated in accordance with the LDM.

4.2.7. Discharges via Enzyme Based Grease Converters.

The installation of an Enzyme based grease converter is prohibited.

Existing enzyme based grease converters can remain provided all of the following criteria are met at all times:

- (a) A Trade Waste Permit is obtained for any discharge from the converter
- (b) The converter has previously been explicitly approved by a Trade Waste Permit or building consent

- (c) The converter is fitted with an automatic enzyme dosing apparatus (whether or not this was required as part of any original permit)
- (d) The trade operator is able to provide satisfactory records of purchase of enzymes of a type and quantity matching the manufacturer's recommendation
- (e) The operator is able to provide records of regular (at a minimum weekly) checks of the system to ensure that it is operating correctly, and
- (f) The Council is satisfied that there is no risk to the Wastewater system by the continued use of the converter.

5. SAMPLING, TESTING AND MONITORING

5.1. Flow Metering

- 5.1.1. The Council may as a condition of any permit or at any time that it considers necessary, require a permit holder to undertake flow metering of any discharge.
- 5.1.2. The Permit Holder shall be responsible for the supply, installation, reading and maintenance of any flow metering equipment required to be installed. All equipment shall be subject to the approval of the Council, but shall remain the property of the Consent Holder.
- 5.1.3. Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the Permit Holder in a format approved by the Council. For example, high risk discharges, Council may require real time electronic data.
- 5.1.4. The equipment shall be installed according to the manufacturer's installation instructions. It shall be located in a position [d44] which provides the required degree of accuracy and shall be readily accessible for reading.
- 5.1.5. The Permit Holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and a method approved by the Council upon installation and if required at Council's request thereafter to ensure its performance. The meter accuracy should be $\pm 5\%$. A copy of the independent certification of each calibration verification result shall be submitted to the Council as specified in the Trade Waste Permit. [d45]
- 5.1.6. Should any meter, after being calibrated, be found to have an error greater than that specified in 5.1.5 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the Permit Holder shall pay or be credited a greater or lesser amount according to such adjustment.

5.2. Estimating Discharge

- 5.2.1. Where no meter or similar apparatus is warranted, the Council may agree that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of discharge for the purposes of charging.
- 5.2.2. If on any reading it is found that any meter is out of repair or has ceased to register, or been removed, the Council may estimate the discharge for the period since the previous reading of such meter, based on the average of the previous 12 months charged to the person discharging and charges shall be levied accordingly. Provided however that where by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, the Council may take into consideration other evidence for

the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such estimate.

- 5.2.3. Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate the discharge on the basis provided for in Clause 5.2.2 above.

5.3. Sampling and Analysis

- 5.3.1. The Council may at any time undertake sampling, testing and/or monitoring of any discharge for the purposes of determining whether:

- (a) A discharge complies with the provisions of any consent or of this Bylaw;
- (b) A discharge is to be classified as a permitted, conditional, or prohibited discharge (refer to Clause 3.1);
- (c) A permitted discharge complies with the provisions of Schedule A and
- (d) Trade Waste Permit charges are applicable to that discharge.

- 5.3.2. The taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of the Council, or the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council. Where a discharge does not comply with the Bylaw or conditional Trade Waste Permit, the Permit Holder ~~[d46]~~ shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

- 5.3.3. Any authorised officer or authorised agent of the Council, or any analyst may enter any premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:

- (a) Taking readings and measurements of such discharge;
- (b) Carrying out an inspection;
- (c) Taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged;
- (d) Observing accidental occurrences and clean up.

5.4. Monitoring

- 5.4.1. ~~Auditing Trade Waste Discharges~~~~[d47]~~

The Council may at any time undertake audit monitoring of any Trade Waste discharge. Such monitoring shall be carried out as follows:

- (a) The Council or its authorised agent will take the sample of the discharge and arrange for this sample to be analysed in an approved laboratory by accepted analytical methods;
- (b) The sampling procedure will be appropriate to the type of Trade Waste and the analysis required;
- (c) The Council may audit the sampling and analysis carried out by a self-monitoring Trade Waste Permit Holder;

- (d) The Council may audit the Trade Waste Permit conditions including any management plans. Where non-compliance is found, all costs of monitoring shall be met by the Permit Holder

5.4.2. Sampling Methodology

Sampling shall be by way of a single grab sample which shall be split equally into two parts to be dealt with as follows:

- (a) One portion of the sample will be provided to the Trade Waste discharger for analysis and/or storage;
- (b) The other portion of the sample shall be analysed at a laboratory approved by the Council;

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

In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

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

6. BYLAW ADMINISTRATION

6.1. Review of Decisions

6.1.1. If any person is dissatisfied with any decision by an authorised officer made under this Bylaw, that person may, by notice delivered to the Chief Executive Officer of the Council not later than 20 working days after receipt of the decision request the Chief Executive to review the decision. The decision of the Chief Executive Officer shall be final.

6.2. Accidents and Non-compliance

6.2.1. The Permit Holder shall inform the Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of this bylaw.

6.2.2. In the event of any accident occurring when the person holds a conditional permit, the Council may review the permit under Clause 3.7 or may require the Permit Holder, within 20 working days of the date of such requirement to review the contingency management procedures and re-submit for approval the management plan with the Council.

6.2.3. In the event of an accident occurring on the premises of a permitted discharge, the Council may require the person discharging to apply for a conditional permit.

6.3. Charges and Payments

6.3.1. Fees and charges payable will be set each year by the Council in its Annual Plan.

6.3.2. Fees and Charges

The Permit Holder shall be responsible to meet all fees and charges relating to the discharge of Wastewater from their premise to the Wastewater system, as may from time to time be imposed by the Council and set out in the Annual Plan.

Invoicing

All charges determined in accordance with 6.3.1 shall be invoiced in accordance with the Council's practice. The invoice shall provide each person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.

6.3.3. Cessation of [d48]Discharge

The Permit Holder shall be deemed to be continuing the discharge of Trade Waste and shall be liable for all charges, until notice of disconnection is given to the Council by the Permit Holder.

6.3.4. Failure to Pay

All fees and charges payable under this Bylaw shall be recoverable as a debt. If the person discharging fails to pay any fees and charges under this Bylaw the Council may cancel the right to discharge in accordance with 3.8.

6.4. Transfer or Termination of Rights and Responsibilities

- 6.4.1. A Trade Waste Permit to discharge shall be issued in the name given on the application form. ~~With the exception of Permitted Discharges~~¹⁴⁹, the Permit Holder shall not, unless written approval is obtained from the Council:
- (a) Transfer to any other party the rights and responsibilities provided for under this Bylaw, and under the Permit;
 - (b) Allow a point of discharge to serve any other premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
 - (c) ~~In particular and not in limitation of the above~~¹⁵⁰, Allow wastewater from any other party to be discharged at their point of discharge.
- 6.4.2. Renewal of a Trade Waste Permit on change of ownership of premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.
- 6.4.3. The Permit Holder shall give 48 hours notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge permit, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven working days. The person discharging shall notify the Council of the new address details for final invoicing.
- 6.4.4. When a Permit Holder ceases to occupy premises from which Trade Wastes are discharged into the Wastewater System any permit granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

6.5. Offences

- 6.5.1. Every person or Permit Holder or owner or occupier of Premises who:
- (a) Fails to comply with or acts in contravention of any provision of this Bylaw;
 - (b) Breaches the conditions of any permit to discharge granted pursuant to this Bylaw, or
 - (c) Fails to comply with a notice served under this Bylaw,
- commits an offence ~~under Section 239 of the Act~~¹⁵¹ and is liable to a fine not exceeding \$200,000

6.6. Transitional Provisions

6.6.1. Existing Trade Waste Consents

Every existing Trade Waste Permit shall continue in force as if it were a Permit issued under this Bylaw until it reaches its expiry date. The Council may however review and amend any conditions of an existing Permit to ensure they align with this Bylaw.

SCHEDULE A: PERMITTED DISCHARGE CHARACTERISTICS**1. DISCHARGE CHARACTERISTICS****1.1. Acceptable Criteria**

1.1.1. The tables in this section and the contaminant concentrations shown are maximum limits of what is acceptable. The acceptance criteria/characteristics are generally sourced from the guidelines for Wastewater System – acceptance of Trade Waste (industrial waste).

1.2. Factors affecting acceptance conditions

1.2.1. The following factors may be considered by Council when assessing a permit application

- (a) Volume, concentration, contaminant hazard assessment of the Trade Waste;
- (b) Effectiveness and reliability of industry-based pre-treatment, if any. Reliability includes an industry's proven track record in operating a pre-treatment plant;
- (c) Effectiveness and reliability of the Council's wastewater collection, treatment and disposal of facilities in relation to the proposed discharge characteristics;
- (d) Treated wastewater disposal location, e.g. high energy coastal outfall, inland waterways, irrigated land disposal system, wetland;
- (e) Reuse of treated Wastewater and/or biosolids;
- (f) Sludge disposal method by both industry and the Council. Disposal to a Class A landfill will require less control over the resultant sludge than disposal to a Class B landfill or reuse as biosolids;
- (g) Occupational health and safety requirements;
- (h) Requirements of any legislation in force or as may be enacted from time to time.

2. PHYSICAL CHARACTERISTICS**2.1. Flow**

2.1.1. The 24 hour flow volume shall be less than 5m³

2.1.2. The maximum instantaneous flow rate shall be less than 2.0L/s

2.2. Temperature

2.2.1. The temperature shall not exceed 40°C

2.3. Solids

2.3.1. Non-faecal gross solids shall have a maximum dimension which shall not exceed 15mm

2.3.2. The suspended solids content of any Wastewater shall have a maximum concentration which shall not exceed 1000g/m³

2.3.3. The settleable solids content of any Wastewater shall not exceed 50mL/L

2.3.4. The total dissolved solids in any wastewater shall ~~have a maximum concentration which shall not exceed 3000g/m³.~~

Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Wastewater in the drainage system or treatment plant shall not be present.

Trade Waste containing solids that have been processed through any in or under sink macerator type device (such as but not limited to "in-sink-erator") is prohibited

Fat, Oil and Grease

There shall be no free or floating layer of fat, oil or grease.

A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is stable at a temperature of 15^oC and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater, throughout the range of pH 6.0 to pH 9.0

A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 100g/m³ when the emulsion is stable at a temperature of 15^oC and when the emulsion is in contact with, and diluted by, a factor of 10 by raw wastewater throughout the range pH 6.0 to pH 9.0

A Trade Waste containing 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^oC and when the emulsion is in contact with, and diluted by, a factor of 10 by raw wastewater throughout the range pH 6.0 to pH 9.0

2.4. Solvents and Other Organic Liquids

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

2.5. Emulsions of Paint, Latex, Adhesive, Rubber, Plastic or Similar Material

2.5.1. Where such emulsions are not treatable they may be discharged into the sewer subject to the total suspended solids not exceeding 1000g/m³

2.5.2. The Council may require pre-treatment of such emulsions if the emulsion Wastewater is likely to unreasonably interfere with the operation of the Council's treatment plant, e.g. reduces % UVT (ultra violet transmission)

2.5.3. 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

2.6. Radioactivity

2.6.1. Radioactivity levels shall not exceed the National Radiation Laboratory Guidelines

2.7. Colour

2.7.1. 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

2.8. Inhibitory Substances

- 2.8.1. Should any characteristic of a discharge be found to inhibit the performance of the Wastewater treatment process, such that the Council is significantly at risk or likely to be prevented from achieving its environmental statutory requirements, then the Council reserves the right to amend the corresponding permit or consent summarily

2.9. Chemical Characteristics

- 2.9.1. The pH shall be between 6.0 and 9.0 at all times

2.10. Organic Strength

- 2.10.1. 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. All Trade Waste Permits will be reviewed against the design and operating requirements of the receiving wastewater treatment plant and appropriate conditions may be set.^[d55]

- 2.10.2. The maximum BOD₅ concentration in any Trade Waste Discharge^[d56] shall not exceed 1000g/m³. For significant industry this may be reduced to 600g/m³.

2.11. Maximum Concentrations

- 2.11.1. Introduction

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

Table 1A.1 – General chemical characteristics

Table 1A.2 – Metals^[d57]

Table 1A.3 – Organic compounds and pesticides

TABLE A.1: GENERAL CHEMICAL CHARACTERISTICS

(Mass limits may be imposed, refer to 4.2)	
Characteristic Maximum Concentration g/m³ (ppm)	
MBAS (Methylene blue active substances)	500
Ammonia (measured as Nitrogen (N))	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	200
Sulphite (measured as SO ₂)	15
Sulphide - as H ₂ S on acidification	1
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)	5
Cyanide – weak acid dissociable (as CN)	5

TABLE A.2: METALS

(Mass limits may be imposed, refer to 4.2)

Metal Maximum Concentration g/m³ (ppm)

Antimony	5
Arsenic	1
Barium	10
Beryllium	0.005
Cadmium	0.5
Chromium	5
Cobalt	5
Copper	5
Lead	5
Manganese	10
Mercury	0.05
Molybdenum	5
Nickel	5
Selenium	5
Silver	1
Thallium	5
Tin	10
Zinc	5

TABLE A.3: ORGANIC COMPOUNDS AND PESTICIDES

(Mass limits may be imposed, refer to 4.2)	
Compound Maximum Concentration g/m³ (ppm)	
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)	0.00
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general). (Includes insecticides, herbicides, fungicides but excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

Attachment 2 – Comments from Geoff Cameron, Senior Health Protection Officer

I note the bylaw refers to National Radiation Laboratory guidelines. As I understand it this laboratory is no longer in existence as per below. This section of the bylaw may need amending to reflect this and be more specific around requirements.

In December 2011 the functions of the National Radiation Laboratory were reorganised

- **Regulatory and core government functions** (including licensing and consents) remained in the Ministry of Health under its Office of Radiation Safety. Please click here for further information <http://www.health.govt.nz/our-work/radiation-safety> or email orsenquiries@moh.govt.nz
- **Scientific and technical functions** were transferred to the Institute of Environmental Science and Research. Please click here for further information [Link to NCRS](#) or email NCRS@esr.cri.nz

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16 September 2014

REPORT A1246105

Approval of Draft Water Supply Bylaw (No. 223)

1. Purpose of Report

- 1.1 To recommend to Council the approval of the draft Water Supply Bylaw (No. 223).

2. Delegations

- 2.1 The Works and Infrastructure Committee has delegated authority to approve statements of proposals, and to hear and deliberate on submissions for Special Consultative Procedures falling within the Committee's areas of responsibility (which includes water supply).
- 2.2 The Committee also has powers to recommend to Council its final decisions on Special Consultative Procedures falling within this area.

3. Recommendation

THAT the report Approval of draft Water Supply Bylaw (A1246105) and be received.

Recommendation to Council

THAT the Water Supply Bylaw (No. 223) (A1181471) be adopted.

4. Background

- 4.1 On 12 June 2014 the Works and Infrastructure Committee approved the advertising of a Statement of Proposal and draft Water Supply Bylaw (No. 223), using the Special Consultative Procedure (section 83 of the Local Government Act 2002).
- 4.2 The submission period for the draft Water Supply Bylaw 2014 ran from 14 June to 21 July 2014. No submissions to this draft bylaw were received.

5. Discussion

- 5.1 There is no need for Council to deliberate on submissions, as no submissions to this bylaw were received.

5.2 Officers are not aware of any other information to consider with regards to this draft Bylaw.

6. Options

6.1 As there are no proposed changes to the draft Bylaw, the only option realistically open to the Committee is to recommend the draft Bylaw to Council for adoption.

7. Assessment of Significance against the Council's Significance Policy

7.1 This is not a significant decision in terms of Council's Significance Policy.

8. Alignment with relevant Council Policy

8.1 Provision of water supply services is a core activity of Council as outlined in the Long Term Plan 2012-2022 and in Annual Plans.

8.2 Controlling impacts in the water supply network supports the health of the community and the wider environment, which fits with Goal Three of Nelson 2060, that 'our natural environment is protected and healthy'.

9. Consultation

9.1 The Council has provided opportunity for the views and preferences of affected or interested persons, by requesting submissions to the draft Bylaw.

9.2 No submissions were received, and no further consideration of the views or preferences of affected or interested parties is required.

10. Inclusion of Māori in the decision making process

10.1 No submissions were received from individuals or organisations specifically representing Māori interests.

11. Conclusion

11.1 That the Water Supply Bylaw (No. 223) be recommended to Council for adoption.

Phil Ruffell
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