

# Hamilton City Council BYLAWS



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## HAMILTON TRADE WASTE AND WASTEWATER BYLAW 2016 (amended 2023)

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Hamilton City Council, under the Local Government Act 2002, the Health Act 1956 and any subsequent amendments to the Acts and other relevant powers, makes the following bylaw.

### 1. INTRODUCTION

1.1. Hamilton City Council can make bylaws for regulating and protecting wastewater drainage and Trade Waste. ~~Under Section 10 of the Local Government Act, Council needs to provide effective and efficient wastewater infrastructure.~~ The regulation of Trade Waste allows Council to control the quality and quantity of Trade Waste and recover the additional costs of collection and treatment.

1.2. Council also has a duty under section 17 of the Waikato River-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, to have particular regard to Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) where the vision is “for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come”. To this end, Council:

(a) recognises the special cultural, social, environmental and economic relationship of Waikato-Tainui with the Waikato River and the need to protect and restore the Waikato River; and

(a)(b) manage and regulate discharges into the wastewater network using this bylaw, which protects wastewater infrastructure from damage; encourages businesses to carry out on-site treatment; and prevents further degradation to the Waikato River. ~~Council also has a duty under s17 of the Waikato River Settlement Act 2010, to have regard to the Vision and Strategy for the Waikato River. The management of wastewater assists in achieving this by controlling what can be discharged to the wastewater system, protecting wastewater infrastructure from damage, encouraging businesses to carry out on-site treatment to remove substances that could affect the Waikato River, and controlling stormwater discharges to the wastewater system.~~

*(Note: the above introduction does not form part of this bylaw and is intended to be read as an introductory note)*

### 2. SHORT TITLE, COMMENCEMENT AND APPLICATION

2.1. The bylaw is known as the “Hamilton Trade Waste and Wastewater Bylaw 2016 (amended 2023)”.

2.2. The bylaw applies to the Hamilton City Council District.

2.3. The bylaw comes into force on 15 August 2016.

### 3. SCOPE

3.1. This bylaw applies to the district of Hamilton City under the Local Government Act 2002 and any other land, building, work, or property or catchment under the control of the Council. This bylaw applies to both Wastewater Systems and Private Drains.

### 4. PURPOSE

4.1. The purposes of this bylaw are to enable Council to:

- (a) Protect the health and safety of people using or working in the Wastewater System.
- (b) Protect the Wastewater System from damage and misuse.
- (c) Protect the environment from adverse effects of harmful substances discharged to the Wastewater System.
- (d) Produce Wastewater and Biosolids of a consistent quality.
- (e) Encourage waste minimisation, Cleaner Production, efficient recycling and reuse of waste streams by businesses
- (f) Ensure that businesses maintain Trade Waste discharges within agreed levels.

### 5. COMPLIANCE WITH OTHER ACTS AND CODES

- 5.1. This bylaw has been developed in accordance with all relevant legislation and guidance documents.
- 5.2. Compliance with the requirements of this bylaw does not remove the need to comply with the requirements of any Act, regulation or other bylaw.

### 6. DEFINITIONS

- 6.1. In this bylaw except where inconsistent with the context:

<b>Access Point</b>	Is a place where access may be made to a Private Drain for inspection (including sampling or measurement), cleaning or maintenance. The location of the access point must be in accordance with the New Zealand Building Code.
<b>Alternative Grease Removal System</b>	Refers to a grease removal system other than a Grease Trap. Includes, but is not limited to, grease converters and mechanical grease removal systems.
<b>Approval or Approved</b>	Means Approved in writing by Council, either by resolution of the Council or by any Authorised Officer of the Council.
<b>Approval Notice</b>	Means an Approval given by Council and signed by an Authorised Officer authorising a Person to discharge Permitted Trade Waste to the Wastewater System.
<b>Authorised Officer</b>	Means an employee, agent or contractor of Council, appointed by Council as an enforcement officer under section 177 <del>1</del> of the Local Government Act 2002.
<b>Biosolids</b>	Means wastewater sludge derived from a Wastewater Treatment Plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land or reused, and does not include products derived solely from industrial Wastewater Treatment Plants. The term Biosolid/s is used generically throughout this document to include products containing Biosolids (e.g. composts).
<b>Characteristics</b>	Means any of the physical or chemical properties of a Wastewater and may include the level of a Characteristic.

- Cleaner Production** Means the implementation on Premises of effective operations, methods and processes appropriate to achieve the reduction or elimination of the quantity and toxicity of wastes. This is required to minimise and manage Trade Waste by:
- (a) Using energy and resources efficiently, thereby avoiding or reducing the amount of waste produced;
  - (b) Producing environmentally sound products and services;
  - (c) Achieving less waste, fewer costs and higher profits.

<b>City Waters Manager</b>	Means the City Waters Manager employed by Council, and if that role has been disestablished, means the appropriate equivalent Council officer, or if there is no such equivalent position, means the Council officer authorised by Council to act in that position for the purposes of this bylaw.
<b>Condensing or Cooling Water</b>	Means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.
<b>Conditional Consent</b>	Means an Approval given by Council and signed by an Authorised Officer authorising a Person to discharge Conditional Trade Waste to the Wastewater System.
<b>Conditional Trade Waste</b>	Means a Trade Waste discharge which exceeds the physical and chemical Characteristics defined in Schedule 1A of this bylaw, and which is not a Prohibited Trade Waste.
<b>Consent</b>	Means an Approval Notice or Conditional Consent.
<b>Consent Holder</b>	Means the Person occupying Premises who has obtained a Consent or Trade Waste Agreement and includes any Person who does any act on behalf or with the express or implied consent of the Consent Holder (whether for reward or not) and any licensee of the Consent Holder.
<b>Council</b>	Means Hamilton City Council or an employee, agent or contractor of the Council appointed to carry out duties relating to Trade Waste and Wastewater management.
<b>Defect Notice</b>	Means a notice issued in accordance with clause 13.1 of this Bylaw.
<b>Disconnection</b>	Means the physical cutting and sealing of any of Council's water services, utilities, drains or Wastewater System to prevent use by any Person.
<b>Domestic Wastewater</b>	Means liquid wastes (with or without matter in solution or suspension) discharged from Premises used solely for residential purposes and which complies with the physical and chemical Characteristics defined in Schedule 1A of this bylaw, or wastes with the same volume and Characteristic discharged from other Premises; but does not include any solids, liquids or gases that cannot lawfully be discharged into the Wastewater System.
<b>Grease Trap</b>	Means a separation tank that reduces the amount of fat, oil and grease in Trade Waste prior to it being discharged into the Wastewater System.

<b>Hazardous Materials</b>	Means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials, or any materials which when mixed with Wastewater, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any Person or harmful to the Wastewater System, and includes hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.
<b>Independently Qualified Person</b>	Means a Person with appropriate qualifications, Approved by Council and who is independent of the Consent Holder.
<b>Infiltration</b>	Means ground or surface water entering the Wastewater System or a Private Drain connected to the Wastewater System through defects such as, but not limited to, poor joints and cracks in pipes or manholes. It does not include Inflow.
<b>Inflow</b>	Means water discharged into the Wastewater System or a Private Drain connected to the Wastewater System from non-complying connections. It includes Stormwater entering through illegal down pipe connections or from low gully traps.
<b>Management Plan</b>	Means a plan for management of the operations on the Premises from which Trade Wastes come, and may include provision for flow and quality monitoring, sampling and testing, Cleaner Production, waste minimisation, discharge, contingency management procedures, or any relevant industry Code of Practice.
<b>Mass Limit</b>	Means the total mass of any Characteristic that may be discharged to the Wastewater System over any stated period from any single Point of Discharge or collectively from several points of discharge.
<b>Maximum Concentration</b>	Means the instantaneous peak concentration that may be discharged at any instant in time.
<b>Occupier</b>	Means the Person occupying Premises connected to the Wastewater System.
<b>Permitted Trade Waste</b>	Means a Trade Waste discharge that complies with the physical and chemical Characteristics defined in Schedule 1A of this bylaw.
<b>Person</b>	Includes a corporation sole and also a body of persons whether incorporated or unincorporated.
<b>Point of Discharge</b>	Is the boundary between the Wastewater System and a Private Drain but for the purposes of monitoring, sampling and testing, must be as designated in the Consent.

<b>Pre -Treatment</b>	Means any processing of Trade Waste designed to reduce or vary any Characteristic in a waste before discharge to the Wastewater System in order to comply with a Consent or this bylaw.
<b>Private Drain</b>	Means that section of drain between the Premises and the point of connection to the Wastewater System.
<b>Premises</b>	Means the physical location to which a Wastewater service is provided and includes: <ul style="list-style-type: none"><li>(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;</li><li>(b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease;</li><li>(c) Land held in public ownership for a particular purpose; or</li><li>(d) Individual units in buildings, which are separately leased or separately occupied.</li></ul>
	Allotment means the same as defined in <a href="#">the section 10 of the Building Act 2004</a> <del>Land Transfer Act 1952</del> .
<b>Prohibited Trade Waste</b>	Means a Trade Waste discharge that has any of the prohibited Characteristics as defined in Schedule 1B of this bylaw.
<b>Stormwater</b>	Means surface water runoff that: <ul style="list-style-type: none"><li>(a) Enters or may enter the Stormwater system as a result of a rain event; and</li><li>(b) Contains any substance where the type and concentration of the substance is consistent with the contributing catchments land use(s) and that of the receiving environment.</li></ul>
<b>Tankered Waste</b>	Is water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding Domestic Wastewater discharged directly from house buses, caravans, buses and similar vehicles.
<b>Temporary Discharge</b>	Means any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from Premises subject to an existing Consent.
<b>Trade Waste</b>	Is any liquid, with or without matter in suspension or solution, that is or may be discharged from a Premises to the 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 Condensing or Cooling Waters; or Stormwater which cannot be practically separated.
<b>Trade Waste Agreement</b>	Is a written agreement between Council and a Person discharging Trade Waste, authorising the Person to discharge Conditional Trade Waste to the Wastewater System, that outlines both parties' rights and responsibilities.

**Wastewater** Means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the Wastewater System. This includes Domestic Wastewater and Trade Wastes.

**Wastewater System** Includes all infrastructure, including pipes, fittings, manholes, pumps, pump stations; and any land, buildings, and treatment works which are under the control of the Council or any other Council and used for the purpose of providing a Wastewater service.

**Wastewater Treatment Plant** Means the processes and facilities involved in treating Wastewater.

**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, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day, and
- (b) A day in the period commencing with the 25<sup>th</sup> day of December in a year and ending with the 2<sup>nd</sup> day of January in the following year.
- (c) Were a public holiday falls on a weekend day and the public holiday is observed on the next available working weekday, the day on which the public holiday is observed..

**AWWA** American Water Works Association

**IANZ** International Accreditation New Zealand

**SCADA** Supervisory control and data acquisition

**UV** Ultraviolet

## 7. WASTEWATER

### 7.1. Connecting to the Wastewater System

- (a) No Person may, without Council's Approval
  - i. Connect to the Wastewater System;
  - ii. Disconnect from the Wastewater System;
  - iii. Carry out any other works on, or in relation to , the Wastewater System; or
  - iv. Open any manhole, chamber, Access Point on, or otherwise tamper with the Wastewater System.
- (b) Any Person wishing to connect to, disconnect from, or work on the Wastewater System, must write to Council for Approval and provide any information specified by Council.
- (c) Council may grant Approval to such connection, Disconnection or other works, and may impose conditions.

- (d) Without limiting subclause (c), a condition imposed under that subclause may require that the connection, Disconnection or works comply with any relevant code of practice.
- (e) Council may refuse an application for Approval to connect to a system where:
  - i. The applicant has not paid fees or charges associated with the connection (including development charges) or has refused to provide Council with specified information relating to the application ;
  - ii. In Council’s reasonable opinion, there is insufficient capacity in the system to accommodate the connection;
  - iii. In Council’s reasonable opinion, the connection would compromise its ability to maintain levels of service in relation to the Wastewater System;
  - iv. The connection is outside the area currently served by the Wastewater System, regardless of its proximity to any specific component of the Wastewater System; or
  - v. In Council’s reasonable opinion, refusal is necessary to protect the Wastewater System, the health and safety of any Person, or the environment.

## **7.2. Control of Discharges**

- (a) A Person must not discharge, or allow to be discharged, any Wastewater into the Wastewater System except in accordance with this bylaw and with the provisions of a Consent or Trade Waste Agreement.
- (b) No Person may introduce or discharge or allow to be introduced or discharged Wastewater that has any of the prohibited Characteristics set out in Schedule 1B into the Wastewater System.
- (c) No Person may cause or allow Stormwater to enter the Wastewater System unless specific Approval is given.
- (d) No Person may introduce or discharge Condensing water, Cooling water, disinfected or super-chlorinated water into the Wastewater System unless specific Approval is given.

*NOTE: (this note does not form part of the bylaw) condensing, cooling, disinfected or super-chlorinated water must not be discharged to the Stormwater system without specific Approval.*

- (e) When any Person fails to comply with clauses 7.2 (a) – (d), and a reasonable alternative method cannot be agreed with the discharging party, the Council may physically prevent discharge into the Wastewater System.
- (f) Domestic Wastewater must comply with the physical and chemical Characteristics in Schedule 1A.
- (g) The maximum instantaneous flow rate discharged from any Premises used solely for residential purposes must not exceed 2.0 litres/second.

## **7.3. Hazardous Materials**

- (a) A Person must take all practicable steps to store, handle, transport and use Hazardous Materials in a way that prevents Wastewater with prohibited Characteristics as described in Schedule 1B entering the Wastewater System.

- (b) Any Person who knows of the entry or imminent entry of Wastewater with prohibited Characteristics as set out in Schedule 1B to the Wastewater System must inform an Authorised Officer or Council as soon as reasonably practicable.
- (c) Any Person who causes or allows the discharge of Wastewater with prohibited Characteristics as set out in Schedule 1B to the Wastewater System must:
  - i. Immediately take all practicable steps to stop the imminent entry or further entry of this Wastewater to the Wastewater System; and
  - ii. Inform an Authorised Officer or Council as soon as reasonably practicable.

#### **7.4. Protection of Wastewater System**

- (a) No Person may cause or allow to be caused any damage to, or modification, stoppage, or obstruction of, or interference with the Wastewater System, except as Approved by Council.
- (b) Every Person excavating or working around the Wastewater System must take due care to ensure that the work does not damage and/or compromise the integrity of the Wastewater System.
- (c) Any Person who knows of any serious or substantial damage to the Wastewater System must inform an Authorised Officer or Council as soon as reasonably practicable.
- (d) Any Person who causes or allows any damage to the Wastewater System must inform an Authorised Officer or Council as soon as reasonably practicable.
- (e) No Person may place any additional material over or near a Wastewater System without Approval.
- (f) No Person may cover an Access Point without Approval. Regardless of who covered an Access Point, removal of any covering material or adjustment of the Access Point will be at the property owner's expense.

#### **7.5. Private Drains**

- (a) Council may require an owner to fix or upgrade Private Drains, at the owner's cost, to meet original design specifications.
- (b) Owners of Premises must ensure that all Private Drains on the Premises are kept and maintained in a state which is free of cracks and other defects that may allow Infiltration.
- (c) Occupiers and Owners of Premises must ensure that Stormwater is excluded from the Wastewater System and any Private Drain by ensuring that:
  - i. There is no direct connection of any Stormwater pipe or drain to the Wastewater System;
  - ii. Gully trap surrounds are set above Stormwater ponding levels (refer New Zealand Building Code G13), or secondary overland flow path flood levels;
  - iii. Inspection covers are in place and are appropriately sealed.
- (d) An Occupier or owner whose Private Drain is overflowing or has other reasons to suspect a blockage, must immediately call a drainlayer to clear and remove any blockage in the Private Drain, at the Occupier or Owner's expense. If the drainlayer

considers that the blockage originates within the Wastewater System, then the drainlayer must contact Council.

- (e) Council will reimburse the owner of the Private Drain for the reasonable cost of unblocking work for which the owner has paid, provided that Council is satisfied that:
  - i. The blockage originated in the Wastewater System;
  - ii. The blockage was not forced downstream into the Wastewater System in the act of clearing the Private Drain; and
  - iii. The owner or occupier of the Premises has not caused or permitted a discharge which does not comply with this bylaw, a Consent or a Trade Waste Agreement.
- (f) Where the roots of a tree which is on private land enter or are likely to enter the Wastewater System, Council will follow the procedure set out in s 468 of the Local Government Act 1974.
- (g) A Person with a pressure Wastewater System, or any other system that is connected to the Wastewater System, must use that system in accordance with any operating manual or guidelines for that system.

## **8. TRADE WASTE DISCHARGES AND CONSENTS**

### **8.1. Classification of Discharges**

- (a) Trade Waste discharges are classified as one of the following types:
  - i. Permitted Trade Waste, (in which case an Approval Notice must be obtained);
  - ii. Conditional Trade Waste, (in which case a Conditional Consent must be obtained or a Trade Waste Agreement be entered into); or
  - iii. Prohibited Trade Waste, (in which case no Consent will be granted and no Trade Waste Agreement will be entered into).
- (b) No Person may discharge or cause to be discharged Trade Waste into the Wastewater System except in accordance with a Consent or a Trade Waste Agreement.
- (c) Council is not obliged to accept any Trade Waste.
- (d) Council may, at any time and at its complete discretion, enter into a Trade Waste Agreement for the discharge and reception of Trade Wastes with an Occupier. Any such agreement may be made in addition to or in place of a Consent and the Trade Waste Agreement and its terms will have the same force as if the agreement was a Consent issued under this bylaw.
- (e) Circumstances where a Trade Waste Agreement may be appropriate include, but are not limited to, where, in the reasonable opinion of Council, the discharge is considered to have:
  - i. Unique discharge Characteristics;
  - ii. A volume or loading of any Characteristic that may affect the operation of the Wastewater System or Treatment Plant;
  - iii. Potential discharge of hazardous or prohibited substances;

- iv. Pre-Treatment systems;
- v. The requirement for capacity to be reserved at the Wastewater Treatment Plant; and/or
- vi. A history of non-compliance with a Consent or Trade Waste Agreement.

## **8.2. Application for a Consent or Variation**

- (a) Every Person who does, proposes to, or is likely to:
  - i. Discharge into the Wastewater System any Trade Waste either continuously, intermittently or temporarily;
  - ii. Vary the Characteristics of a Permitted Trade Waste discharge in a manner which may cause it to fail to meet the standards for a Permitted Trade Waste;
  - iii. Vary the conditions of a Consent that has previously been granted; or
  - iv. Significantly change the method or means of Pre-Treatment for a discharge;must apply to Council, using the prescribed form, for a Consent for the discharge of that Trade Waste, or for consent to the proposed variations.
- (b) Council reserves the right to deal with the owner as well as the Occupier of any Premises.
- (c) Where the Premises produces Trade Waste from more than one area of the Premises, a separate description of the Trade Waste Characteristics must be included in any application for Trade Waste discharge for each area. This applies whether or not the separate areas are part of a single or separate trade process.
- (d) The application and every document conveying required information must contain all the required information, be properly executed and accompanied by the application fee.
- (e) The applicant is responsible for the correctness of the content of the application and any information attached.
- (f) Every act or omission done for, or on behalf of, the eventual Consent Holder (whether for reward or not) in making any such application is deemed to be an act of the Consent Holder.
- (g) Council may require an application to be supported by a report or statement from an Independently Qualified Person, to verify information supplied by the applicant. All costs incurred must be paid by the applicant.

## **8.3. Processing An Application**

- (a) On receipt of an application, Council may:
  - i. Require the applicant to submit additional information which Council considers necessary to reach an informed decision;
  - ii. Require the applicant to submit a Management Plan to Council's satisfaction; and/or
  - iii. Wherever appropriate, have the discharge investigated and analysed as provided for at clauses 8.8 and 8.10 of this bylaw at the applicant's cost.

- (b) Council will then :
- i. Issue an Approval Notice and inform the Consent Holder of the conditions imposed;
  - ii. Grant a Conditional Consent and inform the Consent Holder of the conditions imposed;
  - iii. Advise the applicant that Council is willing to enter into a Trade Waste Agreement on terms acceptable to Council; or
  - iv. Decline the application and notify the applicant of the decision, giving a statement of the reasons for refusal.
- (c) In considering any application for a Consent, Trade Waste Agreement or variation, Council must consider the Characteristics, volume, and rate of discharge of the Trade Waste from such Premises or tanker and any other matter that it considers, on reasonable grounds, to be relevant, which may include:
- i. The health and safety of Council staff, Council's agents and the public;
  - ii. The limits and/or maximum values for Characteristics of Trade Waste as specified in Schedules 1A and 1B of this Bylaw;
  - iii. The extent to which the Trade Waste may react with other Trade Waste or Wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Wastewater System, etc.;
  - iv. The flows and velocities in the Wastewater System and the material or construction of the Wastewater System;
  - v. The capacity of the Wastewater System including the capacity of any Wastewater Treatment Plant, and other facilities;
  - vi. 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;
  - vii. The timing and balancing of flows into the Wastewater System;
  - viii. 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. This includes compliance with any resource consent, discharge permit or water classification;
  - ix. The possibility of unscheduled, unexpected or accidental events and the degree of risk these could pose to humans, the Wastewater System or the environment;
  - x. Consideration of other existing or future discharges;
  - xi. Existing Pre-Treatment works on the Premises;
  - xii. The use of Cleaner Production techniques and waste minimisation practices;
  - xiii. Control of Stormwater;
  - xiv. Any Management Plan;
  - xv. Tankered Waste being discharged at an Approved location/s; and

- xvi. Whether it would be more appropriate for the discharge to be controlled pursuant to a Trade Waste Agreement.

#### 8.4. Conditions of Consent

- (a) Any Consent may be granted subject to such conditions that Council may impose, including, but not limited to:
  - i. Where the discharge will be made;
  - ii. The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
  - iii. The maximum limit or permissible range of any specified Characteristics of the discharge, including concentrations and/or Mass Limits determined in accordance with clause 8.4 (b) of this bylaw;
  - iv. The times during which the discharge, or a particular concentration, or volume of discharge may be made;
  - v. The provision by, or for the Consent Holder, at the Consent Holder's expense, of screens, Grease Traps, silt traps or other Pre-Treatment works to control Trade Waste discharge Characteristics to the consented levels;
  - vi. The provision and maintenance, at the Consent Holder's expense, of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
  - vii. The provision and maintenance of a sampling, analysis and testing programme and flow measurement, at the Consent Holder's expense;
  - viii. The method or methods to be used for measuring flow rates and/or volume and/or Characteristics and taking samples of the discharge for use in determining compliance with the consent and for determining the amount of any Trade Waste charges applicable to that discharge;
  - ix. The provision and maintenance by, and at the expense of, the Consent Holder of any devices required to measure the volume or flow rate or Characteristics of any Trade Waste being discharged from the Premises, and for the calibration and/or validation of such devices;
  - x. The provision and maintenance, at the Consent Holder's expense, of services, (electricity, water, compressed air or otherwise), which may be required to operate meters and similar devices;
  - xi. At times specified, the provision in an Approved format of all flow and/or volume records, on-line monitoring readings, results of analyses (including Pre-Treatment by-products, e.g. Wastewater sludge disposal) and calibration/validation records;
  - xii. The provision and implementation of a Management Plan;
  - xiii. Risk assessment of damage to the environment due to an accidental discharge of a chemical;
  - xiv. The investigation of waste minimisation and Cleaner Production techniques;
  - xv. Remote monitoring or control of discharges and associated control, telemetry or SCADA systems;

- xvi. Third party treatment, carriage, discharge or disposal of by-products of Pre-Treatment of Trade Waste (including Wastewater sludge disposal);
  - xvii. The provision of a bond or insurance in favour of Council where failure to comply with the consent could result in damage to the Wastewater System, the Wastewater Treatment Plants, or could result in Council being in breach of any statutory obligation or resource consent;
  - xviii. Specific discharge-related capital costs Council would incur for altering the Wastewater System and or Wastewater Treatment Plant in order to accommodate the discharge; and
  - xix. Specific discharge related operational costs Council would incur for operating the Wastewater System and or Wastewater Treatment Plant in order to accommodate the discharge.
- (b) A Conditional Consent may impose controls on a Trade Waste discharge by specifying Mass Limits for any Characteristic. Any Characteristic permitted by Mass Limit must also have its maximum concentration limited to the value scheduled unless Approved otherwise.
- (c) When setting Mass Limit allocations for a particular Characteristic, Council may consider:
- i. The operational requirements of and risk to the Wastewater System, and risks to occupational health and safety, public health, and the ultimate receiving environment;
  - ii. Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of Biosolids or Wastewater sludge;
  - iii. Conditions in the Wastewater System near the Trade Waste discharge point and elsewhere in the Wastewater System;
  - iv. The extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
  - v. Whether or not the applicant uses waste minimisation and Cleaner Production techniques within a period satisfactory to Council;
  - vi. Whether or not there is any net benefit to be gained by the increase of one Characteristic concurrently with the decrease of another;
  - vii. Any requirements of Council to reduce the discharge of any Characteristic to the Wastewater System;
  - viii. How great a proportion the mass flow of a Characteristic of the discharge will be of the total mass flow of that Characteristic in the Wastewater System;
  - ix. The total mass of the Characteristic allowable in the Wastewater System, and the proportion (if any) to be reserved for future allocations; and
  - x. Whether or not there is an interaction with other Characteristics that increases or decreases the effect of either Characteristic on the Wastewater System, treatment process, or receiving water (or land).

### 8.5. Duration and Review

- (a) Conditional Consents granted under this bylaw expire at the end of a term not

exceeding five years. Shorter terms may be applied where, in the reasonable opinion of Council:

- i. The applicant has a history of non-compliance with a Consent or Trade Waste Agreement;
  - ii. The flow or Characteristics of the discharge are uncertain; or
  - iii. The flow or Characteristics of the discharge may change over time.
- (b) Approval Notices remain valid until:
- i. Cancellation under clause 8.12;
  - ii. The discharge fails to comply with the physical and chemical characteristics defined in Schedule 1A of this Bylaw (including any amendments to Schedule 1A); or
  - iii. In the reasonable opinion of Council, the discharge changes or is likely to change to such an extent that it becomes a Conditional or Prohibited Trade Waste.
- (c) Council may at any time during the term of a Consent, by written notice to the Consent Holder (following a reasonable period of consultation), vary any condition to such an extent as Council considers necessary.

*Note: (this note does not form part of the bylaw) A condition could be varied if technical matters associated with the discharge have changed, to meet any new resource consent imposed on the discharges from Council's Wastewater Treatment Plant or to comply with any other legal requirements imposed on Council.*

- (d) A Consent Holder may at any time during the term of a Consent, by written application to Council, seek to vary any condition of the Consent, as provided for in clause 8.2 (a) of this Bylaw.

### 8.6. Accidents and Spills

- (a) A Person who discharges Trade Waste must inform the Council immediately upon becoming aware of:
- i. An accident;
  - ii. Spillage;
  - iii. A defect in the process discharging Trade Waste; or
  - iv. A risk to the health and safety of the public or the environment;
- that may cause a breach of this bylaw.
- (b) A Person who reports an accident, spillage or defect as provided for in clause 8.6 (a) or the Consent Holder for a Premises must disclose any information that may contribute to:
- i. The restoration of the integrity of the Wastewater System,
  - ii. The cleaning of any spillage; or
  - iii. The determination of the risks associated with the Trade Waste.
- (c) In the event of any accident, spillage or defect referred to in clause 8.6 (a) from Premises where a Consent Holder has a Conditional Consent, Council may:
- i. Review the Consent under clause 8.5; or

- ii. Require the Consent Holder to review the contingency management procedures and resubmit the Management Plan to the Council for its Approval.
- (d) In the event of any accident, spillage or defect referred to in clause 8.6 (a) from Permits where a Consent Holder has an Approval Notice, Council may require the Consent Holder to apply for a Conditional Consent.

#### **8.7. Pre-treatment Requirements**

- (a) Council may approve a Trade Waste discharge subject to the provision of appropriate Pre-Treatment systems to enable the Consent Holder to comply with this bylaw. Such Pre-Treatment systems must be provided, operated and maintained by the Person discharging, at their expense. Typical Pre-Treatment requirements are provided for common Trade Waste Premises in Schedule 2.
- (b) Refuse or garbage grinders and macerators must not be used to dispose of solid waste from Trade Waste Premises to the Wastewater System unless Approved by Council.
- (c) Grease Traps must:
  - i. Have a functional capacity of no less than 500 litres;
  - ii. Be sized according to the greatest volume as specified in Table 1 contained in Schedule 2;
  - iii. Be cleaned out at least once every six months or more frequently as specified in Consent conditions. The frequency with which Grease Traps are required to be cleaned out may be determined through a visual inspection and/or sample testing from the device outlet by Council.
- (d) Shared Grease Traps, such as those operated by a body corporate or food court, must be sized appropriate to the total inputs. This must be no less than a functional capacity of 500 litres for each connected Premises.
- (e) A Consent Holder whose Premises has existing Grease Traps with a functional capacity of less than 500 litres must apply for a Conditional Consent unless they can demonstrate compliance with the physical and chemical characteristics set out in Schedule 1A to Council's satisfaction.
- (f) Alternative Grease Removal Systems must be:
  - i. Operated in accordance with the manufacturer's instructions;
  - ii. Serviced and/or cleaned out by a contractor Approved by Council as specified in Consent conditions;
  - iii. Sized according to manufacturer's recommendation; and
  - iv. May only be used with Council's Approval.
- (g) The frequency with which Alternative Grease Removal Systems are required to be serviced and/or cleaned out in accordance with sub-clause 8.7 (f) may vary. This will be determined by Council after a visual inspection and/or sample testing from the device outlet.

- (h) Alternative Grease Removal Systems which do not meet the requirements contained in this bylaw must be replaced at the Consent Holder's expense.

#### **8.8. Flow Metering**

- (a) Where flow and/or volume metering of any Trade Waste discharge is required as a condition of a Consent, the Consent Holder is responsible, at their own expense, for the supply, installation, reading and maintenance of a meter. These devices are subject to the Approval of Council, but remain the property of the Consent Holder.
- (b) Records of flow and/or volume must be available for viewing at any time by the Council, and must be submitted to Council at prescribed intervals by the Consent Holder in a format Approved by Council.
- (c) Meters must be located in a position Approved by Council that provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters must be located in the correct position according to the manufacturer's installation instructions.
- (d) The Consent Holder must arrange for in situ calibration and verification of the flow metering equipment and instrumentation by an Independent Qualified Person and method Approved by Council upon installation, and at least annually after that, to ensure its performance. The meter accuracy should be  $\pm 10\%$ , but with no greater a deviation from the previous meter calibration than  $\pm 5\%$ . A copy of the independent certification of each calibration and verification must be submitted to Council.
- (e) Should any meter be found to have an error greater than that specified in clause 8.8 (d) of this bylaw, Council may make an adjustment in accordance with the results shown by such tests. The adjustment may be back-dated for a period at the discretion of Council, but not exceeding 12 months. The Consent Holder must pay or be credited a greater or lesser amount according to such adjustment.
- (f) Where in the reasonable opinion of Council, a meter has been tampered with, Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided in clause 8.9(a) of this bylaw.
- (g) Measurement of flow and/or volume must be carried out by or on behalf of the Consent Holder in accordance with British Standard (BS)3680: Part 11A, BS 3680: Part 11B and BS 5728: Part 3, or another Council Approved methodology.

#### **8.9. Estimating Discharge**

- (a) Where no flow meter or similar device is required or where no flow or sample results have been supplied by the Consent Holder, Council may estimate the discharge of Trade Waste for charging purposes based on:
  - i. The volume of water supplied to the Premises, taking into account the proportion of that volume which is estimated to be discharged to the Wastewater System;
  - ii. The flow or characteristics of the discharge measured by the Consent Holder at

a previous time during similar operating conditions; and/or

- iii. The flow or characteristics measured by Council during the most recent audit sample.

#### **8.10. Sampling, Testing and Monitoring**

- (a) Council may undertake sampling, testing, monitoring and audit inspections to determine if:
  - i. A discharge complies with the provisions of this bylaw;
  - ii. A discharge is to be classified as Permitted, Conditional, or Prohibited (refer to clause 8.1 of this bylaw);
  - iii. A discharge complies with any condition of a Consent or Trade Waste Agreement including a Management Plan; and
  - iv. Trade Waste Consent charges are applicable to that discharge.
- (b) Where monitoring of any Trade Waste discharge is required as a condition of a Consent to ensure compliance with other conditions of the Consent:
  - i. The Consent Holder must monitor the discharge of Trade Waste; and
  - ii. Council may independently monitor the discharge of Trade Waste.
- (c) The Consent Holder is responsible for all costs of monitoring, sampling and testing.
- (d) The taking, preservation, transportation and analysis of the samples must be undertaken by an Authorised Officer or agent of Council, or the Consent Holder in accordance with accepted industry standard methods or another methodology Approved by Council.
- (e) Any sample analysis must use methods or procedures in accordance with, or validated against, the latest version of the AWWA Standard methods for the examination of Water and Wastewater” or by such alternative method or procedure Approved by Council. Analysis must be undertaken by a laboratory accredited by IANZ, or a laboratory Approved by Council.
- (f) The Consent Holder must provide to Council or an Authorised Officer the results of any sampling, analysis, flow measurements or other monitoring requirements such as Pre-Treatment system maintenance, within one Working Day of any request by Council.
- (g) Where clause 8.6 does not apply, but there is non-compliance with the conditions of a Consent or a Trade Waste Agreement or where an anomalous result is obtained, the Consent Holder must report the results of the analysis to Council as soon as practicable and in all cases within three Working Days.

#### **8.11. Review of Decisions**

- (a) If any Person is dissatisfied with any decision by an Authorised Officer made under this bylaw, that Person may request in writing that the City Waters Manager review any such decision. The request must be made no later than 20 Working Days after the decision by the Authorised Officer. The City Waters Manager’s decision is final.
- (b) Nothing in this clause affects any right of appeal under the Local Government Act 2002.

**8.12. Transfer or Termination**

- (a) A Trade Waste Consent must be issued in the name of the given Consent Holder. The Consent Holder must not, without Council Approval:
  - i. Transfer to any other party the rights and responsibilities provided for under this bylaw, and under the Consent;
  - ii. Allow a Point of Discharge to serve another Premises, or the Private Drain to that point to extend by pipe, or any other means, to serve another Premises; or
  - iii. In particular and not in limitation of the above, allow Wastewater from any other party to be discharged at their Point of Discharge.
- (b) Council may suspend or cancel any Consent at any time following not less than 20 Working Days (during which consultation has occurred) notice to the Consent Holder or Person discharging any Trade Waste:
  - i. For the failure to comply with any condition of the Consent or to maintain effective control over the discharge;
  - ii. For the failure to comply with this bylaw or a Consent in respect of the volume, nature or composition of Trade Waste being discharged;
  - iii. In the event of any breach of a Resource Consent held by Council issued under the Resource Management Act caused in whole or in part by the Trade Waste discharge;
  - iv. Failure to provide and when appropriate update a Management Plan as required for a Conditional Consent;
  - v. Failure to follow the Management Plan provisions;
  - vi. Failure to pay any Trade Waste charges;
  - vii. If new information becomes available on the nature or Characteristics of the Trade Waste discharge; or
  - viii. If any other circumstances arise which, in the opinion of Council, render it necessary in the public interest to cancel the right to discharge.
- (c) Further to clause 8.12 (b) of this bylaw, any Consent may at any time be immediately suspended or cancelled by Council, on giving to the Consent Holder, written notice, if:
  - i. They discharge any Wastewater with prohibited Characteristics as set out in Schedule 1B ;
  - ii. Council is lawfully directed to withdraw or otherwise to terminate the Consent summarily;
  - iii. The discharge of Trade Waste is unlawful;
  - iv. If the discharge is, in the opinion of Council, a threat to the environment or public health;
  - v. In the event of any negligence which, in the opinion of Council, threatens the operation of the Wastewater System; or

- vi. In the opinion of Council, the discharge puts at risk the ability of Council to comply with the conditions of a Resource Consent and/or requires identified additional treatment measures or costs to avoid a breach of any such Resource Consent.
- (d) Council may require a Consent Holder, at their expense, to disconnect the Premises from the Wastewater System where:
  - i. The Consent has expired;
  - ii. Council suspends or cancels a Consent; or
  - iii. The Consent Holder breaches clauses 7.2 (a) to (d).
- (e) If the Consent Holder fails to comply with any such requirement to disconnect, Council may at the Consent Holder's expense, access the Premises in accordance with section 171 of the Local Government Act 2002 in order to disconnect it from the Wastewater System. Council may carry out such works as it considers necessary to prevent the further discharge of Trade Waste into the Wastewater System.

#### **8.13. Transitional provisions**

- (a) Any application for a Consent made under Council's Trade Waste Bylaw 2006, for which a Consent has not been granted at the time of this new bylaw coming into force, is deemed to be an application made under clause 8.2 of this bylaw.
- (b) Every existing Consent continues in force as if it were a Consent under this bylaw until it reaches its expiry date, provided that no Consent runs beyond 31 August 2021. For the avoidance of doubt, Schedule 1A of this bylaw applies to existing consents except to the extent that the consent conditions specifically provide for a different limit.
- (c) Subject to clause 8.13 (d) of this bylaw, every existing duly executed Trade Waste Agreement between an Occupier and Council which is current at the date this bylaw comes into force continues on the same terms and conditions as if it was a Trade Waste Agreement issued under this bylaw.
- (d) Where an existing Trade Waste Agreement is silent as to its term, that agreement will be terminable on six months' written notice by Council and the Occupier shall be required to apply for a Consent or Trade Waste Agreement in accordance with this bylaw.
- (e) A Person who proposes to continue a discharge of Permitted Trade Waste who does not have an Approval Notice must apply for an Approval Notice within twelve weeks of this bylaw coming into force.

#### **9. TANKERED WASTE**

- 9.1 Any Person wishing to discharge Tankered Waste into the Wastewater System must hold a Consent under this bylaw.
- 9.2 Council may accept Tankered Waste for discharge at an Approved location.
- 9.3 Consent Holders must supply the following information to Council before discharging Tankered Waste to the Wastewater System:

- (a) A description of the type of waste;
  - (b) The source of waste and location;
  - (c) The date and time of collection;
  - (d) The volume of waste collected;
  - (e) The tracking Identification number and vehicle registration number; and
  - (f) A representative sample of the tanker load.
- 9.4 Tankered Waste will only be accepted during working hours on Working Days, or as advised by Council.
- 9.5 Tankered Waste is not to be collected and transported to the disposal site until appropriate arrangements, documentation and method for disposal have been Approved by Council.
- 9.6 To prevent cross-contamination between tanker loads, the tanker must be washed prior to collecting a load for disposal into the Wastewater System.
- 9.7 A Consent Holder must give Council 24 hours' notice of a proposed discharge of Tankered Waste.
- 9.8 Council may require analysis of Tankered Waste to confirm its Characteristics.
- 9.9 Council may require the Consent Holder to obtain specialist advice on Pre-Treatment or acceptance.
- 9.10 The cost of all sampling, analysis and advice must be met by the Consent Holder.
- 9.11 The Consent Holder must ensure that Tankered Waste is treated in accordance with the conditions of the Consent before disposal.
- 10. ACCESS**
- 10.1. In accordance with section 171 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land or building (other than a dwelling house) for routine inspection or monitoring or for post breach monitoring. The Authorised Officer must give at least 24 hours notice of the intended entry.
- 10.2. In accordance with section 172 of the Local Government Act 2002, an Authorised Officer may enter and inspect any land for the purpose of detecting a breach of this bylaw if the Authorised Officer has reasonable grounds for suspecting that a breach has occurred or is occurring on the land. The Authorised Officer must give reasonable notice unless the giving of notice would defeat the purpose of entry. To use this power to enter a dwelling house, the Authorised Officer must comply with section 172(3) of the Local Government Act 2002.
- 10.3 In accordance with section 173 of the Local Government Act 2002, in the event of a sudden emergency causing or likely to cause damage to property or the environment or where

there is danger to any works or adjoining property, an Authorised Officer may enter occupied land or buildings. Notice is not required.

### 11. FEES AND CHARGES

11.1. In accordance with sections 150 and 151 of the Local Government Act 2002, Council may, by resolution using the procedures required by the Act, fix charges payable by Consent Holders and applicants for the purposes of:

- (a) Administering this bylaw,
- (b) Administering Consent applications and Consents granted under this bylaw, and
- (c) Recovering the cost of receiving, treating and disposing of Trade Waste by or on behalf of Council.

### 12. BREACHES

12.1. It is a breach of this bylaw to:

- (a) Fail to comply with any requirement of this bylaw;
- (b) Fail to comply with any Defect Notice issued by an Authorised Officer pursuant to this bylaw;
- (c) Obstruct an Authorised Officer in the performance of their function under this bylaw.

12.2. Any Consent Holder who incorrectly informs Council of the Characteristics or volume of Tankered Waste, or who discharges Tankered Waste other than in the prescribed location and in accordance with the Consent will be in breach of this bylaw.

12.3. Council may physically prevent discharge to the Wastewater System in the case of a non-compliance with this bylaw, a Consent or a Trade Waste Agreement.

12.4. An Authorised Officer may report breaches or imminent breaches to Waikato Regional Council and the Environment Protection Authority for further enforcement.

12.5. A Person is not in breach of this bylaw if that Person proves that the act or omission complained of was necessary to:

- (a) Save or protect life or health or prevent injury; or
- (b) Comply with Council's obligations under the Health Act 1956 and any subsequent amendments; or
- (c) Prevent serious damage to property; or
- (d) Avoid actual or likely damage to the environment;

provided the conduct of the Person was reasonable in the circumstances and the effects of the act or omission were adequately remedied or mitigated by the Person after the breach occurred.

### 13. REMEDIAL WORKS AND COST RECOVERY

13.1. In accordance with section 186 of the Local Government Act 2002, if an Authorised Officer serves a notice on the owner or Occupier requiring any works in connection with the Premises to comply with the requirements of this bylaw, a Consent, or Trade Waste

Agreement, Council or an Authorised Officer may carry out the works where the owner or Occupier fails to comply with the notice, either:

- (a) Within the time specified in the notice; or
- (b) Within 24 hours if the notice certifies that the work is urgent; or
- (c) If the owner or Occupier fails to proceed with the work with all reasonable speed.

13.2. In accordance with section 187 of the Local Government Act 2002, if an Authorised Officer serves a notice on any Person under this bylaw, and the Person fails to take the steps within the time specified, then Council or any Authorised Officer is authorised to take the steps set out in the notice. Council may recover the cost of doing the work, together with reasonable administrative and supervision charges.

13.3. In accordance with section 176 of the Local Government Act 2002, a Person who has been convicted of any offence against this bylaw is liable to pay to Council the costs of remedying any damage caused in the course of committing the offence. The costs must be assessed by a District Court Judge and are recoverable summarily as if they were a fine.

13.4. Costs recoverable under clause 13.3 are in addition to any other penalty for which the Person who committed the offence is liable.

**14. OFFENCES AND PENALTIES**

14.1. A Person who breaches this bylaw and is convicted of an offence is liable to a penalty not exceeding \$200,000 pursuant to section 242 under the Local Government Act 2002.

Amendments to this bylaw were made by the HAMILTON CITY COUNCIL by Special Consultative Procedure and confirmed a meeting of the Council held on XX XX 2023. The amendments to the bylaw become operative on XX XX 2023

~~The COMMON SEAL of the HAMILTON CITY COUNCIL was affixed in the presence of:~~

Councillor: .....

Councillor: .....

Chief Executive: .....

**SCHEDULES**

1A – PERMITTED CHARACTERISTICS

1B - PROHIBITED CHARACTERISTICS

2 - PRE-TREATMENT REQUIREMENTS

## Schedule 1A - Permitted Characteristics

The following tables set out general requirements and maximum concentrations for Permitted Trade Waste and Domestic Wastewater.

Conditional Consents and Trade Waste Agreements may contain lower or higher concentration limits and/or Mass Limits to control the total mass of a substance discharged.

**Table 1 - General Characteristics**

Parameter	Requirement or limit	Commentary
Bio-chemical Oxygen Demand (BOD5)	1,000 g/m <sup>3</sup> or 5 kg/day.	It is sufficient to comply with either the concentration limit or the mass limit. High BOD can overload treatment plants.
Chemical Oxygen Demand (COD)	2,000 g/m <sup>3</sup> or 10 kg/day.	It is sufficient to comply with either the concentration limit or the mass limit. High COD can overload treatment plants.
Colour	No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs Wastewater treatment processes or Council is at risk of breaching resource consent conditions relating to discharge to the environment.	Some coloured substances can be difficult to remove in the treatment process.
Emulsions of paint, latex, adhesive, rubber, plastic or similar	Must not cause blockages or interfere with the operation of the Wastewater treatment system including treatment process.	Emulsions will coagulate when unstable and can sometimes cause blockages in the Wastewater System or interfere with the operation of the treatment process.
Flow	Maximum daily total flow 5m <sup>3</sup> . Instantaneous flowrate 2.0 L/s.	The total flow should be measured over any 24 hour period. Trade waste discharges with a daily flow greater than 5m <sup>3</sup> will require a Conditional Consent.
Gross solids (non-faecal)	15mm maximum dimension.	Gross solids can cause blockages in the Wastewater System.

Parameter	Requirement or limit	Commentary
Oil and Grease	200 g/m <sup>3</sup> . No free or floating layer.	Oils and greases can cause blockages in the Wastewater System, adversely affect the treatment process, and may impair the aesthetics of the receiving environment.
pH	6.0 to 10.0.	Low pH can cause corrosion of the Wastewater System, generate odours which could cause a public nuisance; release toxic H <sub>2</sub> S gas which could endanger workers.
Radioactivity	Must not exceed the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material.	
Settleable Solids	50 ml/L.	Can cause blockages and overload the treatment process.
Solvents or other organic liquids	No free or floating layer.	Some organic liquids are denser than water and will settle in pipes and traps.
Suspended Solids	2,000 g/m <sup>3</sup> .	Can cause blockages and overload the treatment process.
Transmissivity	When diluted at 10:1 with distilled water and tested at 254nm, the result must have a transmissivity of 50% or more, equivalent to an absorbance of 0.3010 or less.	Poor transmissivity reduces the effectiveness of the UV light disinfection at treatment plants.
Temperature	40 °C.	High temperatures cause increased damage to structures, increase the potential for anaerobic conditions to form in the Wastewater, promote the release of toxic gases and can endanger workers. Conditional Consents may have a lower temperature limit.

# Hamilton City Council BYLAWS



Parameter	Requirement or limit	Commentary
Inhibitory Substances	Should any Characteristic of a discharge be found to inhibit the performance of the Wastewater treatment process, such that Council is at risk of breaching resource consent conditions, Council may limit the concentration of any inhibitory substance.	

**Table 2 - Chemical Characteristics**

Parameter	Limit g/m <sup>3</sup>	Commentary
Ammonia (as N)	50	May endanger workers; significantly contribute to the nutrient loading on the receiving environment.
Ammonium salts	200	May endanger workers; significantly contribute to the nutrient loading on the receiving environment.
Anionic Surfactants as methylene blue active substance (MBAS)	300	High MBAS can adversely affect the efficiency of activated sludge plants, cause foaming and impair the aesthetics of the receiving waters.
Boron	25	Boron is not removed by conventional Wastewater treatment.
Bromine as Br <sub>2</sub>	5	High concentrations could affect the health and safety of workers.
Chlorine (Cl <sub>2</sub> free chlorine)	3	Can endanger workers, cause corrosion of the Wastewater collection system.
Cyanide as CN <sup>-</sup>	1	Can produce toxic atmospheres and endanger workers.
Dissolved aluminium	100	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate as a scale, which may cause a blockage.
Dissolved iron	100	Iron salts may precipitate and cause a blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Fluoride as F	30	Not removed by conventional Wastewater treatment.
Hypochlorite	30	Can endanger workers, cause corrosion of the Wastewater collection system.
Kjeldahl nitrogen	150	May significantly contribute to the nutrient load discharged to the receiving environment.
Sulphate (measured as SO <sub>4</sub> )	500	May adversely affect Wastewater System, may increase the potential for the generation of sulphides.
Sulphite (measured as SO <sub>2</sub> )	15	Can endanger workers, cause corrosion of the Wastewater collection system.
Sulphide (as H <sub>2</sub> S on acidification)	5	May cause corrosion of Wastewater System, particularly the non-wetted part of the Wastewater pipes; generate odours which could cause a public nuisance; release toxic H <sub>2</sub> S gas which could endanger workers.
Total Phosphorus as P	50	May significantly contribute to the nutrient load discharged to the receiving environment.

**Table 3 - Heavy Metals**

Heavy metals can inhibit Wastewater treatment process and restrict the reuse of Biosolids. Mass Limits may be imposed – refer to clause 8.4 (b) of this bylaw.

Parameter	Limit g/m <sup>3</sup>
Antimony	5
Arsenic	5
Barium	5
Beryllium	0.005
Cadmium	0.5
Chromium (Total)	5
Cobalt	5
Copper	5
Lead	5
Manganese	5
Mercury	0.005
Molybdenum	5
Nickel	5
Selenium	5
Silver	2
Thallium	5
Tin	5
Zinc	5

**Table 4 - Organic Compounds**

Organic compounds can endanger sewer workers and treatment processes.

Parameter	Limit g/m <sup>3</sup>
Acetone	100
Benzene	1
Butanone	100
Chlorinated phenols	0.02
Ethylbenzene	5
Ethylene Glycol	50
Formaldehyde	30
Halogenated aliphatic compounds	1
Halogenated aromatic hydrocarbons (HAH's)	0.002
Organophosphate pesticides	0.1
Pesticides ( includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any other pesticides not registered for use in New Zealand)	0.2 in total
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Polybrominated biphenyls (PBBs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Total Petroleum Hydrocarbons	
C7 - C14	30
C7 – C36	50
Tri-methyl Benzene	5
Toluene	5
Xylene	5

**Table 5 - Liquid Waste from Pharmacies**

Pharmacies must not discharge more liquid pharmaceutical waste per month than the volumes listed below. The volume limit is based on the concentration of active ingredients in the product.

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

### Schedule 1B: Prohibited Characteristics

Prohibited Trade Waste has or is likely to have any of the prohibited Characteristics set out below. Prohibited Characteristics are present if their concentration exceeds background levels. The background level in relation to any substance means the extent to which that substance is present (if at all) in the municipal water supply used on the Premises, or in any other water supply that is Approved by Council for the purpose of discharging waste.

#### Prohibited Characteristics

- (1) Any discharge has prohibited Characteristics if it has any solid, liquid or gaseous matters, or any combination, or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:
  - (a) Interfere with the free flow of Wastewater in the Wastewater System; or damage any part of the Wastewater System;
  - (b) In any way, directly or indirectly, cause the quality of the effluent or Biosolids and other solids from any Wastewater Treatment Plant to breach the conditions of a permit issued under the Resource Management Act 1991, or water right, permit or other governing legislation;
  - (c) Prejudice the occupational health and safety of any Person or people;
  - (d) After treatment be toxic to fish, animal or plant life in the receiving waters;
  - (e) Cause malodorous gases or
  - (f) Contains substances that cause the discharge of any Wastewater Treatment Plant to receiving waters to be coloured.
- (2) A discharge has a prohibited Characteristic if it has any amount of:
  - (a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
  - (b) Dry solids, solids longer than 30mm, fibrous material, sheet films, and anything which may react to form a solid mass;
  - (c) Except as allowed for in Schedule 1A, liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, , calcium carbide and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
  - (d) Asbestos;
  - (e) The following organo-metal compounds:
    - i. tin (as tributyl and other organotin compounds); or
    - ii. chromium (as organic compounds);
  - (f) Genetic wastes, being all wastes that contain or are likely to contain genetically altered material from Premises where the genetic alteration of any material is conducted;
  - (g) Any health care wastes covered by NZS 4304 or any pathological or histological wastes;
  - (h) Radioactivity levels not compliant with the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material;
  - (i) Any pharmaceutical liquid waste containing cytotoxic ingredients. Cytotoxic waste means waste that is contaminated by a cytotoxic drug.

### Schedule 2: Pre-treatment and Discharge Requirements

**Table 6 – Typical requirements for businesses**

<b>Business</b>	<b>Typical Requirement</b>
Aquariums	Must meet quarantine requirements.
Bakeries	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Barber	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Beauticians	Nil.
Building construction	No discharge to sewer permitted.
Business offices with minimal hot food	Nil.
Cafés/takeaways with minimal hot food	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Carpet cleaners	20 micron filtration.
Chemists/pharmacists	Nil.
Churches with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Community hall with minimal hot food	Nil.
Cooling towers	Discharge not to exceed 500 litres an hour.
Day care	Nil.
Delicatessen with no hot food	Nil.
Dental surgery	Amalgam trap and segregation of waste amalgam.
Dental technician	Plaster trap.
Doctors surgery	Nil.
Dog groomer	Appropriate in-floor bucket trap; appropriate in-sink bucket trap; no organophosphorus pesticide to the Wastewater System.
Dry cleaners	Screens to remove solids; solvent recovery unit.
Engineering workshops car wash/valet/automotive	Screens to remove solids; No open areas allowing discharge of rainwater to Wastewater System; appropriate in-ground water/oil separator; appropriate in-ground bucket trap; equipment maintenance requirements and discharge limits apply.
Florist	No herbicide to sewer; appropriate in-floor bucket trap; appropriate in-sink bucket trap.
Food business with minimal hot food preparation	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Fruit and vegetable, retail	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Funeral parlour	Nil.
General Retail (excluding food Premises, cafes, or coffee lounges)	Nil.
Hairdresser	Appropriate in-floor bucket trap and

Business	Typical Requirement
	appropriate in-sink bucket trap.
Health industries, medical centres	Screens to remove solids; appropriate in-floor bucket trap and appropriate in-sink bucket trap; plaster traps; equipment maintenance requirements and discharge limits apply.
Hotels and motels with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Kitchens/dining halls	Appropriate in-floor bucket trap and appropriate in-sink bucket trap, Equipment maintenance requirements and discharge limits apply.
Laundries - small	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; screens to remove lint and solids; equipment maintenance requirements and discharge limits apply.
Marae with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Motels (without restaurant)	Nil
Optical processes	Appropriate solids settlement pit.
Paint and panel beaters	No open areas allowing discharge of rainwater to Wastewater System, appropriate in-ground water/oil/paint separator, appropriate in-ground bucket trap, equipment maintenance requirements and discharge limits apply.
Pet shop	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Residential care facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Restaurants or school canteens	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; equipment maintenance requirements and discharge limits apply.
Retail butchers and fishmongers	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Sandwich shop, salad bar, juice bar, coffee shop, fast food or take-away bar	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; equipment maintenance requirements and discharge limits apply.
Sanitary bin washing	Screening and temperature control.
Schools, polytechnics, universities (with laboratories/catering facilities)	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Service Stations and Automotive servicing workshops/garages	No open areas allowing discharge of rainwater to Wastewater System; appropriate in-ground water/oil/paint separator; appropriate in-ground bucket trap; equipment maintenance

<b>Business</b>	<b>Typical Requirement</b>
	requirements and discharge limits apply.
Swimming pool/spa (residential, hotel, or club)	No open areas draining rainwater to the Wastewater System; discharge must be less than 2 L/s.
Veterinary	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; no organophosphorus pesticide to the Wastewater System; no open areas draining rainwater to the Wastewater System.
X-ray (<10 standard x-ray films a day, e.g. small professional customers, chiropractors, veterinary clinics, dentists, GPs)	Dilute silver rich solutions may be discharged to the Wastewater System in quantities of less than 1 litre per day.
<b>Grease Trap Sizing Guide for Food Retail Businesses</b>	<p>A conventional tank type Grease Trap must have a functional capacity of no less than 500 litres. It is recommended Grease Traps be sized based on:</p> <ul style="list-style-type: none"> <li>(a) 40 litres capacity per served meal per hour; or</li> <li>(b) 5 litres capacity per seated person/served meals per day;</li> </ul> <p>PLUS</p> <ul style="list-style-type: none"> <li>(c) an additional 25% capacity for peak flushes; and</li> <li>(d) an additional 250 litres capacity for each connected dishwasher.</li> </ul> <p>Retention time within the Grease Trap must be a minimum of one hour in all cases.</p>