

# **A GUIDE TO THE QUEENSTOWN LAKES DISTRICT TRADE WASTE BYLAW**

**THIS GUIDE IS FOR ALL TRADE PREMISES CONNECTED TO  
THE WASTEWATER SYSTEM**

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## **1 Why do we have a Trade Waste Bylaw?**

The Council has a duty and a legal obligation to protect: -

- The wastewater system and treatment processes
- The health and safety of people
- The environment

The wastewater disposal system provides a vital service to ensure this protection. In addition, the Council also has the legal responsibility to protect the community's investment in the wastewater system and treatment processes.

The Trade Waste Bylaw provides Council with a means of setting controls and limits on the harmful material that trade premises may discharge into the wastewater system, and in some cases into the environment, as well as recording the fact that you know what can and can't be discharged.

Council is responsible for the quality of the treated wastewater effluent and its effect on the environment at point of discharge, as well as administering the Bylaw as part of the wastewater disposal scheme.

The Council is obligated to notify all trading premises connected to the wastewater disposal system as to what can and cannot be discharged, as well as giving conditional consent to discharge trade waste into the wastewater treatment system.

All trade premises will be governed by the Bylaw and, unless exempted, all will require a consent.

Trade waste consent holders will have to pay fees for an annual consent and any sampling and testing that is required.

Trade premises that do not comply with the Trade Waste Bylaw are in contravention of regulations and may be subject to prosecution.

## **2 Who is a Trade Waste Discharger?**

The Bylaw defines trade waste as "... any liquid with or without matters in suspension or solution therein, that may be discharged to the wastewater system from trade premises in the course of any trade or industrial process or operation or in the course of any activity or operation of a like nature; but does not include condensing water, stormwater or domestic sewage".

### **3 What is a Trade Waste Discharge Consent?**

If the Council gives its approval to your premises to discharge trade waste to the wastewater system then your premises will be issued with a consent. The trade waste discharge consent will specify the terms and conditions that you must comply with.

### **4 How do you apply for a Trade Waste Consent?**

All potential dischargers will be visited and waste issues will be discussed so that we can determine the conditions that need to be applied. Then you will be required to apply for a Trade Waste consent. If you need help completing the forms, the Council's Officers will help you.

On receipt of the application a permitted or conditional Trade Waste Consent will be issued to the occupier of the trade premises, stating what can and cannot be discharged. The consent is Council's document stating that you know what can't be discharged.

### **5 What are "permitted", "conditional" and "prohibited" Trade Wastes?**

#### **5.1 Permitted Trade Waste Discharge**

If your discharge has the characteristics set out in schedule 1A to the bylaw then it is a permitted Trade Waste Discharge

#### **5.2 Conditional Trade Waste Discharge**

If your trade premises has the potential to discharge materials that may exceed the limits specified in schedule 1A of the Bylaw, then a "Conditional Trade Waste Consent" may be issued to the occupier.

This consent will specify conditions that must be complied with which may include:

- A limit or ban on the concentration of a specific material
- A limit on the flow; a requirement to improve the quality of the discharge
- A sampling and testing programme
- A specific cleansing programme for premises having pre-treatment devices
- A spill control management plan
- An environmental management plan

#### **5.3 Prohibited Trade Waste Discharge**

If your discharge contains material that is prohibited then no consent will be given and you will be required to stop discharging Trade Waste until such time as the Trade Waste quality is improved and the prohibited material eliminated.

## **6 Trade Waste monitoring – What is it and who will do it, what is the charge?**

### **6.1 What is Trade Waste monitoring?**

Monitoring consists of sampling and testing your Trade Waste to see if it complies with the Bylaw; and inspection of your premises by the Pollution Control Officer to ensure that there is no problem with your discharge conditions.

All premises will be inspected prior to a Consent being issued and will be inspected at intervals throughout the year.

### **6.2 Quality monitoring is your responsibility**

The control of your trade premises is your responsibility. Good control usually means a good product made with the least waste of resources. The wastes discharged from your processes are also your responsibility. The Pollution Control Officer requires you to prove that your Trade Waste meets the quality standard specified in the Trade Waste Bylaw.

### **6.3 Who specifies and organises the sampling and testing of your Trade Waste**

The Pollution Control Officer will specify the monitoring programme (sampling and testing frequency requirements) in your Trade Waste Discharge Consent. The monitoring programme must be performed by an accredited testing laboratory. Any charges incurred by the laboratory in the course of this monitoring will be at your expense. The Pollution Control Officer will supervise the monitoring programme. Some dischargers have very sophisticated laboratories as part of their manufacturing process and it may be that in such cases in-house monitoring and external audit is a condition of their Consent.

## 7 Food Premises and Trade Premises

### 7.1 Food Premises

Means all major fast food outlets; cafes; all fish and chip shops; restaurants and factory canteens with a commercial deep fat fryer or commercial waste disposal unit; supermarkets with a delicatessen, food halls, and butchery caterers and food wholesalers where they are food businesses under section 10 of the Food Act 2014<sup>1</sup>.

Therefore all restaurants, “takeaways”, small goods manufacturers and any other food manufacture or service industry that discharges Trade Waste are considered a Trade Waste Discharger. These premises must be fitted with a grease trap that complies with the Bylaw.

### 7.2 Trade Premises

Means food premises and any other premises used or intended to be used for carrying on any trade or industry, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

## 8 Pre-treatment Works, Grease Traps and waste sump cleaning

Trade premises will be required to supply documentary proof that there is an ongoing contract for the cleaning and maintenance of any grease trap or sump, to the Bylaw specifications.

## 9 What happens if you do not comply with the Trade Waste Bylaw?

### 9.1 If a sample of Trade Waste from your premises does not comply with the Bylaw

The Trade Waste Officer will request a resample and you will be notified of the non-compliance event as soon as possible. You may be required to stop the discharge and investigate and remedy the problem before starting to discharge Trade Waste again. If this is the case you must notify the Trade Waste Officer of the results of your investigation and request permission to recommence the discharge of Trade Waste. At the commencement of

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- <sup>1</sup> unless the context otherwise requires, **food business**—
    - (a) means a business, activity, or undertaking that trades in food (whether in whole or in part); and
    - (b) includes a business, activity, or undertaking that—
      - (i) sells food on the Internet; or
      - (ii) is declared by the Governor-General, by Order in Council made under [section 393](#), to be a food business for the purposes of this Act; but
    - (c) does not include a business, activity, or undertaking—
      - (i) merely because it carries on a business other than trading in food and, in the course of doing so, acts as an intermediary between persons who trade in food by providing, for reward, a place (including mobile premises) or services (for example, an Internet service provider or an auction site on the Internet); or
      - (ii) that is declared by the Governor-General, by Order in Council made under [section 393](#), not to be a food business for the purposes of this Act.

the discharge the Trade Waste Officer may require proof of compliance with the Trade Waste Bylaws. Any samples taken will be at your expense in addition to the routine sample schedule.

## **9.2 Unsafe practice or process**

It may be that during an inspection the Pollution Control Officer observes a process or practice that is unsafe and that may cause the discharge of a contaminant to the wastewater system. If the problem can be resolved on-the-spot, you will be advised to remedy the problem immediately. If a structural or process change is required that will need another visit to check then your premises will be placed into a higher risk category and the appropriate action taken.

Trade premise occupiers may be prosecuted and/or disconnected where there is non-compliance with this bylaw.