

# Trade Waste Bylaw 2025

The Christchurch City Council makes this bylaw under sections 145 and 146 of the Local Government Act 2002.

## Contents

1.	Short title and commencement.....	3
2.	Purpose.....	3
<b>PART 1: PRELIMINARY PROVISIONS.....</b>		<b>4</b>
3.	Compliance with other Acts and regulations .....	4
4.	Application of this bylaw.....	4
5.	Interpretation.....	4
<b>PART 2: TRADE WASTE DISCHARGES AND CONSENTS.....</b>		<b>10</b>
6.	Control of Discharges .....	10
7.	Storage, Transport, Handling and Use of Hazardous Materials .....	10
8.	Classification of Trade Waste Discharges.....	10
9.	Registration of All Occupiers .....	11
10.	Application for a Trade Waste Consent.....	11
11.	Information and Analysis .....	12
12.	Consideration Criteria.....	12
13.	Decision on an Application.....	13
14.	Conditions of Consent .....	14
15.	Duration of Permitted Consents.....	16
16.	Duration of Conditional Consents .....	17
17.	Tankered Waste Discharges .....	17
18.	Trade Waste Agreements.....	19
19.	Technical Review and Variation.....	19
20.	Suspension or Cancellation of the Right to Discharge.....	20
<b>PART 3: REQUIREMENTS TO MEET CERTAIN CONDITIONS OF CONSENT .....</b>		<b>21</b>
21.	Pre-Treatment .....	21
22.	Dental Facilities .....	21
23.	Mass Limits.....	21

<b>PART 4: SAMPLING, ANALYSIS AND MONITORING .....</b>	<b>22</b>
24. Flow Metering .....	22
25. Estimating Discharge .....	23
26. Sampling and Analysis.....	23
27. Monitoring.....	24
28. Disinfected / Super Chlorinated Water .....	25
<b>PART 5: BYLAW ADMINISTRATION .....</b>	<b>25</b>
29. Review of Decisions.....	25
30. Accidents and Non-Compliance .....	25
31. Fees.....	25
32. Recovery of Costs .....	26
33. Authorised Officers.....	26
34. Transfer or Termination of Rights and Responsibilities .....	26
35. Service of Documents .....	27
36. Offence And Penalty.....	28
37. Transitional Provisions .....	28
38. Powers of the Chief Executive.....	29
39. Christchurch City Council General Bylaw .....	29
40. Revocation .....	29
<b>SCHEDULE 1A: PERMITTED DISCHARGE CHARACTERISTICS .....</b>	<b>30</b>
<b>SCHEDULE 1B: PROHIBITED CHARACTERISTICS .....</b>	<b>35</b>

## 1. SHORT TITLE AND COMMENCEMENT

- (1) This bylaw is the Christchurch City Council Trade Waste Bylaw 2025.
- (2) This bylaw comes into force on 1 July 2025.

## 2. PURPOSE

- (1) The purpose of this bylaw is to control and monitor trade waste discharges into the public wastewater network in order to:
  - (a) protect public health and the environment;
  - (b) promote cleaner production;
  - (c) protect the wastewater network infrastructure;
  - (d) protect wastewater network workers;
  - (e) protect the stormwater network;
  - (f) ensure compliance with consent conditions;
  - (g) provide a basis for monitoring discharges from industry and trade premises;
  - (h) provide a basis for charging trade waste users of the wastewater network to cover the cost of conveying, treating and disposing of or reusing their wastes;
  - (i) ensure that the costs of treatment and disposal are shared fairly between trade waste and domestic dischargers;
  - (j) encourage waste minimisation; and
  - (k) encourage water conservation.
- (2) This bylaw provides for the:
  - (a) acceptance of long-term, intermittent, or temporary discharge of trade waste to the wastewater network;
  - (b) establishment of four grades of trade waste: permitted, conditional, tankered and prohibited;
  - (c) evaluation of individual trade waste discharges to be assessed against specified criteria;
  - (d) correct storage of materials in order to protect the wastewater and stormwater networks from spillage;
  - (e) correct disposal of tankered waste to protect the wastewater network;
  - (f) installation of flow meters, samplers or other devices to measure flow and quality of the trade waste discharge;
  - (g) pre-treatment of trade waste before it is accepted for discharge to the wastewater network;

- (h) sampling and monitoring of trade waste discharges to ensure compliance with this bylaw;
- (i) Council to accept or refuse a trade waste discharge;
- (j) charges to be set to cover the cost of conveying, treating and disposing of, or reusing, trade waste and the associated costs of administration and monitoring;
- (k) administrative mechanisms for the operation of the bylaw; and
- (l) establishment of waste minimisation and management programmes (including sludges) for trade waste producers.

## PART 1: PRELIMINARY PROVISIONS

### 3. COMPLIANCE WITH OTHER ACTS AND REGULATIONS

- (1) Nothing in this bylaw derogates from any of the provisions of the Health Act 1956, the Health and Safety in Employment Act 1992, Taumata Arowai – The Water Services Regulator Act 2020, the Water Services Act 2021, the Resource Management Act 1991 (RMA), the Building Act 2004, the Hazardous Substances and New Organisms Act 1996 (HSNO) and its regulations or any other relevant statutory or regulatory requirements including Canterbury Regional Council and any Christchurch City Council bylaws, policies and procedures.
- (2) Any person discharging in the wastewater network must comply with the requirements of any relevant legislation, or any other relevant statutory or regulatory requirement.

***Explanatory note:** The government is progressing reform of legislation related to water services and resource management. References to legislation on clause 3(1) include any successive legislation to those specified.*

### 4. APPLICATION OF THIS BYLAW

- (1) This bylaw applies to all trade premises within the District where trade waste is discharged, sought, or likely to be discharged to the wastewater network; including tankered waste intended for discharge to the wastewater network.

### 5. INTERPRETATION

- (1) In this bylaw, unless the context otherwise requires:

TERM	DEFINITION
<b>Act</b>	means the Local Government Act 2002.
<b>Approval or Approved</b>	means approval or approved in writing by the Council, either by resolution of the Council or by an authorised officer.
<b>Authorised officer</b>	means any officer of the Council with delegated authority to perform duties or give permissions under this bylaw, including an enforcement officer under section 177 of the Act.

TERM	DEFINITION
<b>Biosolids</b>	means wastewater or 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. Biosolids includes products containing biosolids (e.g. composts and blended products).
<b>Characteristic</b>	means any of the physical, biological or chemical properties of a trade waste and may include the level of those properties.
<b>Cleaner production</b>	means the implementation of effective operations, methods and processes on trade premises appropriate for the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimise and manage trade waste by: <ul style="list-style-type: none"> <li>(a) using energy and resources efficiently, avoiding or reducing the amount of wastes produced;</li> <li>(b) producing environmentally sound products and services;</li> <li>(c) achieving less waste, fewer costs and higher profits.</li> </ul>
<b>Condensing water 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 materially change its chemical or physical state.
<b>Conditional trade waste</b>	means trade waste that has, or is likely to have, characteristics which exceed any of the characteristics defined in Schedule 1A, but which does not have any prohibited characteristics as defined in Schedule 1B. Conditional Trade Waste may include characteristics outside these requirements, as provided for in clause 1A.1.1 in Schedule 1A and clause 13(4).
<b>Consent</b>	means a consent in writing given by the Council and signed by an authorised officer authorising a person to discharge trade waste to the wastewater network.
<b>Consent holder</b>	means the person who has obtained a consent to discharge trade waste from any premises to the Council's wastewater network, 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>Construction activities</b>	means trade activities including, but not limited to, dewatering, earth-works, hydro-excavation, concrete production and stone cutting.
<b>Contaminant</b>	means <ul style="list-style-type: none"> <li>(a) 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 – <ul style="list-style-type: none"> <li>(i) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</li> </ul> </li> </ul>

TERM	DEFINITION
	<ul style="list-style-type: none"> <li>(ii) 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; or</li> <li>(b) as described or contained in the Resource Management Act 1991, the Hazardous Substances and New Organisms Act 1996, or any successive legislation.</li> </ul>
<b>Contingency management procedures</b>	means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the wastewater network.
<b>Council</b>	means the Christchurch City Council, or any person authorised to act on its behalf.
<b>Dewatering</b>	means the removal of groundwater or surface water, but not stormwater runoff, from a site.
<b>Disconnection</b>	means the physical cutting and sealing of any of the Council's water services, including the wastewater network and any utilities, drains or pipes for use by any person.
<b>District</b>	means the territorial authority area of Christchurch City Council.
<b>Domestic wastewater</b>	means wastewater (with or without matter in solution or suspension therein) discharged from premises used solely for residential purposes.
<b>Drain</b>	means private drain.
<b>Groundwater</b>	means all water beneath the surface of the earth contained within the saturated zone.
<b>Hazardous materials</b>	means raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which when mixed with the wastewater stream is likely to generate toxic, flammable, explosive or corrosive materials or any other material likely to be deleterious to the wastewater network or the health and safety of Council staff and the public; or any hazardous substance as defined in HSNO.
<b>Hydro excavation wastewater</b>	means any water and the suspended solids mixture derived from hydro excavation works.
<b>Management plan</b>	means the plan for management of trade waste operations on the premises, and may include provision for cleaner production, waste minimisation, monitoring and recording of discharges, contingency management procedures, and any relevant industry Code of Practice.

<b>TERM</b>	<b>DEFINITION</b>
<b>Mass limit</b>	means the total mass of any characteristic that may be discharged to the Council's wastewater network, as a condition of a consent.
<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 trade premises connected to the wastewater network and discharging any trade wastes.
<b>Permitted trade waste</b>	means a trade waste that meets the characteristics defined in Schedule 1A of this bylaw.
<b>Point of discharge</b>	means the boundary between the public wastewater network and a private drain, but for the purposes of monitoring, sampling and analysis, will be as agreed with the occupier.
<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 network in order to comply with a trade waste consent.
<b>Premises</b>	means any of the following: <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 and in respect to which a building consent has been or may be issued; or</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 and for which a certificate of title is available; or</li> <li>(c) land held in public ownership (e.g. reserve) for a particular purpose; or</li> <li>(d) individual units in buildings which are separately leased or separately occupied.</li> </ul>
<b>Private drain</b>	means that section of drain between the premises and the point of connection to the wastewater network. A private drain is owned and maintained by the owner or occupier.
<b>Prohibited trade waste</b>	means a trade waste that has prohibited characteristics as defined in Schedule 1B.
<b>Schedule of Fees and Charges</b>	means the list of items, terms and prices for Council services, including services associated with the discharge of trade waste. The Schedule of Fees and Charges is approved annually by the Council as part of the Long Term Plan or Annual Plan. These rates and charges do not form part of this bylaw.
<b>Stormwater</b>	means all surface run-off water originating from precipitation events, such as drizzle, mist, rain, sleet, hail or snow.

TERM	DEFINITION
<b>Stormwater network</b>	means any infrastructure, facilities and devices operations, owned or administered by the Council, for the management of stormwater or for the purpose of land drainage. This includes, but is not limited to: pipes, drains and waterways, kerbs and channels, swales and detention ponds, flood protection infrastructure, such as bunds or stopbanks; and treatment and measuring devices or facilities.
<b>Surface water</b>	means water in rivers, watercourses and artificial waterbodies, lakes, wetlands, springs or coastal waters. It includes water ponded on any surface, but excludes groundwater (water below the surface).
<b>Tankered waste</b>	means any wastewater or trade waste which is conveyed by vehicle for disposal at an approved point, rather than discharged directly from a premises through wastewater pipes. It excludes 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 premises</b>	means: <ul style="list-style-type: none"> <li>(a) any premises used or intended to be used for any industrial or trade purpose;</li> <li>(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;</li> <li>(c) any other premises from which a contaminant is discharged in connection with any industrial or trade process; or</li> <li>(d) any other premises discharging other than domestic wastewater to the wastewater network; and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.</li> </ul>
<b>Trade waste</b>	means: <ul style="list-style-type: none"> <li>(a) any liquid or gas, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the Council's wastewater network 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</li> <li>(b) includes tankered waste, condensing or cooling waters, water from dewatering activities, stormwater, and domestic wastewater which cannot be practically separated.</li> </ul> <p><i><b>Explanatory note:</b> The definition of trade waste is not intended to capture the discharge from office premises or trade premises discharging wastewater unrelated to a trade waste activity.</i></p>
<b>Trade waste agreement</b>	means a written agreement between the Council and an occupier or other party, which may be additional to, or in place of, a trade waste consent.

TERM	DEFINITION
<b>Trade Waste Reception Facility</b>	means the approved discharge point for tankered waste, at the Christchurch Wastewater Treatment Plant.
<b>Wastewater</b>	means water or other liquid, including waste matter in solution or suspension, discharged from premises to the wastewater network.
<b>Wastewater network</b>	means the system for collection, treatment and disposal of wastewater and trade waste, including all wastewater pipes, pumping stations, pressure or vacuum systems, storage tanks, wastewater treatment plants, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of trade waste.
<b>Wastewater sludge</b>	means the material settled out and removed from wastewater during the treatment process.
<b>Working day</b>	means any day of the week other than: <ul style="list-style-type: none"> <li>(a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki, Labour Day and Canterbury Anniversary Day; and</li> <li>(b) if Waitangi Day or Anzac Day falls on a Saturday or Sunday, the following Monday; and</li> <li>(c) a day in the period commencing with the 25<sup>th</sup> day of December in a year and ending with the 10<sup>th</sup> day of January in the following year.</li> </ul>

(2) In this bylaw, the following abbreviations apply:

ABBREVIATION	TERM	ABBREVIATION	TERM
°C	degrees Celsius	M <sup>3</sup>	cubic metre
B	Boron	mg/L	milligram per litre
BOD <sub>5</sub>	Biochemical Oxygen Demand	mL/L	millilitre per litre
Br <sub>2</sub>	Bromine	mm	millimetres
Cl <sub>2</sub>	Chlorine	MSDS	material safety data sheets
CN	Cyanide	N	nitrogen
COD	Chemical Oxygen Demand	P	phosphorus
CWTP	Christchurch Wastewater Treatment Plant	pH	measure of acidity/alkalinity
F	Fluoride	s	second
FOGs	fats, oils and greases	SO <sub>4</sub>	sulphate
g/m <sup>3</sup>	grams per cubic metre	TSS	total suspended solids
H <sub>2</sub> S	hydrogen sulphide	TWRF	Trade Waste Reception Facility
L	litre	UV	ultraviolet
L/s	litre per second	UVT	ultraviolet transmission

- (3) This bylaw contains explanatory notes, which are not part of the bylaw. The Council may add, amend or delete explanatory notes at any time without amending the bylaw.

***Explanatory note:** Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.*

## PART 2: TRADE WASTE DISCHARGES AND CONSENTS

### 6. CONTROL OF DISCHARGES

- (1) No person may, except in accordance with the provisions of this bylaw and any consent granted by the Council under this bylaw:
- (a) discharge, or allow to be discharged, any trade waste to the wastewater network;
  - (b) discharge, or allow to be discharged, a prohibited trade waste into the wastewater network;
  - (c) discharge, or allow to be discharged, any water from dewatering activities to the wastewater network;
  - (d) discharge, or allow to be discharged, any tankered waste to the Trade Waste Reception Facility;
  - (e) add or permit the addition of condensing or cooling water to any trade waste which discharges into the wastewater network; or
  - (f) add or permit the addition of stormwater to any trade waste which discharges into the wastewater network.
- (2) In the event of failure to comply with subclause (1), the Council may physically prevent discharge to the wastewater network.

### 7. STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS MATERIALS

- (1) All persons on trade premises must take all reasonable steps to prevent the accidental entry of any hazardous materials into the wastewater network as a result of leakage, spillage or other mishap.
- (2) No person will cause or allow any hazardous materials to be stored, transported, handled or used, in a manner that may cause the material to enter the wastewater network and cause harmful effects.

### 8. CLASSIFICATION OF TRADE WASTE DISCHARGES

- (1) Trade waste discharges are classified as one of the following types:
- (a) permitted (consent required);
  - (b) conditional (consent required);

- (c) tankered (consent required); or
- (d) prohibited (not consentable).

**Explanatory note:** Permitted discharge characteristics are outlined in Schedule 1A of this Bylaw. Prohibited characteristics are contained in Schedule 1B of this Bylaw. The appropriate classification of trade waste discharges is determined by the Council, on a case-by-case basis when making a decision on an application for trade waste consent.

## 9. REGISTRATION OF ALL OCCUPIERS

- (1) All occupiers, including those in the permitted category, must be registered with the Council. Such registration shall be in a form prescribed by the Council.

## 10. APPLICATION FOR A TRADE WASTE CONSENT

- (1) Every person who does, proposes to, or is likely to:
  - (a) discharge any trade waste into the wastewater network (either continuously, intermittently or temporarily);
  - (b) discharge any tankered waste to the Trade Waste Reception Facility;
  - (c) discharge any water from dewatering activities into the wastewater network;
  - (d) vary the characteristics of a discharge where a consent has previously been granted or vary the characteristics of a permitted discharge to the extent where it may fail to meet the requirements of Schedule 1A; or
  - (e) vary the conditions of a consent that has previously been granted including any change to the method or means of pre-treatment of a discharge;

must complete an application in the prescribed form for the consent of the Council, for the discharge of the trade waste or for consent to the variations.

**Explanatory note:** Water from dewatering activities will only be considered for discharge to the wastewater network under a consent for temporary discharge where the discharge characteristics are high risk, cannot be treated, are unacceptable for discharge to the stormwater network, or there is not a stormwater network available. Most discharges from dewatering activities can be considered for acceptance to the stormwater network by approval under the Council's Stormwater and Land Drainage Bylaw 2022. Trade waste consents for dewatering are by exception rather than the standard discharge method for this type of discharge.

- (2) In any application for a trade waste consent, the Council reserves the right to deal with the owner, as well as the occupier of any trade premises.
- (3) At its discretion, the Council may dispense with the requirement for an application for a consent under subclause (1).
- (4) Where the trade premises produce trade waste from more than one process, a separate process sheet must be included for each process in any application for a consent.

- (5) The applicant will ensure that the consent application and every other document accompanying the application is properly executed and any act done for, or on behalf of, the eventual consent holder (whether for reward or not) in making any such application will be deemed to be an act of the consent holder.
- (6) Every application for a consent will be accompanied by a trade waste application fee in accordance with the Council's Schedule of Fees and Charges. The fee must be paid before the Council processes the application.

## 11. INFORMATION AND ANALYSIS

- (1) On the receipt of any application for a consent to discharge from any premises or to alter an existing discharge, the Council may:
  - (a) require the applicant to submit any additional information which it considers necessary to reach an informed decision;
  - (b) require an application to be supported by an independent report/statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant;
  - (c) require the applicant to submit a management plan; and
  - (d) whenever appropriate have the discharge investigated and analysed as provided for in clauses 24 and 26.
- (2) The Council will notify the applicant of any requirement under this clause within 10 working days of receipt of the application.

## 12. CONSIDERATION CRITERIA

- (1) In considering any application for a trade waste consent to discharge from any trade premises into the wastewater network or an application to discharge tankered waste into Council approved facilities for tankered waste, and in imposing any conditions on such a consent, the Council will take into consideration the submissions of the applicant as well as the content, quality, volume, and rate of discharge of the trade waste from such premises or tanker in relation to:
  - (a) the health and safety of Council staff, Council's agents and the public;
  - (b) the limits and/or maximum values for characteristics of trade waste as specified in Schedules 1A and 1B of this bylaw;
  - (c) 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 network etc;
  - (d) the flows and velocities in the wastewater network and the material or construction of the wastewater network and its components;
  - (e) the capacity of the wastewater network and the capacity of any 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 works;
- (g) the timing and balancing of flows into the wastewater network;
- (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, (including the necessity for compliance with any resource consent, discharge permit or water classification);
- (i) the effect of the trade waste discharge on the ultimate receiving environment;
- (j) the conditions on resource consents for the wastewater network and the residuals from it;
- (k) the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the wastewater network and the environment;
- (l) consideration for other existing or future discharges;
- (m) the amenability of the trade waste to pre-treatment;
- (n) any existing pre-treatment works on the premises and the potential for their future use;
- (o) cleaner production techniques and waste minimisation practices;
- (p) the requirements and limitations related to wastewater sludge disposal and reuse;
- (q) the control of stormwater;
- (r) any management plan;
- (s) tankered waste being discharged at an approved location;
- (t) the availability of alternative collection and disposal systems for putrescible wastes;
- (u) any relevant statutory or regulatory requirements;
- (v) any social or cultural impacts; and
- (w) any views or preferences of persons likely to be affected by, or have an interest in the trade waste discharge or its effects from any consultation or engagement.

***Explanatory note:** Depending on the nature of the application, Council may need to undertake additional steps to comply with the general decision making requirements of the Act, including, but not limited to, engagement with mana whenua.*

### 13. DECISION ON AN APPLICATION

- (1) The Council will, after considering the matters in clause 12, action one of the following in writing:
  - (a) acknowledge the trade waste discharge in the application is a permitted discharge and inform the applicant of the decision;

- (b) grant the application as a conditional trade waste consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent;
  - (c) grant the application as a tankered consent and inform the applicant of the decision and conditions imposed on the discharge by issuing the appropriate notice of consent; or
  - (d) decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.
- (2) Granting a consent or permitting any discharge under this bylaw does not relieve the occupier from any obligations to obtain any other consent or permission for the discharge under any other statutory requirement or obligation of the occupier.
- (3) Without limitation, the Council may refuse to accept any trade waste where, in the Council's reasonable opinion:
- (a) the discharge will contain, or is likely to contain, characteristics which are prohibited;
  - (b) the discharge would or may give rise to wastewater overflows;
  - (c) there is insufficient capacity in the system to accommodate the discharge;
  - (d) the discharge could compromise the Council's ability to maintain levels of service;
  - (e) accepting the discharge into the wastewater network may compromise the Council's ability to comply with its resource consent(s) conditions;
  - (f) refusal is necessary to protect the wastewater network, the health and safety of any person, or the environment;
  - (g) refusal is necessary to protect Taonga and ensure tikanga processes are observed; or
  - (h) any other matters considered under clause 12 cannot be addressed or managed to the satisfaction of the Council.

***Explanatory note:** Pursuant to section 196 of the Act, the Council may refuse to accept any type of trade waste which is not in accordance with this bylaw.*

- (4) The Council may, at its discretion, approve a discharge which contains a prohibited characteristic if the prohibited characteristic can be treated to a level where the Council is satisfied a conditional trade waste consent is appropriate.

***Explanatory note:** Prohibited characteristics are outlined in Schedule 1B of this Bylaw.*

## 14. CONDITIONS OF CONSENT

- (1) Any consent may be granted subject to such conditions that the Council may impose, including but not limited to:
- (a) the particular part of the wastewater network, or discharge point to which the discharge will be made;

- (b) the maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with clause 23;
- (d) the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) the degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) the temperature of the trade waste at the time of discharge;
- (g) the provision by, 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;
- (h) the provision and maintenance at the consent holder's expense of inspection chambers, manholes or other apparatus or devices to provide safe and reasonable access to drains for sampling and inspection;
- (i) the provision and maintenance of a sampling and analysis programme, and flow measurement requirements, at the consent holder's expense;
- (j) the method or methods to be used for the measuring flow rates and/or volume 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;
- (k) the provision and maintenance by, and at the expense of, the consent holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the premises, and for the calibration of such meters;
- (l) the provision and maintenance, at the consent holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices including safe sampling points of access as may be required;
- (m) at times specified, the provision in a Council approved format by the consent holder to the Council of all flow and/or volume records and results of analyses;
- (n) risk assessment of damage to the environment due to an accidental discharge of a chemical;
- (o) the provision and implementation of a management plan;
- (p) waste minimisation and management;
- (q) cleaner production techniques;
- (r) remote monitoring and/or control of discharges;

- (s) third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including wastewater sludge disposal);
- (t) keeping records of the date, content and source of any tankered waste deliveries accepted;
- (u) requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's wastewater network, or could result in the Council being in breach of any statutory obligation;
- (v) the amount, if any, of cooling water, condensing water or stormwater which cannot practically be separated from trade wastes, that may be included with the discharge;
- (w) the cessation of a consent to discharge putrescible wastes to the wastewater network when the Council has provided or arranged an alternative commercial collection and disposal system;
- (x) confirmation that the discharge complies with the requirements of any relevant legislation; and
- (y) any other conditions that the Council considers appropriate and are necessary to meet the requirements of this bylaw, including to address or manage any matters considered under clause 12.

***Explanatory note:** Additional requirements related to tankered waste discharges are outlined in clause 17.*

## 15. DURATION OF PERMITTED CONSENTS

- (1) A permitted trade waste consent remains in force until it expires at the end of the terms prescribed in the consent.
- (2) The term prescribed in the consent must be not more than ten years.
- (3) Subclause (1) is subject to-
  - (a) the prevention of a discharge under clause 6(2);
  - (b) the suspension or cancellation of a discharge under clause 20; or
  - (c) the Council undertaking a technical review of the permitted discharge under clause 19 and determining that the occupier must apply for a conditional consent, in accordance with this Bylaw. Where the occupier is required to apply for a conditional consent, no new discharge is permitted before the granting of such a consent.
- (4) The consent holder must notify the Council in all cases where the consent holder changes, or there is a change of use. The Council may require a new application for trade waste consent is made.

## 16. DURATION OF CONDITIONAL CONSENTS

- (1) A conditional consent remains in force until it expires at the end of the terms prescribed in the consent.
- (2) The term prescribed in the consent must be not more than two years unless the applicant satisfies the Council of one or more of the following matters:
  - (a) the nature of the trade activity, or the process design and/or management of the premises are such that the consent holder has a demonstrated ability to meet the conditions of the consent during its term;
  - (b) cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; or
  - (c) significant investment in pre-treatment facilities has been made, such that a longer than two year period of certainty is considered reasonable.
- (3) If subclause (2) applies, in the Council's discretion:
  - (a) the term of the consent may be no greater than 10 years; and
  - (b) the reissuing of a consent cannot be unreasonably withheld.
- (4) This clause is subject to-
  - (a) the prevention of a discharge under clause 6(2);
  - (b) the suspension or cancellation of a discharge under clause 20; or
  - (c) the Council undertaking a technical review of the consent under clause 19.
- (5) In all cases where the consent holder changes, or there is a change of use, a new application for a conditional trade waste consent is required.

## 17. TANKERED WASTE DISCHARGES

- (1) Tankered waste must only be discharged at an approved location, through the approved discharge point(s).
- (2) The following types of waste (and no others, except as provided for in subclause (4)) may be discharged to the Trade Waste Reception Facility:
  - a) Septage waste;
  - b) Sewage waste;
  - c) Portable toilet waste;
  - d) Dewatering plant sludge;
  - e) Wastewater treatment plant waste; and
  - f) Landfill leachate.

- (3) The following requirements apply to all tankered waste, in addition to any conditions of consent imposed under clause 14 of this bylaw:
- (a) any person or consent holder discharging tankered waste into the wastewater network must comply with the New Zealand Trade and Industrial Waste Forum's Liquid and Hazardous Wastes Code of Practice;
  - (b) any person transporting tankered waste must hold a Registered Offensive Trade License and be licensed to discharge domestic septic tank or industrial wastes;
  - (c) any person discharging tankered waste must record and keep material safety data sheets (MSDS) detailing the contents of any tankered waste and make these available to the Council on request. No person may falsely identify their load;
  - (d) the consent holder must pre-test tankered waste determine its character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all analyses and advice will be borne by the consent holder;
  - (e) no person may transport tankered waste to the Trade Waste Reception Facility until appropriate arrangements and the method for disposal have been determined by the Council;
  - (f) in order to prevent cross-contamination, the consent holder must ensure the tanker is thoroughly washed between tanker loads of varying waste categories, or the load will not be accepted for disposal into the wastewater network;
  - (g) all hose connections required to connect to the discharge point must be provided by the consent holder or person discharging;
  - (h) any person discharging tankered waste must leave the discharge point in a clean and tidy state;
  - (i) any person discharging to the Trade Waste Reception Facility must adhere to all conditions of entry to the Christchurch Wastewater Treatment Plant while on site;
  - (j) where the tankered waste contains hydro excavation wastewater, it must be taken to an approved facility or location.
- (4) No person may discharge any of the following tankered wastes to the Trade Waste Reception Facility unless specific prior approval is obtained from the Council:
- a) special or emergency discharges;
  - b) aggregate (as a result of wastewater network maintenance); or
  - c) any load that is contaminated, consists of mixed sources, or exceeds consented limits.

**Explanatory note:** Examples of special or emergency discharges include types of waste that a consent holder does not usually transport (eg: landfill leachate); or an uncommon tankered trade waste.

- (5) The Council may refuse any tankered discharge in subclause (4).

- (6) The Council may recover costs from the consent holder for any damage to the equipment at the Christchurch Wastewater Treatment Plant, or clean up required as a result of an improper or careless discharge at the facility, including by any person contracted by the consent holder for transportation and disposal of the waste.
- (7) To avoid any doubt any person who disposes of, or causes to be disposed, tankered waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's wastewater network at other than the prescribed location will be in breach of the Bylaw.

## 18. TRADE WASTE AGREEMENTS

- (1) The Council may, at any time and at its discretion, enter into a written agreement with any occupier or other party for the discharge and reception of trade wastes into the wastewater network. Any such agreement may be made in addition to or in place of a consent.
- (2) The Council may at any time, undertake a review of any trade waste agreement. Following such review, and after the Council consults with the occupier or other party, the Council may vary the agreement.
- (3) Any agreement with the Council to discharge trade waste into the wastewater network which was in force immediately prior to the commencement of this bylaw is, for the purpose of this bylaw, treated as if it were a trade waste agreement referred to in subclause (1).

## 19. TECHNICAL REVIEW AND VARIATION

- (1) The Council may at any time during the term of a consent (including a permitted discharge), undertake a technical review of the consent.
- (2) The reasons for a review include, but are not limited to:
  - (a) the level of consent holder compliance, including any accidents, spills or process mishaps;
  - (b) the Council has good reason to believe that the quantity and nature of the discharge changes, or is likely to change, to such an extent that it becomes non-compliant, and/or it becomes either a Conditional or Prohibited Trade Waste;
  - (c) new information becomes available;
  - (d) there is a need to meet any new resource consent imposed on the discharge from the Council's treatment plant or there are any changes in the resource consent conditions held by the Council; or
  - (e) there is a need to meet other legal or environmental requirements imposed on the Council.
- (3) Following such a review, and after the Council consults with the consent holder, the Council may, by written notice to the consent holder:
  - (a) vary any condition to such an extent as the Council considers necessary; or
  - (b) require an occupier discharging permitted trade wastes to apply for a conditional consent in accordance with clause 10(1).

- (4) A consent holder may at any time during the term of a consent, by written application to the Council, seek to vary any condition of a consent, as provided for in clause 10(1).

## 20. SUSPENSION OR CANCELLATION OF THE RIGHT TO DISCHARGE

- (1) The Council may suspend or cancel any consent or right to discharge trade wastes at any time following 15 working days' written notice to the consent holder or occupier:
- (a) for the failure to comply with any condition of the consent or any clause or schedule of this Bylaw;
  - (b) for the failure to maintain effective control over the discharge;
  - (c) for the failure to limit in accordance with the requirements of a consent the volume, nature, or composition of trade waste being discharged;
  - (d) in the event of any negligence which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the wastewater network or the treatment plant or threatens the health or safety of any person;
  - (e) if any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
  - (f) in the event of any breach of a resource consent held by the Council issued under the RMA;
  - (g) for a failure to provide, and when appropriate update, a Management Plan if this is required under the consent;
  - (h) for a failure to follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
  - (i) for a failure to pay trade waste charges by the due date; or
  - (j) if any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the consent or right to discharge trade wastes.
- (2) During the 15 working day notice period the Council will consult with the consent holder or the occupier. If any process changes require more than 20 working days, reasonable time may be given to comply with the consent conditions.
- (3) Notwithstanding subclause (1), any consent or right to discharge trade wastes may at any time be immediately suspended or cancelled by the Council on giving to the consent holder or occupier written notice of that suspension or cancellation if:
- (a) any prohibited substance is discharged;
  - (b) the Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
  - (c) any trade waste is unlawfully discharged;
  - (d) if the continuance of discharge is, in the opinion of the Council, a threat to the environment, safety of individuals or public health;

- (e) if the continuance of discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council; or
  - (f) in the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with 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.
- (4) The Council reserves the right to physically prevent discharge to the wastewater network as part of the suspension or cancellation under either subclauses (1) or (3).
  - (5) The Council must give written notice withdrawing a suspension before a consent holder or an occupier resume discharging from the premises.
  - (6) Any suspension that has not been withdrawn after 3 months since the suspension was imposed results in a cancellation of the consent or permitted discharge.

## PART 3: REQUIREMENTS TO MEET CERTAIN CONDITIONS OF CONSENT

### 21. PRE-TREATMENT

- (1) The Council may approve a conditional trade waste consent subject to the provision of appropriate pre-treatment systems to enable the occupier to comply with the bylaw. Such pre-treatment systems must be provided, operated and maintained by the occupier at their expense.
- (2) Refuse or garbage grinders, and macerators must not be used to dispose of solid waste from trade premises to the wastewater network unless approved by the Council as a conditional consent.
- (3) The occupier must not, unless approved by the Council as a conditional consent, add or permit the addition of any potable, condensing, cooling water or stormwater to any trade waste stream in order to vary the level of any characteristics of the waste.

### 22. DENTAL FACILITIES

- (1) All dental facilities connected to the wastewater network require a consent, which must include an approved amalgam trapping maintenance and disposal system where relevant.

### 23. MASS LIMITS

- (1) A conditional trade waste consent may impose controls on a trade waste discharge by specifying mass limits for any characteristic.
- (2) Mass limits may be imposed for any characteristic. Any characteristic of a discharge with a mass limit imposed must also have a daily maximum concentration not exceeding the value scheduled in Schedule 1A, unless approved otherwise.
- (3) When setting mass limit allocations for a particular characteristic the Council will consider:

- (a) the operational requirements of and risk to the wastewater network, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- (b) whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or wastewater sludge;
- (c) conditions in the wastewater network near the trade waste point of discharge and elsewhere in the wastewater network;
- (d) 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;
- (e) whether or not the applicant uses cleaner production techniques within a period satisfactory to the Council;
- (f) whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- (g) any requirements of the Council to reduce any contaminant discharge of the wastewater network;
- (h) 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 network;
- (i) the total mass of the characteristic allowable in the wastewater network, and the proportion (if any) to be reserved for future allocations; and
- (j) whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on wastewater reticulation, the treatment process, or on the receiving water or land.

## PART 4: SAMPLING, ANALYSIS AND MONITORING

### 24. FLOW METERING

- (1) Flow metering may be required by the Council in any of the following circumstances:
  - (a) on discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste;
  - (b) when the council will not approve a method of flow estimation; or
  - (c) when the discharge represents a significant proportion of the total flow/load received by the Council.
- (2) The consent holder is responsible for the supply, installation, calibration, reading and maintenance of any meter or devices as required by the council for the measurement of the rate or quantity of

discharge of trade waste. Any meter or flow devices are subject to the approval of the Council, but remain the property of the consent holder.

- (3) Records of flow and/or volume must be available for viewing at any time by the Council, and must be submitted to the Council at prescribed intervals by the consent holder in a format approved by the Council.
- (4) Meters must be located in a position approved by the Council which provides the required degree of accuracy and must be readily accessible for reading and maintenance. The meters must be located in the correct position according to the manufacturer's installation instructions.
- (5) The consent holder must arrange for in situ calibration of the flow metering equipment in accordance with NZS10012:Part 1 upon installation and at least once a year thereafter to ensure its performance. The meter accuracy must be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ . A copy of independent certification of each calibration result must be submitted to the Council.
- (6) Should any meter installed for the specific purpose of measuring a trade waste discharge, be found, after being calibrated, to have an error greater than that specified in subclause (5) as a repeatable measurement, the Council may:
  - (a) make an adjustment to the fee calculation in accordance with previous readings and the consent holder must pay or be credited according to such adjustment; or
  - (b) where the consent holder can explain the reason for the error and establish a reasonable basis for an adjustment, make a reasonable adjustment to the fee calculation.

## 25. ESTIMATING DISCHARGE

- (1) Where no meter or similar apparatus is required, the Council may estimate the discharge on:
  - (a) a proportion of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging;
  - (b) previous discharge at a time of similar operating conditions; or
  - (c) the flow measurement during the immediately preceding charging period;

provided that when by reason of a large variation of discharge then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate.
- (2) If these cannot be achieved then the Council has the right to require installation of a Council approved flow measurement at the consent holder's expense.
- (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 as provided above in subclause (1).

## 26. SAMPLING AND ANALYSIS

- (1) As determined by the Council sampling, analysis and monitoring may be undertaken to determine if:

- (a) a discharge complies with the provisions of this bylaw;
  - (b) a discharge is to be classified as permitted, conditional, or prohibited, refer to clause 8(1);
  - (c) a discharge complies with the provisions of Schedule 1A for permitted discharge and any consent to discharge; and
  - (d) trade waste charges are applicable to that discharge.
- (2) The sampling, preservation, transportation and analysis of the sample will be undertaken by an authorised officer or agent of the Council, or the person discharging in accordance with the “Standard Methods for the Examination of Water and Waste Water”/accepted industry standard methods, or by a method specifically approved by the Council. The person discharging will be responsible for all reasonable costs.
- (3) 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.
- (4) Where a dispute arises regarding the analysis used for charging purposes, the Council may estimate the characteristics for the billing period, based on previous discharges and any other relevant evidence. The consent holder must pay according to such estimate.

## 27. MONITORING

- (1) The Council is entitled to monitor and audit any trade waste discharge for compliance. Monitoring may include any of the following:
- (a) a sample and analysis will be carried out as specified in clause 26(2);
  - (b) the Council will audit the sampling and analysis carried out by a self-monitoring trade waste consent holder. Analysis will be performed by an IANZ Approved laboratory; or
  - (c) the Council will audit the trade waste consent conditions including any management plans.
- (2) At the discretion of the Council all costs of monitoring will be met by the occupier either through direct payment to the laboratory or to the Council in accordance with the Schedule of Fees and Charges.
- (3) Where required, a grab or composite sample can be split equally into three as follows:
- (a) one portion of the sample goes to the trade waste occupier for appropriate analysis and/or storage;
  - (b) a second portion of the sample will be analysed at a laboratory approved by the Council; and
  - (c) a third portion of the sample is retained by the Council for 20 working days, for additional analysis if required.
- (4) Due consideration will be applied to any changes that could occur in retained trade waste samples and provisions to mitigate against changes will be adopted where practicable.

- (5) In all cases the samples will be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved properly.
- (6) All samples will be preserved, handled, transported and delivered to an approved laboratory according to approved standards.
- (7) It is the responsibility of the consent holder to ensure that any discharge from the trade waste premises complies with this bylaw, and any other related bylaw.

## 28. DISINFECTED / SUPER CHLORINATED WATER

- (1) Any water used during the repair and construction of water mains will be de-chlorinated prior to the discharge into the wastewater network. Application for a temporary discharge consent will be made.

## PART 5: BYLAW ADMINISTRATION

### 29. REVIEW OF DECISIONS

- (1) If any person is dissatisfied with any decision by an authorised officer made under this Bylaw, that person may, by notice delivered to the Chief Executive not later than 20 working days after the decision by the authorised officer is served upon that person, request the Chief Executive to review any such decision and such a decision will be final.

### 30. ACCIDENTS AND NON-COMPLIANCE

- (1) The occupier will inform the Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of this Bylaw.
- (2) In the event of any accident occurring on premises for which there is a consent then the Council may review the consent under clause 19 or may require the consent holder, within 20 working days of the date such requirement is notified to the consent holder in writing, to review the contingency management procedures and re-submit for approval the management plan with the Council.
- (3) In the event of an accident occurring on the premises of a permitted trade waste discharge, the Council may require the occupier to apply for a conditional trade waste consent.

### 31. FEES

- (1) Where this bylaw provides for the Council to take any action, including but not limited to, the issuance of a consent, to give approval, or to carry out an inspection, monitoring or review, the Council may require the payment of a fee.
- (2) Where this bylaw provides for the provision of any good, service, or amenity, the Council may require payment of a fee for that service.

***Explanatory note:** All relevant fees are set out in the Council's Annual Plan or Long Term Plan, in the Schedule of Fees and Charges.*

- (3) All charges will be invoiced in accordance with Council's standard commercial practice. The invoice will provide each occupier with a copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.
- (4) The occupier is deemed to be continuing the discharge of trade waste and will be liable for all charges, until notice of disconnection is given.
- (5) All fees and charges payable under this Bylaw will be recoverable as a debt. If the person discharging fails to pay any fees and charges under this Bylaw the Council may cancel the right to discharge in accordance with clause 20.

## 32. RECOVERY OF COSTS

- (1) Where any occupier, or consent holder (including any contractor) causes damage to the wastewater network, or interferes with or causes a failure of the processes of the Wastewater Treatment Plant; the Council may recover costs in accordance with sections 175 and 176 of the Act.

## 33. AUTHORISED OFFICERS

- (1) Any authorised officer may at any reasonable time enter any premises believed to be discharging trade wastes to determine any characteristic of any discharge by:
  - (a) taking readings and measurements;
  - (b) taking samples of any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged;
  - (c) observing accidental occurrences and clean-up; or
  - (d) carrying out any inspection and/or assessment of the premises, including acquiring photographic evidence.

## 34. TRANSFER OR TERMINATION OF RIGHTS AND RESPONSIBILITIES

- (1) A trade waste consent to discharge will be issued in the name of the consent holder. The consent holder will not, unless written approval is obtained from the Council:
  - (a) transfer to any other party the rights and responsibilities provided for under this Bylaw, and under the consent;
  - (b) allow a point of discharge to serve another premises, or the private drain to that point of discharge to be extended by pipe or any other means to serve another premises; or
  - (c) in particular and not in limitation of the above, allow trade waste from any other party to be discharged at their point of discharge.

***Explanatory note:** Renewal of a trade waste consent on change of ownership of premises will not be unreasonably withheld if the characteristics of the trade waste remain unchanged.*

- (2) The occupier will give two working days' notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where

demolition or relaying of the discharge drain is required, in which case the notice will be within 7 working days. The occupier will notify the Council of the new address details for final invoicing.

- (3) On permanent disconnection and/or termination the occupier may at the Council's discretion be liable for trade waste charges to the end of the current charging period.
- (4) When an occupier ceases to occupy premises from which trade wastes are discharged into the wastewater network any consent granted will terminate but without relieving the occupier from any obligations existing at the date of termination.

### 35. SERVICE OF DOCUMENTS

- (1) Any notice or other document required to be given, served or delivered under this bylaw to the consent holder or occupier may (in addition to any other method permitted by law) be given or served or delivered by being:
  - (a) sent by pre-paid ordinary mail or courier to their last known place of residence or business;
  - (b) sent by pre-paid ordinary mail or courier to any address for service specified in a consent to discharge;
  - (c) sent by email, to the last known email address associated with the consent or the trade premises;
  - (d) where there is a body corporate, sent by pre-paid ordinary mail, courier, or email to, or left at its registered office; or
  - (e) personally served on the consent holder or occupier.

***Explanatory note:** In some instances, the registered office is not the location of the trade premises (for example, it may be the company's registered accountant). Where any notice is served in accordance with subclause (1)(d); the Council will also attempt to serve the notice on a director of the consent holder or occupier via another method listed in subclause (1).*

- (2) If any notice or other document is:
  - (a) sent by post it will be deemed received on the third day (excluding weekends and public holidays) after posting;
  - (b) sent by email it will be deemed received on the first day (excluding weekends and public holidays) after sending, unless a read receipt is received, in which case the receipt will be prima facie evidence that the email was received at the time indicated on that receipt; or
  - (c) sent by courier and the courier obtains a receipt or records delivery on a courier run sheet, the receipt or record of delivery on a courier run sheet will be prima facie evidence that the communication was received by the addressee at the time indicated on the receipt or courier run sheet, or left at a conspicuous place at the trade premises or is handed to a designated person(s) nominated by the consent holder then that will be deemed to be service on, or delivery to the consent holder at that time.
- (3) Any notice or document to be given, served or delivered will be signed by an authorised officer.

## 36. OFFENCE AND PENALTY

- (1) Every consent holder, or owner or occupier of trade premises who breaches this bylaw commits an offence and is liable on conviction to a fine not exceeding \$200,000; or the issue of an infringement notice, as set out in the Act.
- (2) For the avoidance of doubt, breaches of this bylaw include (without limitation):
  - (a) failure to comply with, or acting in contravention of, any provision of this bylaw;
  - (b) breaching the conditions of any consent to discharge granted under this bylaw;
  - (c) failure to comply with a notice served under this bylaw; or
  - (d) failure to pay fees and charges set in relation to this bylaw by the due date.

***Explanatory note:** Offence and penalty provisions in the Local Government Act 2002 specific to trade wastes include sections 239, 242 and 245. There are also offences and penalties provided for in the Act concerning damage to Council property, injunctions and removal of works in breach of bylaws which the Council may rely on from time to time. For example, see sections 162, 163, 175, 176, 232 and 242 of the Local Government Act 2002.*

## 37. TRANSITIONAL PROVISIONS

- (1) Any application for a consent to discharge trade waste made under the Christchurch City Council Trade Waste Bylaw 2015 for which a consent has not yet been granted at the time of this new bylaw coming into force will be deemed to be an application made under clause 10(1) of this bylaw.
- (2) Subject to subclause (4) and (5), every existing permission, consent, agreement or any other act of authority which originated under the Christchurch City Trade Waste Bylaw 2015, or which was continued by that bylaw and which is still in force at the commencement of this bylaw, continues to have full force and effect as if it were made under this bylaw, until it reaches its expiry date.
- (3) This bylaw is implied into and forms any part of any permission, consent, or any other act of authority continued by subclause (2).
- (4) The Council will undertake a review of all permitted consents within ten years of the commencement date of this Bylaw in order to impose a consent expiry date, in accordance with clause 15(1) and (2) of this Bylaw.
- (5) Every consent holder that discharges trade waste containing silts and sediments resulting from construction activities must comply with the permitted discharge characteristic set out in Schedule 1A, clause 1A.2.4(b) within 12 months of the commencement date of this bylaw.
- (6) If a consent holder fails to comply with subclause (5), the Council may exercise its discretion under clause 20 to suspend or cancel any consent or right to discharge trade wastes.

### 38. POWERS OF THE CHIEF EXECUTIVE

- (1) The Chief Executive may determine and prescribe the manner or time in which
  - (a) any forms are drafted or utilised; and
  - (b) flow metering, monitoring, sampling, or analysis is to be undertaken.

### 39. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW

- (1) The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into, and form part of this bylaw.

### 40. REVOCATION

- (1) The Christchurch City Council Trade Waste Bylaw 2015 is revoked.
- (2) The revocation of the Christchurch City Council Trade Waste Bylaw 2015 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

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*The resolution to make this Bylaw was passed by the Christchurch City Council at a meeting on 7 May 2025, following consideration of submissions received during a consultation process in accordance with the consultation requirements of sections 148, 156 and 160 of the Local Government Act 2002.*

*The Council made the Trade Waste Bylaw in 2000 under the Local Government Act 1974, which replaced the previous trade waste bylaws made by the Christchurch District Drainage Board. The Bylaw has been regularly reviewed in accordance with requirements of the Local Government Act 2002. Previous versions of this Bylaw are dated 2000, 2006 and 2015, and are available from the Council on request.*

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## SCHEDULE 1A: PERMITTED DISCHARGE CHARACTERISTICS

### 1A.1 Introduction

#### 1A.1.1

The nature and levels of the characteristics of any trade waste discharged to the wastewater network must at all times comply with the following requirements, except where the nature and levels of such characteristics are varied by a trade waste consent. If a discharge characteristic is not specifically mentioned in this Schedule and it is not referred to in Schedule 1B it can be the subject of a conditional trade waste consent.

#### 1A.1.2

The Council will take into consideration the combined effects of trade waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

#### 1A.1.3

The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council, as provided for in clause 19.

### 1A.2 Physical characteristics

#### 1A.2.1 Volume

The maximum annual volume of the discharge must not exceed 1,245m<sup>3</sup>.

***Explanatory note:** As a guide, the maximum permitted volume equates to approximately 3,400l (3.4m<sup>3</sup>) per day, or 5,000l (5m<sup>3</sup>) per day if weekends and public holidays are excluded.*

#### 1A.2.2 Flow

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

#### 1A.2.3 Temperature

The temperature must not exceed 40 °C.

#### 1A.2.4 Solids

- (a) Non-faecal gross solids will have a maximum dimension which must not exceed 15 mm.
- (b) The total suspended solids concentration of silts and sediments resulting from construction activities must not exceed a maximum concentration of 100g/m<sup>3</sup>.
- (c) The total suspended solids content of any trade waste, except for discharges covered by 1A.2.4(b), will have a maximum concentration which must not exceed 600g/m<sup>3</sup>.
- (d) The settleable solids content of any trade waste must not exceed 50 mL/L.
- (e) The total dissolved solids concentration in any trade waste will be subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.

- (f) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant must not be present.

#### **1A.2.5** *Oil and grease*

- (a) There must be no free or floating layer.
- (b) There must be no discharge of fats, oil and grease containing substances that will become viscous between 0 °C and 65 °C.
- (c) A trade waste containing fat, oil or grease must not exceed 200g/m<sup>3</sup>.

#### **1A.2.6** *Solvents and other organic liquids*

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

#### **1A.2.7** *Emulsions of paint, latex, adhesive, rubber, plastic*

- (a) Where such emulsions are not treatable these may be discharged into the wastewater network subject to the total suspended solids not exceeding 600 g/m<sup>3</sup> or a concentration agreed with the Council.
- (b) The Council may determine that the need exists for pre-treatment of such emulsions if it considers that trade waste containing emulsions unreasonably interferes with the operation of the Council treatment plant e.g. reduces the percentage UVT (ultraviolet transmission).
- (c) Emulsions of both treatable and non-treatable types may only be discharged to the wastewater network at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public wastewater network.

#### **1A.2.8** *Radioactivity*

Radioactivity levels must not exceed the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material.

#### **1A.2.9** *Colour*

No waste may have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated wastewater resource consent to discharge held by the Council.

### **1A.3** *Chemical characteristics*

#### **1A.3.1** *pH value*

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

#### **1A.3.2** *Maximum concentrations*

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

**TABLE 1A.1 – GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed – refer to clause 23)

The BOD<sub>5</sub> must not exceed 600 g/m<sup>3</sup>.

<b>Characteristic</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Ammonia (measured as N)	
– free ammonia	50
– ammonium salts	200
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Chlorine (measured as Cl <sub>2</sub> )	
– free chlorine	3
– hypochlorite	30
Cyanide – weak acid dissociable (as CN)	1
Dissolved aluminium	100
Dissolved iron	100
Fluoride (as F)	30
Kjeldahl nitrogen	500
MBAS (Methylene blue active substances)	500
Sulphate (measured as SO <sub>4</sub> )	500
	1500 (with good mixing)
Sulphide – as H <sub>2</sub> S on acidification	5
Sulphite (measured as SO <sub>2</sub> )	15
Total phosphorus (as P)	150

**TABLE 1A.2 – HEAVY METALS**

(Mass limits may be imposed – refer to clause 23)

<b>Metal</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Antimony	10
Arsenic	5
Barium	10
Beryllium	0.005
Cadmium	0.5
Chromium (trivalent and hexavalent)	5
Cobalt	10
Copper	5
Lead	10
Manganese	20
Mercury	0.005
Molybdenum	10
Nickel	5
Selenium	10
Silver	2
Thallium	10
Tin	20
Zinc	10

**TABLE 1A.3 – ORGANIC COMPOUNDS AND PESTICIDES**

(Mass limits may be imposed – refer to clause 23)

<b>Compound</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Chlorinated phenols	0.02
Formaldehyde (as HCHO)	50
Halogenated aliphatic compounds	1
Halogenated aromatic hydrocarbons (HAHs)	0.002
Monocyclic aromatic hydrocarbons	5
Organophosphate pesticides	0.1
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Petroleum hydrocarbons	30
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Polybrominated biphenyls (PBBs)	0.002 each
Polychlorinated biphenyls (PCBs)	0.002
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05

## SCHEDULE 1B: PROHIBITED CHARACTERISTICS

### 1B.1 Introduction

This schedule defines prohibited trade wastes. No trade waste discharge that contains any prohibited characteristics may be discharged to the wastewater network unless it is subject to a conditional consent in accordance with clause 13(4).

### 1B.2 Prohibited characteristics

#### 1B.2.1

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 network;
- (b) Damage any part of the wastewater network;
- (c) In any way, directly or indirectly, cause the quality of the treated wastewater or residual biosolids and other solids from any treatment plant in the catchment to which the waste was discharged to breach the conditions of a consent issued under the RMA, or water right, permit or other governing legislation, or commercial arrangement;
- (d) Prejudice the occupational health and safety risks faced by wastewater workers and sampling technicians;
- (e) After treatment be toxic to fish, animals or plant life in the receiving waters;
- (f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
- (g) Have a colour or colouring substance that causes the discharge from any wastewater treatment plant to receiving waters to be coloured.

**Explanatory note:** The reference to a commercial arrangement in paragraph (c) is intended to capture commercial arrangements entered into by the Council for the re-use of treated wastewater or residual biosolids or other solids.

#### 1B.2.2

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) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with wastewater;

- (c) Asbestos;
- (d) Tin (as tributyl and other organotin compounds);
- (e) Any organochlorine pesticides;
- (f) Any health care waste prohibited for discharge to the wastewater network by NZ Standard 4304 or any solid wastes from any hospital, clinic, office or surgery of a medical or veterinary facility or laboratory, convalescent or nursing home or health transport facility; including, but not limited to: hypodermic needles; syringes; instruments; utensils; swabs; dressings; bandages; or any paper or plastic item of a disposable nature; or any portions of human or animal anatomy; Plus infectious or hazardous wastes deemed to pose a threat to public health and safety;
- (g) Radioactivity levels in excess of the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material; or
- (h) Polyfluoroalkyl substances (PFAS), including perfluorooctane sulfonate (PFOS), perfluorooctanoic acid (PFOA) and perfluorohexanesulfonic acid (PFHxS) in excess of the levels recommended by the Environmental Protection Authority, or the Ministry for the Environment.

***Explanatory note:** Current guidance is outlined in: [PFAS Disposal to Trade Waste](#) (Environmental Protection Authority, 2018) and [Advice for Councils – PFAS](#) (Ministry for the Environment, 2018).*