



Bylaw 229

Wastewater

**Including Trade Waste and
Domestic Wastewater**

2 September 2021

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PART A – GENERAL

1. Introduction

- 1.1. Pursuant to sections 145 and 146 of the Local Government Act 2002, the Nelson City Council makes the following bylaw: Wastewater Bylaw (NO. 229) 2021.

2. Commencement

- 2.1. This Bylaw comes into effect on the date the Bylaw is signed and sealed.

3. Revocation

- 3.1. The following bylaw is hereby revoked: Nelson City Council Wastewater Bylaw 224 (2014).

4. Purpose of Bylaw

- 4.1. The purpose of this bylaw is to:

- (a) Protect the health and safety of the public from potential adverse effects of harmful substances discharged to the wastewater system;
- (b) Regulate trade wastes;
- (c) Manage, and protect from damage, infrastructure associated with wastewater;
- (d) Regulate the discharge of domestic wastewater into the wastewater system; and
- (e) Regulate the discharge of trade waste into the wastewater system.

- 4.2. This bylaw provides for:

- (a) Connection to the wastewater system;
- (b) Acceptance of long-term and intermittent discharge of trade waste and/or domestic wastewater to the wastewater system (in accordance with sections 195 and 196 of the Local Government Act 2002);
- (c) Establishment of three grades of wastewater discharge: permitted, conditional and prohibited;
- (d) Evaluation of individual trade waste discharges against specified criteria;
- (e) Correct storage of materials in order to protect the wastewater system from receiving spillage (including requirement for contingency management plans as a condition of a trade waste permit);
- (f) Installation of flow meters, samplers or other devices to measure flow and quality of the trade waste discharge;

- (g) Pre-treatment of wastewater before it is accepted for discharge to the wastewater system;
- (h) Sampling and monitoring of trade waste discharges to the wastewater system to ensure compliance with the bylaw;
- (i) The Council to accept or refuse a discharge to the wastewater network;
- (j) Charges to be set to cover the cost of connecting and discharging to the wastewater system including conveying, treating and disposing of, or reusing trade waste or domestic wastewater, and the associated costs of administration and monitoring;
- (k) Administrative mechanisms for the operation of the bylaw;
- (l) Encouragement of waste minimisation and cleaner production in the commercial and industrial sectors; and
- (m) Prevention of inflow and infiltration into the wastewater system.

5. Compliance with other Acts

- 5.1. The provisions of this Bylaw do not remove or replace the obligations or requirements set out in any legislation, including the Health Act 1956, the Health and Safety at Work Act 2015, the Local Government Act 1974, the Local Government Act 2002, the Plumbers Gasfitters and Drainlayers Act 2006, the Resource Management Act 1991, the Building Act 2004, the Hazardous Substances and New Organisms Act 1996, and any regulations made under these Acts.

6. Premises to which this Bylaw applies

- 6.1. This Bylaw shall apply to all premises within the City from which 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.
- 6.2. Pursuant to sections 195 and 196 of the Local Government Act 2002, the Council may refuse to accept any type of trade waste or domestic wastewater which is not in accordance with this Bylaw.

7. Interpretation and abbreviations

7.1. Interpretations

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

Approval means an approval in writing given by an Authorised Officer, and **Approved** has a corresponding meaning.

Authorised Officer means an officer appointed by the Council as an enforcement officer under section 177 of the Local Government Act 2002 in relation to any offences against this Bylaw.

Biosolids means wastewater sludge that has been treated and/or stabilised to the extent that it is able to be safely applied to land, and includes any products containing biosolids (e.g. composts), but does not include products derived from wastewater treatment plants which solely treat industrial waste.

Bylaw refers to this Nelson City Council Wastewater Bylaw (NO. 229) - 2021.

Characteristic means any of the physical or chemical characteristics of a trade waste or domestic wastewater.

City means the district of the Council, as defined in Part 2 of Schedule 2 to the Local Government Act 2002.

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 by:

- (a) using energy and resources efficiently;
- (b) avoiding or reducing the amount of wastes produced; and
- (c) producing environmentally sound products and services.

Condensate water or cooling water means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter from the trade or commercial process or operation into solution or suspension.

Conditional discharge means a discharge as provided for in Part B clause 7.1(b) of this Bylaw.

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 Nelson City Council.

Discharge means the discharge of trade wastes or wastewater into a public wastewater system, whether directly or indirectly, by means of any private drain.

Disconnection or disconnect means the physical cutting and sealing of any private drain from the Council's water services, utilities, drains or wastewater system.

Domestic wastewater means wastewater (with or without matter in solution or suspension therein) discharged from premises used solely for residential purposes, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are acceptable to the Council. Such activities may include the draining of domestic swimming and spa pools subject to Part B clause 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 (being 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 (being an appliance which is not a sanitary fixture, such as machines for washing dishes and clothes).

Grease trap means a device approved by the Council or an Authorised Officer that allows wastewater to cool and grease to separate 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) Eco toxicity, with or without bioaccumulation; and

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 waste means a trade waste that contains any hazardous substances.

Infiltration means surface or ground water entering a sewer or foul water drain through defects such as, but not limited to, poor joints, and cracks in pipes or manholes, but excludes inflow.

Inflow means water discharged into a private drain from non-complying connections or other drainage faults, and includes stormwater entering through illegal downpipe connections or from low gulley traps.

NTLDM means the Nelson Tasman Land Development Manual 2019.

Liquid waste operator means any person who collects wastewater for disposal 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 premises connected to and discharging to the wastewater system.

Permit means a trade waste permit.

Permitted discharge means any discharge as provided for in Part B clause 7.1(a) of this Bylaw.

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, and **the person discharging** has a corresponding meaning.

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

Point of discharge means the point where a private drain meets a public sewer pipe and marks the boundary of responsibility between the owner or occupier and the Council (even where this differs from property boundaries) and, in the event that a point of discharge is designated in a trade waste permit, shall be the point described in the 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 any of the following:

- (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 between the premises and the point of discharge that is owned by, or is otherwise the responsibility of, the owner or occupier, and **private pipe** or **pipeline** has a corresponding meaning.

Prohibited discharge means any discharge as provided for in Part B clause 7.1(c) of this Bylaw.

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. This excludes all commercial, trade or industrial activities.

Schedule of rates and charges means the fees, charges, rates, items, terms, and prices for services associated with the discharge of trade waste or wastewater to a Council wastewater system, which have been approved by Council.

Significant industry 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 (eg boron, chromium) which will have an effect on 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.

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

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; or
- (d) any other premises from which a discharge of wastewater (other than domestic wastewater) occurs, including any land or premises wholly or mainly used for agricultural or horticultural purposes.

Trade waste is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premise to a wastewater system in the course of any trade, commercial, educational or industrial process or operation, or in the course of any activity or operation of a like nature; and by Council approval may include condensate or cooling waters and/or stormwater which cannot be practically separated, or domestic wastewater.

Trade waste permit means an approval in writing authorising the permit holder named in the permit to discharge trade waste to a wastewater system, which is issued by the Council

under Part C clause 3 of this Bylaw, or is deemed to be a trade waste permit under Part A clause 13 of this Bylaw.

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 includes trade wastes and domestic wastewater.

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

Wastewater system means the collection, treatment and disposal of wastewater, including all wastewater pipes, pumping stations, storage tanks, wastewater treatment plants, outfalls, and other related structures owned and operated by the Council or its agents up to the point of discharge.

Working day means any day of the week other than:

- (a) a Saturday, a Sunday, Nelson Anniversary Day, 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 Year's day and New Year's Holiday.

7.2. In this Bylaw one gender includes all genders, the singular includes the plural, and the plural includes the singular.

7.3. The word "shall" or "must" identifies a mandatory requirement for compliance. The word "should" refers to practices which are advised or recommended.

7.4. 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
BOD5	5-day Biochemical Oxygen Demand
COD	Chemical Oxygen Demand
g/m ³	grams per cubic metre
H ₂ S	hydrogen sulphide
HCN	hydrogen cyanide
kg/day	kilogram per day
L/s	litres per second

L/s/Ha	litres per second per hectare
m ³	cubic metre
mL/L	millilitre per litre
pH	measure of acidity/alkalinity
ppm	parts per million
SS	Suspended Solids

8. Review of decisions

- 8.1. If any person is dissatisfied with any decision made under this Bylaw by an Authorised Officer or a Council officer acting under delegated authority, that person may, by notice delivered to the Chief Executive of the Council not later than 20 working days after receipt of the decision, request the Chief Executive to review the decision.
- 8.2. On receipt of a request under Part A clause 8.1, the Chief Executive may review the matter and confirm or reverse the decision in question. Any review decision of the Chief Executive shall be final.

9. Accidents and non-compliance

- 9.1. Any person discharging into the wastewater system shall inform the Council immediately on discovery of any accident, including spills or process mishaps, which may be in breach of this Bylaw or the terms of a trade waste permit or other Council approval.
- 9.2. In the event of an accident under Part A clause 9.1 occurring on premises for which there is a trade waste permit, the Council may:
 - (a) Review any applicable trade waste permit under Part C clause 7, or
 - (b) Require the permit holder to review the contingency management procedures and re-submit the management plan to the Council for approval within 20 working days of the date of such requirement.
- 9.3. In the event of an accident under Part A clause 9.1 occurring on premises from which there is a permitted discharge, the Council may require the person discharging to apply for a trade waste permit.

10. Fees, charges and payments

- 10.1. Fees and charges payable will be set each year by the Council in its Annual Plan.
- 10.2. The permit holder shall be responsible to meet all fees and charges relating to the discharge of wastewater to the wastewater system from premises to which the trade waste permit applies, as may from time to time be imposed by the Council and set out in the Annual Plan.
- 10.3. All charges determined in accordance with Part A clause 10.1 shall be invoiced in accordance with the Council's practice. Each person discharging will be provided with a

copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.

- 10.4. 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.
- 10.5. All fees and charges payable under this Bylaw shall be recoverable as a debt in accordance with Councils Debt Management Policy. In the event of a failure to pay any fees and charges under this Bylaw, the Council may cancel the right to discharge in accordance with Part C clause 8.

11. Access and powers of entry

11.1. The owner, and any occupier, of premises shall allow an Authorised Officer or Council's agent access:

- (a) At or about the point of discharge for the purposes of inspection, monitoring, testing, and planned maintenance work;
- (b) Any area of a premises at any hour of the day where emergency conditions exist or for the purpose of ascertaining whether non complying connections or discharges to a wastewater system have been or are being made; and
- (c) Any part of the wastewater system that is within private land, between 7.30am and 6.00pm on any day, unless circumstances justify other access times.

11.2. In exercising the powers of entry and access under Part A clause 11.1, the Council shall comply with any applicable requirements for the powers of entry in sections 171 to 173 and 181(4) of the Local Government Act 2002, including providing notice of entry to the owner and occupier where necessary.

12. Offences

12.1. Every person or permit holder or owner or occupier of premises who:

- (a) Permits a prohibited discharge;
- (b) Breaches the terms or conditions of any permit or approval to discharge granted pursuant to this Bylaw;
- (c) Fails to comply with a notice served under this Bylaw; or
- (d) Otherwise fails to comply with or acts in contravention of any provision of this Bylaw;

Breaches this Bylaw and commits an offence under section 239 of the Local Government Act and will be liable on conviction to a fine not exceeding \$200,000.

13. Transitional provisions

13.1. Applications

13.1.1. Any application for a permit to discharge trade waste made under this Bylaw for which a permit has not been granted at the time of this Bylaw first coming into force shall be deemed to be an application made under Part C clause 1 of this Bylaw.

13.2. Existing Trade Waste Permits

13.2.1. Every trade waste permit issued under a previous Council bylaw, and which is valid at the time this Bylaw comes into force, shall continue in force and is deemed to be a trade waste permit issued under this Bylaw, subject to Part A clause 13.3.

13.3. The Council may review and amend existing permits, including conditions imposed, when:

- (a) New information becomes available;
- (b) If the information made available during the application contained inaccuracies which materially influenced the setting of conditions of the permit;
- (c) The permitted discharge is found to have an adverse impact on the Council's wastewater network; or
- (d) The terms of the existing permit need to be changed to align with this Bylaw.

PART B – ACCEPTANCE AND CONTROL OF DISCHARGE

1. Compliance with the Bylaw

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, prohibited wastewater into a wastewater system; or
- (c) Without specific approval from the Council, add, or allow the addition of, condensate or cooling water or stormwater to any trade waste or domestic wastewater that discharges into a wastewater system.

1.2. Where any trade waste or domestic wastewater is discharged from any premises to any wastewater system contrary to Part B clause 1.1, the Council may disconnect the premises from the wastewater system. Before making a disconnection, the Council may consider whether an agreement as to a reasonable alternative can be achieved with the occupier of the premises.

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, and any other relevant legislation.

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. Continuity of discharge

2.1. The Council will accept domestic wastewater and trade waste once an approved connection to the wastewater system has been made. However, the Council does not guarantee to receive domestic wastewater or trade waste without interruption.

2.2. The Council will use all reasonable endeavours to ensure that any disruption is kept to a minimum but shall not be liable for any loss, damage or inconvenience that any person may sustain because of deficiencies in the wastewater system.

2.3. In the event of a domestic premises changing ownership, the new owner shall automatically become responsible for any discharges from that premises.

2.4. The transfer of rights and responsibilities under a trade waste permit are covered under Part C clause 11.

3. Prevention of inflow and infiltration

3.1. The owner/occupier (of commercial properties subject to their terms of lease) or owner (in the case of residential properties) of premises that are connected to the wastewater system shall prevent any stormwater or groundwater from entering the private drain for the

premises or the wastewater system. This includes, but is not limited to, stormwater or groundwater from roof downpipes, surface water run-off, overland flow, and sub surface drainage.

- 3.2. The occupier (of commercial properties subject to their terms of lease) or owner (in the case of residential properties) of premises shall keep and maintain the private drain for the premises so as to ensure it does not allow inflow or infiltration into the wastewater system.
- 3.3. The occupier (of commercial properties subject to their terms of lease) or owner (in the case of residential properties) of premises is responsible for rectifying any situation on their property that allows inflow and infiltration to occur.

4. Disinfected/super chlorinated water

- 4.1. 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.
- 4.2. 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.

5. Swimming pool and spa pool water

- 5.1. No person may discharge water from a swimming pool or spa pool into the wastewater system unless the discharge complies with all applicable requirements in this Part B Clause 5, in which case the discharge will be a permitted discharge acceptable to the Council.
- 5.2. The discharge of backwash water from a swimming pool or spa pool is permitted only if:
 - (a) The residual chlorine level of the backwash water is less than 0.5 ppm; and
 - (b) The quantity of the discharge is an amount associated with a standard backwash of filters.
- 5.3. If the reason for discharge of backwash water from a swimming pool or spa pool is due to a chemical imbalance (including pH<6 or >9) in the water, the person carrying out the discharge must consult the Council before the discharge occurs.
- 5.4. All discharges of water from a swimming pool or spa pool, other than backwash water, shall be made after 8pm and before 7am. Discharges outside these times shall only be with the approval of the Council. Council reserves the right to limit the rate and timing of the discharge and to impose any other conditions it considers appropriate. Discharges are not allowed less than 3 days after a rain event.
- 5.5. A flow limiting device must be fitted to any swimming pool or spa pool that is capable of discharging into the wastewater system and must be in use at the time of discharge to ensure that the discharge does not exceed the maximum instantaneous flow requirement of 2.0l/sec.

6. Storage, transport, handling and use of hazardous substances or harmful materials

- 6.1. Any person who deals with any hazardous substance or any of the harmful materials listed in Part B clause 6.3 on a premises shall take all reasonable steps to prevent the accidental entry of any of these substances or materials into the wastewater system.
- 6.2. 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 Part B clause 6.3 in a manner that may cause the substance or material to enter the wastewater system.
- 6.3. Materials referred to in Part B clause 6.1 and 6.2 are:
 - (a) Products or wastes containing corrosive, toxic, biocidal, cytotoxic, radioactive, flammable or explosive materials;
 - (b) Materials that, when mixed with the wastewater stream, are likely to generate a toxic, flammable, explosive or corrosive substance in quantities likely to be hazardous;
 - (c) Materials that are likely to produce offensive odour; or
 - (d) Materials that are likely to be deleterious to the health and safety of the Council staff, its contractors, or members of the public, or to be harmful to the wastewater system.
- 6.4. The cost to Council of dealing with any discharge, whether intentional or unintentional, of a hazardous substance or harmful material will be charged to the person responsible for the discharge, and that person must pay the charge imposed.

7. Classification of wastewater discharges

- 7.1. Wastewater discharges shall be classified as one of the following types:
 - (a) Permitted discharge:
 - i) a discharge of domestic wastewater; or
 - ii) a discharge of trade waste that has been approved by, or is otherwise acceptable to, the Council, but only for so long as the trade waste continues to have physical and chemical characteristics that comply with Schedule A of this Bylaw.
 - (b) Conditional discharge: a discharge of trade waste that does not fall within Part B clause 7.1(a)(ii), and for which a trade waste permit has been granted.
 - (c) Prohibited discharge: a discharge of trade waste that does not fall within either Part B clause 7.1(a)(ii) or (b), being one that is not acceptable to, or otherwise approved or permitted by, the Council, and includes a discharge of trade waste made in breach of conditions imposed on a trade waste permit.

- 7.2. The Council is not obliged to approve or accept, or grant a trade waste permit for, any trade waste.

8. Connection and disconnection must be authorised

- 8.1. No person (other than an authorised agent of the Council) shall, without Council approval, make any connection to, disconnection from, or otherwise interfere with, any part of the wastewater system.

9. Connections to wastewater system

- 9.1. Every application for a connection to the wastewater system shall be in writing on the prescribed form together with payment of such fees and charges as fixed by the Council.
- 9.2. Where a new wastewater pipe is required as part of a subdivision and/or development, this shall be subject to approval of the design and construction inspection of the works by the Council and at the developer's cost.
- 9.3. Where more than one connection to the wastewater system is required, approval shall be at the Council's discretion.
- 9.4. If an approved connection to the wastewater system is not made within six months of approval, then the approval is deemed to have lapsed and a new application shall be made, including the payment of a further application fee.
- 9.5. The connection of a private drain to the Point of Discharge, which is made in accordance with an approved connection, is subject to building consent under the Building Act and does not require further approval under this bylaw.

10. Private pump stations

- 10.1. Where a private pump station services more than one property:
- (a) there shall only be one point of discharge;
 - (b) a 'Common Pump Station Agreement' or easement shall be required between the parties and including provision for maintenance of the rising mains. The agreement and/or easement shall be registered against the Certificate of Title of each owner; and
 - (c) the combined rate of discharge to the wastewater system shall not exceed the rate specified by the Council.

11. Pressure wastewater reticulation

- 11.1. Pressure wastewater reticulation (PWR) systems (which may include private pump stations) are recognised as a future alternative solution for low lying/flat areas and where new gravity systems are otherwise impractical.

11.2. The design and operational framework for PWR shall be developed through the NTLDM and the appropriate Council policies.

11.3. Any proposals to use PWR systems will be solely at the Council's discretion.

PART C – TRADE WASTE DISCHARGE

1. Application to discharge a trade waste

- 1.1. Any person who intends or otherwise expects to discharge a trade waste into the wastewater system must make an application to discharge trade waste to the Council by completing the prescribed form (available from: Council offices, 110 Trafalgar Street, Nelson; or Council website www.nelson.govt.nz).
- 1.2. Scenarios in which a person shall make an application under Part C clause 1.1. include:
 - (a) A new discharge from trade premises, or of any tankered waste, into the wastewater system; or
 - (b) Varying the characteristics of a trade waste for which a trade waste permit has previously been granted; or
 - (c) Varying the conditions of any trade waste permit that has previously been granted; or
 - (d) Significantly changing the method or means of pre-treatment of a trade waste for which a trade waste permit has previously been granted; or
 - (e) The permit holder or the owner or occupier of the trade premises changes, or there is a change in use of the trade premises.
- 1.3. While any person may make an application under Part C clause 1.1, the Council may deal with the owner or occupier of, or any person discharging from, the trade premises concerned, or otherwise require the involvement of any of these persons in the application process, if it considers this to be necessary or appropriate in the circumstances.
- 1.4. 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.

2. Processing an application

- 2.1. On the receipt of any application under Part C clause 1.1, the Council may do any one or more of the following:
 - (a) Require the applicant to submit any additional information that it considers necessary to reach an informed decision;
 - (b) Require the applicant to submit a management plan to the satisfaction of the Council; or
 - (c) Require the applicant to undertake sampling and monitoring as provided for in Part C clauses 10.1, 10.3 and 10.4.

3. Consideration of an application

- 3.1. Within 15 working days (or extended period as determined by the Council) of receipt of an application or information required under Part C clause 4, whichever is the later, the Council shall, after considering the matters in part C clause 2, decide on one of the following options:
- (a) Grant the application as a permitted discharge, and inform the applicant of the decision in writing and provide a copy of the approval;
 - (b) Grant the application as a conditional discharge by issuing a trade waste permit, subject to any conditions permitted under Part C clause 5, and inform the applicant of the decision in writing and provide a copy of the trade waste permit and conditions; or
 - (c) Decline the application as a prohibited discharge, and inform the applicant of the decision in writing and provide a statement of the reasons for refusal.

4. Matters to take into account when considering an application to discharge a trade waste

- 4.1. In considering any application made under Part C clause 1.1, to discharge a trade waste, and in considering the imposition of any conditions on a trade waste permit, the Council shall take into account the quality, volume, and rate of discharge of the trade waste, having regard to all relevant factors including, but not limited to:
- (a) The health and safety of the Council's staff and agents and members of 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 wastes, domestic wastewater 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 the 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 of 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;
- (s) Tankered waste being discharged at an approved location;
- (t) Any of the matters address in Part C clause 9 and 10 of this Bylaw that are relevant to the particular discharge; and
- (u) Any other matter that is relevant to consideration of the application.

5. Conditions of a trade waste permit

5.1. When granting an application under Part C clause 3.1(b) the Council may impose on a trade waste permit such conditions as the Council considers appropriate, including conditions relating to:

- (a) The particular wastewater system to which the discharge may 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 Part C clause 9;
- (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 any rates or charges applicable to that discharge;
- (k) The provision and maintenance by, and at the expense of, the permit holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged, and for the testing of such meters;
- (l) At the request of Council, 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) The undertaking of a risk assessment of potential 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) The remote control of discharges;
- (r) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of any 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 any part of the wastewater system or could result in the Council being in breach of any statutory obligation or committing an offence;
- (t) The remote monitoring of discharges;
- (u) Any of the matters address in Part C clause 9 and 10 of this Bylaw that are relevant to the particular discharge; and
- (v) The need for the permit holder to notify the Council in writing in the event there is any material or noteworthy change to the discharge, the permit holder ceases to operate, or there is a change of ownership or occupation of the trade premises.

6. Duration of Council approvals and trade waste permits

- 6.1. The Council's approval of a permitted discharge under Part C clause 3.1(a), and a trade waste permit granted under Part C clause 3.1(b), shall remain in force until any one of the following events occurs:

- (a) Any fixed termination date or period of duration set by Council in the approval or permit is reached;
- (b) The Council cancels the trade waste permit under Part C clause 8;
- (c) The quantity and nature of the discharge changes significantly;
- (d) The Council forms the opinion that the nature of the trade waste being discharged has changed, or is likely to change, to such an extent that the discharge should more properly be treated as a conditional or prohibited discharge;
- (e) The Council significantly changes wastewater management procedures by implementation of changed Bylaw conditions or any amendment to, or replacement of, this Bylaw;
- (f) The conditions imposed on any resource consent for the wastewater system and the residuals or discharges from it are changed;
- (g) A fixed termination date, or duration if set by Council; or
- (h) The permit holder ceases to operate from the trade premises from which the discharge arises.

7. Technical review and variation

- 7.1. The Council may at any time require a person undertaking a permitted discharge to apply for a trade waste permit in accordance with Part C clause 1.1.
- 7.2. The Council may at any time during the term of a trade waste permit, by written notice to the permit holder, review and amend any condition as the Council considers necessary to give effect to any new information that has become available or to meet any new or amended resource consent relevant to the wastewater system, or to ensure compliance with any other legal and/or regulatory requirements imposed on the Council.
- 7.3. A permit holder may at any time during the term of a trade waste permit, by written application to the Council under Part C clause 1.1, request a variation of any condition imposed pursuant to Part C clause 1.4.

8. Cancellation of a trade waste permit

8.1. Suspension or cancellation on notice

- 8.1.1. The Council may at any time, after giving 20 working days' notice to the permit holder, suspend or cancel any 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 to the satisfaction of the Council:
 - (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;
- (g) Failure to provide, and when appropriate update, a management plan that is required in conditions imposed on a 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 permit or right to discharge.

8.2. Summary cancellation

- 8.2.1. Notwithstanding Part C Clause 8.1, the Council may cancel any trade waste permit with immediate effect, by giving written notice of the cancellation to the permit holder, in the event that any one or more of the following occur:
- (a) The discharge contains any prohibited substance;
 - (b) The Council is lawfully directed to withdraw or otherwise to terminate the permit summarily;
 - (c) The permit holder discharges any trade waste without the appropriate approval;
 - (d) If the continuance of the discharge is, in the opinion of the Council, an immediate threat to the environment or public health; or
 - (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.

9. Wastewater discharge approval criteria

9.1. Pre-treatment

- 9.1.1. The Council may impose conditions on a trade waste permit concerning the provision, operation and maintenance by the permit holder of appropriate pre-treatment systems to enable the discharge to comply with the Bylaw.

9.1.2. No person may use a refuse or garbage grinder or macerator within any trade premises discharging to a wastewater system except with the express approval of the Council.

9.1.3. The person discharging shall not, except with the express approval of the Council, add or permit the addition of any potable, condensate, cooling water, or stormwater to any wastewater discharge.

9.2. Mass Limits

9.2.1. The Council may impose conditions on trade waste permit specifying mass limits for any characteristic of the discharge. Any characteristic permitted by mass limits shall also have its maximum concentration limited to the value specified in Schedule A of this Bylaw unless specified otherwise by the Council in the permit.

9.2.2. When specifying the mass limit for a particular characteristic under Part C clause 9.2.1 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 bio solids 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 will use 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.

9.3. Tankered wastes

9.3.1. No person shall discharge any tankered wastes into any wastewater system unless the discharge:

- (a) Is in compliance with the latest edition of the Liquid and Hazardous Wastes Code of Practice;
- (b) Is in accordance with any applicable trade waste permit or approval of the Council; and
- (c) Complies with the requirements set out in Part C clause 9.3.2 below.

9.3.2. Any person responsible for a tankered wastes shall:

- (a) Ensure the tankered wastes are transported by a liquid waste operator with the necessary trade waste permit to discharge domestic septic tank or industrial wastes;
- (b) If requested by the Council, provide material safety data sheets (MSDS) to the Council detailing the contents of a waste, free of charge;
- (c) If requested by the Council, carry out or permit testing of the tankered waste to determine the characteristics of the waste. 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) Ensure the tankered waste is not picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;
- (e) Ensure the tankered waste is transported in a tanker which has been thoroughly washed prior to collecting any load for disposal into the wastewater system;
- (f) Ensure the tankered waste is disposed of after at least 24 hours' notice has been given to the Council for the disposal of wastes, other than those sourced from domestic septic tanks;
- (g) Ensure the tankered waste is recorded by the liquid waste operator using WasteTRACK or a similar waste tracking system that has been approved by the Council; and
- (h) If requested by the Council, provide details of tankered waste collections free of charge to the Council on request.

9.3.3. Any person illegally disposing of, or causing to be disposed, tankered waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's Wastewater system other than at an approved location in accordance with items Part C clause 9.3.2(a)-(h) above will be in breach of the Bylaw.

9.4. Discharges via traps or interceptors for fats, oils, grease, or sediment

9.4.1. No person may discharge any waste that is likely to include fats, oils, grease (FOGs), or sediment into the wastewater system unless:

- (a) An appropriate trap or interceptor, which complies with any applicable requirements in this Part C clause 9.4, has been installed at the premises from which the discharge is made; and
 - (b) The discharge is made in compliance with a trade waste permit.
- 9.4.2. Grease traps must be sized and installed in compliance with clause G13 of the New Zealand Building Code.
- 9.4.3. Any trap or interceptor for fats, oils, grease, or sediment must, prior to its installation, be approved by the Council as the network utility operator in accordance with clause G14/VM1 1.2 of the New Zealand Building Code. All traps and interceptors for fats, oils, grease, or sediment must be installed, maintained, and operated in accordance with the manufacturer's instructions and comply with the following conditions:
- (a) All traps and interceptors shall be serviced at least once every three (3) months to remove all sediment, fat, oil, or grease;
 - (b) At no time may the sediment layer in any trap exceed 20 % of the depth or volume of the trap;
 - (c) At no time may the fat, oil, or grease layer exceed 20% of the depth or volume of the trap;
 - (d) Servicing additional to that required under Part C clause 9.4.3.(a) shall be undertaken whenever it is needed to maintain operational efficiency of the trap or interceptor;
 - (e) All servicing shall be conducted by an approved liquid waste operator or any other person or operator approved by Council for this purpose; and
 - (f) Sediment or oil interceptors for washdown bays must be roofed or suitably banded with a first flush system installed and operating in accordance with the NTLDM.

9.5. Discharges via enzyme based grease converters

- 9.5.1. The installation of an enzyme based grease converter is prohibited.
- 9.5.2. Any enzyme based grease converter that was installed prior to this Bylaw coming into force will be permitted to 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 or building consent);
 - (d) The permit holder is able to provide satisfactory records of purchase of enzymes of a type and quantity matching the manufacturer's recommendation;
 - (e) The permit holder is able to provide records of regular (at a minimum, weekly) checks of the converter to ensure that it is operating correctly; and

- (f) The Council is satisfied that there is no risk to the wastewater system from the continued use of the converter.

10. Sampling, testing, and monitoring of discharges

10.1. Flow metering

- 10.1.1. The Council may at any time require a permit holder to undertake flow metering of any discharge (whether or not this is a condition of the trade waste permit).
- 10.1.2. The permit holder shall be responsible for the supply, installation, reading and maintenance of any flow metering equipment required to be installed under a trade waste permit or otherwise under Part C clause 10.1.1. All equipment shall require the approval of the Council, but shall remain the property of the permit holder.
- 10.1.3. The permit holder must ensure that records of flow and/or volume are available for viewing at any time required by the Council, and shall submit such records to the Council at intervals prescribed by the Council and in an approved format. For example, for high risk discharges, the Council may require real time electronic data.
- 10.1.4. All flow metering equipment shall be installed according to the manufacturer's installation instructions. It shall be located in a position which provides the required degree of accuracy and shall be readily accessible for reading.
- 10.1.5. 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.
- 10.1.6. In the event that any flow metering equipment, after being calibrated, is found to have an error greater than that specified in Part C clause 10.1.5 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.

10.2. Estimating discharge

- 10.2.1. Where no flow metering equipment is warranted in the Council's opinion, 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.
- 10.2.2. Where flow metering equipment is warranted in the Council's opinion, 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 permit holder 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.

10.2.3. 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 Part C clause 10.2.2 above.

10.3. Sampling and analysis

10.3.1. 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 approval or permit or with this Bylaw;
- (b) A discharge is to be classified as a permitted, conditional, or prohibited discharge (refer to Part B clause 7);
- (c) A permitted discharge complies with the provisions of Schedule A;
- (d) Trade waste permit charges are applicable to that discharge; or
- (e) To audit sampling results provided by the permit holder.

10.3.2. The taking of a sample under Part C clause 10.3.1, and its preservation, transportation and analysis, shall be undertaken by an Authorised Officer or agent of the Council, or by the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council.

10.3.3. Where the testing, sampling or monitoring carried out under Part C clause 10.3.1 indicates that a discharge does not comply with the Bylaw or trade waste permit, the person discharging shall be responsible for all reasonable costs associated with the testing, sampling, or monitoring. 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.

10.3.4. Any Authorised Officer, authorised agent of the Council, or analyst may at any time enter any premises (other than a dwelling house) where there is reason to believe that a trade waste is being discharged to the wastewater system and, in order to determine any characteristics of any discharge, may:

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

10.4. Monitoring and auditing trade waste discharges

10.4.1. 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 by using the power in Part C clause 10.3.1(e) of this Bylaw; and
- (d) The Council may audit the trade waste permit conditions, including any management plans.

10.4.2. Where non-compliance is found, all costs of the audit monitoring shall be met by the permit holder.

10.5. Sampling methodology

10.5.1. Sampling shall be by way of best industry practice or as otherwise agreed between the permit holder and the council.

11. Transfer or termination of rights and responsibilities

11.1.1. A trade waste permit shall be issued in the name of the person given on the application form.

11.1.2. 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 or the permit;
- (b) Allow the point of discharge to which the permit relates to serve any other premises, or permit the private drain to which the permit relates to extend by pipe or any other means to serve another premises; or
- (c) Allow wastewater from any other party to be discharged at their point of discharge.

11.1.3. Council approval of a transfer of a trade waste permit, under Part C clause 11.1.2(a), on the change of ownership of premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.

11.1.4. A permit holder may request disconnection and/or termination of the discharge permit by giving written notice to the Council, in which case:

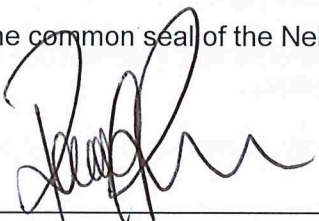
- (a) where demolition or relaying of the discharge drain is required, the notice period shall be no less than seven working days;
- (b) in any other case, the notice period shall be no less than 48 hours; and
- (c) in any event, the permit holder shall notify the Council of the new address details for final invoicing in the written notice.

- 11.1.5. When a permit holder ceases to occupy premises from which trade wastes are discharged into the wastewater system, the relevant trade waste permit shall terminate immediately, but without relieving the permit holder from any obligations existing at the date of termination.

Council Resolution

This bylaw was made by Nelson City Council at a meeting of the Full Council on 2 September 2021.

The common seal of the Nelson City Council is attached in the presence of:



Mayor



Chief Executive

Date: 15/9/2021.



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 guidelines for Wastewater systems – 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 bio solids;
- (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 bio solids;
- (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
- 2.1.3. The maximum flow rate shall be less than 0.54L/s/Ha

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 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 not exceed 3000 g/m³
- 2.3.5. Fibrous, woven or sheet film or any other materials (including wet wipes) which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant shall not be present.
- 2.3.6. 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.

2.4. Fat, oil and grease

- 2.4.1. There shall be no free or floating layer of fat, oil or grease.
- 2.4.2. 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°C 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
- 2.4.3. 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°C 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
- 2.4.4. A trade waste emulsified oil, fat or grease shall not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with, and diluted by, a factor of 10 by raw wastewater throughout the range pH 6.0 to pH 9.0

2.5. Solvents and other organic liquids

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

2.6. Emulsions of paint, latex, adhesive, rubber, plastic or similar material

- 2.6.1. Where such emulsions are not treatable they may be discharged into the sewer subject to the total suspended solids not exceeding 1000g/m³
- 2.6.2. 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)
- 2.6.3. 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

2.7. Radioactivity

- 2.7.1. Radioactivity levels shall not exceed the National Radiation Laboratory Guidelines

2.8. Colour

- 2.8.1. 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.

2.9. Inhibitory substances

- 2.9.1. 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

2.10. Chemical Characteristics

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

2.11. Organic strength

- 2.11.1. 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.
- 2.11.2. The maximum BOD₅ concentration in any trade waste discharge shall not exceed 1000g/m³. For significant industry this may be reduced to 600g/m³

2.12. Maximum concentrations

- 2.12.1. Introduction

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

Table A.1 – General chemical characteristics

Table A.2 – Metals

Table A.3 – Organic compounds and pesticides

Table A.4 – Antibiotics

TABLE A.1: GENERAL CHEMICAL CHARACTERISTICS

(Mass limits may be imposed, refer to Part C clause 9.2)	
Characteristic Maximum Concentration g/m³ (ppm)	
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	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 Part C clause 9.2)

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 Part C clause 9.2)	
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

TABLE A.4: ANTIBIOTICS

VOLUME LIMIT	ACTIVE CONCENTRATION
10 Litres	125mg/5ml
5 Litres	250mg/5ml
3 Litres	Above 250mg/5ml

