



# **Te Ture ā-Rohe Waiparu a Mahi 2013 Trade Waste Bylaw 2013**

**(as at 25 July 2019)**

**made by the Governing Body of Auckland Council**

**in resolution GB/2013/85**

**on 22 August 2013**

Bylaw made under [section 146\(a\)\(iii\)](#) of the Local Government Act 2002 and [section 62\(4\)](#) of the Local Government (Auckland Council) Act 2009.

### Summary

This summary is not part of the Bylaw but explains the general effects.

Trade waste discharged into the public wastewater system can negatively impact the public wastewater system, environment and public health. Trade waste is produced by a wide variety of businesses such as industrial processes and manufacturing, food outlets, service stations, hairdressers, pet shops and medical centres. The public wastewater system includes pipes, pumping stations and treatment plants.

The purpose of this Bylaw is to manage trade waste discharges into the public wastewater system by –

- identifying which trade waste activities are considered low risk and which activities require a trade waste agreement
- requiring discharges of low risk trade waste to meet certain conditions before discharge
- identifying maximum limits for trade waste discharges
- setting out requirements for making a trade waste control under the Bylaw
- setting out matters considered when issuing trade waste agreements.

Other parts of this Bylaw assist with its administration by –

- stating the name of this Bylaw, when it comes into force and where it applies in clauses 1, 2 and 3
- stating the purpose of this Bylaw and defining terms used in clauses 4 and 5
- referencing Council's powers to enforce this Bylaw, including powers to undertake works and recover costs, in clauses 14 and 15, and penalties for Bylaw breaches of up to \$200,000 in clause 16
- confirming that current trade waste agreements continue to apply in clause 17.

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### 1 Title

- (1) This Bylaw is the Trade Waste Bylaw 2013.

### 2 Commencement

- (1) This bylaw comes into force on 1 July 2014.
- (2) Amendments to this bylaw by resolution GB/2019/72 come into force on 25 July 2019.

Clause 2 amended by minute GB/2019/72, in force on 25 July 2019 to insert subclause (2).

### 3 Application

- (1) This bylaw applies to Auckland.

#### Part 1

#### Preliminary provisions

### 4 Purpose

- (1) The purpose of this bylaw is to –
- (a) protect the health and safety of people and the environment from potential adverse effects of harmful substances discharged to the public wastewater system;
  - (b) protect the public wastewater system from damage and provide for its efficient operation;
  - (c) assist treatment plants within the public wastewater system to process wastewater and produce biosolids of a guaranteed quality; and
  - (d) encourage waste minimisation, cleaner production, efficient recycling and reuse of waste streams at business premises.

### 5 Interpretation

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

**Approved site** means a site approved for the safe disposal of trade waste.

**Approval** or **approved** means approval or approved in writing by the council.

**Bioaccumulation** means the accumulation of harmful substances in an organism or the environment.

**Biosolids** means treated sewage sludge from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be applied to land, and does not include products derived solely from industrial wastewater treatment plants.

**Characteristic** means any of the physical or chemical properties of trade waste including any constituent of a trade waste referred to in a Trade Waste Control.

**Council** means the governing body of the Auckland Council, an Auckland water organisation, or any person delegated or authorised to act on their behalf.

#### **Related information**

Watercare Services Limited is the council-controlled Auckland water organisation that currently provides water supply and wastewater services in Auckland (see section 4 Local Government (Auckland Council) Act 2009).

As at 1 July 2014, Watercare Services Limited has delegated authority to administer and enforce this Bylaw and any related trade waste control (GB/2013/85).

**Discharge** means to introduce, cause, allow, or instruct the introduction or discharge of trade waste into the public wastewater system directly or indirectly.

**Disconnect** or **disconnection** means the physical cutting or sealing of a private sewer from the public wastewater system.

**Drain** means that section of private pipe, owned and maintained by the occupier, between the occupier's premises and the point of discharge through which wastewater is conveyed from the premises to the public wastewater system.

**Grease trap** means any grease removal device approved by the council that allows kitchen and/or food production wastewater to cool, and the grease and solids to separate from the wastewater.

**Groundwater** means water below the land surface within rock, sand or soil.

**Hazardous material** means:

- (a) raw material(s), product(s) or waste(s) containing corrosive, toxic, biocidal, ecotoxic (with or without bioaccumulation), radioactive, flammable or explosive materials;
- (b) any material which when mixed with the wastewater stream, is 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;
- (c) material containing any hazardous substance as described in the Hazardous Substances and New Organisms Act 1996;
- (d) any material which meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 2005 and NZ Standard 5433: 2012 – Transport of Dangerous Goods on Land; or
- (e) any material which meets the definition for radioactive material included in section 96 of the Radiation Safety Act 2016 (2016 No 6).

**Low risk trade premises** means those premises which discharge low risk trade waste as indicated in clause 7.

**Mass limit** means the total mass of any substance in trade waste that may be discharged to the public wastewater system over any 24-hour period.

**Meter** means any meter, automatic sampler, instrument or device for indicating, recording or sampling the rate of flow, volume or quality of any discharge and any ancillary equipment, devices or fittings used in conjunction with these.

**Occupier** means the person occupying any trade premises or the person responsible for any trade, commercial or industrial activity on those trade premises, and includes the owner of the premises if the premises are unoccupied.

**Oil interceptor/separator** means a device to trap, remove, or separate oil, grease, fuel, sand and sediment from the wastewater.

**Person** means a person, occupier or body of persons whether corporate or unincorporated, and includes the Crown and any successor of a person.

**Point of discharge** means the boundary between the public wastewater system and private drain but for the purposes of monitoring, sampling and testing, may be an alternative designated point as specified in a trade waste agreement.

**Premises** means either:

- (a) a property or allotment which is held under separate certificate of title or for which a separate certificate of title may be issued and in respect of which a building consent has or may be issued;
- (b) a building that has been defined as an individual unit by a cross lease, unit title or company lease and for which a certificate of title exists;
- (c) an individual unit in a building where units are separately leased; or
- (d) land held in public ownership.

**Pre-treatment** means any approved processing of trade waste designed to reduce or vary any characteristic or substance in a waste before discharge to the public wastewater system in order to comply with a trade waste agreement or this Bylaw.

**Private sewer** means any privately owned pipe or drain system through which wastewater flows before entering into the public wastewater system.

**Prohibited characteristics** means characteristics or substances set out in schedule 3.

**Prohibited trade waste** means any trade waste that has, or is likely to have, any of the prohibited characteristics or substances set out in schedule 3.

**Public wastewater system** means all pipes, pumping stations, storage tanks, wastewater treatment plants, sea outfalls and other related structures owned by or under the control of the council, used for the receiving, transporting, treating or disposing of wastewater.

**Screen** means a device used to catch solids prior to the point of discharge.

**Sewer** means all wastewater pipes, tunnels, manholes and inspection chambers, whether privately owned or part of the public wastewater system.

**Stormwater** means surface run-off water originating from precipitation events such as drizzle, mist, rain, sleet, hail or snow.

**Tankered waste** means any type of wastewater which is conveyed by vehicle from any premises for disposal at an approved site.

**Trade premises** means:

- (a) any premises used or intended to be used for any business, industrial or trade purpose;
- (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;

- (c) any other premises from which a contaminant is discharged in connection with any industrial or trade premises;
- (d) any other premises discharging sewage other than domestic sewage, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes; or
- (e) a tanker truck or any other vehicle capable of receiving, storing, transporting or discharging trade waste.

**Trade waste agreement** means an agreement of the type described in clause 13.

**Trade waste** means any liquid, with or without matter in suspension or solution, that is, or may be discharged, from trade premises (excluding domestic sewage) to a wastewater system in the course of any business, industrial or trade process or operation, or in the course of any activity or operation of a like nature.

**Trade waste management plan** means an overall trade waste management plan for trade premises.

**Wastewater treatment plant** means a facility owned or under control of council designed to treat municipal wastewater.

**Wastewater** means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the public wastewater system.

**Water seepage** means water that has seeped through porous soil.

- (2) Related information does not form part of this Bylaw and may be inserted, changed or removed without any formality.
- (3) The [Interpretation Act 1999](#) applies to this Bylaw.

Clause 5 amended by minute GB/2019/72, in force on 25 July 2019 to insert definitions for Council, Discharge, Groundwater, Low risk trade premises, Oil interceptor/separator, Wastewater treatment plant, amend definitions for Hazardous material, Point of discharge, Pre-treatment, Prohibited characteristics, Prohibited trade waste, Trade waste, Trade waste agreement, and revoke definitions for Act, Auckland water organisation, Conditional trade waste, Connection, Consent holder, Controlled substances standards, Deemed trade waste, Emergency response procedure, Introduce, Legacy bylaw, Mandated pre-treatment, Output based, Owner, Sewage sludge, Standard Methods for the Examination of Water and Wastewater, Temporary discharge, Transitional consent, revoke previous subclause (2), (3) and (4), amend previous subclause (5) (now subclause (2)) and renumber previous subclause (6) (now subclause (3)).

## Part 2

### Discharge of trade waste into public wastewater system

Part 2 header amended by minute GB/2019/72, in force on 25 July 2019.

#### 6 Discharge of trade waste allowed in certain circumstances

- (1) No person may discharge trade waste into the public wastewater system unless –
  - (a) expressly allowed by clause 7 as a low risk trade waste discharge; or
  - (b) expressly allowed by a trade waste agreement under clause 13 and the occupier complies with any conditions of the agreement.

**Related information**

Penalties for breaches of the Bylaw are described in Clause 16.

- (2) No person may discharge trade waste into the public wastewater system of a type prohibited in Schedule 3.

**Related information**

Types or sources of discharges requiring a trade waste agreement include, but are not limited to:

Processing of consumable products	<ul style="list-style-type: none"> <li>• Beverages</li> <li>• Brewery, winery, spirits</li> <li>• Dairy products</li> </ul>	<ul style="list-style-type: none"> <li>• Food and food products</li> <li>• Meat, fish and shellfish</li> </ul>
Manufacturing fabrication, finishing	<ul style="list-style-type: none"> <li>• Adhesives, resins, fiberglass, latex</li> <li>• Agricultural, veterinary products</li> <li>• Bitumen, tar</li> <li>• Chemical, rubber, plastic, petroleum, biodiesel</li> <li>• Clay, glass, plaster, masonry, asbestos</li> <li>• Concrete</li> <li>• Detergents, soaps</li> </ul>	<ul style="list-style-type: none"> <li>• Fertiliser, soil amendment products</li> <li>• Hazardous materials</li> <li>• Metal finishing</li> <li>• Paint, ink, dyes</li> <li>• Paper, paper products</li> <li>• Pharmaceuticals</li> <li>• Textiles</li> <li>• Tanneries, leather finishing</li> <li>• Timber treatment and manufacturing</li> </ul>
Other	<ul style="list-style-type: none"> <li>• Caustic washing, acid pickling</li> <li>• Commercial laundries</li> <li>• Cooling towers</li> <li>• Drums, tankers, containers, heavy vehicles, equipment washing</li> <li>• Hospitals</li> </ul>	<ul style="list-style-type: none"> <li>• Industrial waste treatment</li> <li>• Landfill leachate</li> <li>• Marina hardstands</li> <li>• Paint stripping</li> <li>• Printing, screen printing</li> <li>• Rendering</li> <li>• Salesyards</li> <li>• Transfer stations</li> </ul>

Clause 6 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clauses 8 and 9, and schedule 2.

**7 Discharge of low risk trade waste allowed subject to conditions**

- (1) The occupier of a trade premises may discharge trade waste from those premises into the public wastewater system if –
- (a) the type of trade premises is specified as low-risk in Schedule 1;
  - (b) the occupier complies with any trade waste requirements specified in Schedule 1;
  - (c) the trade waste discharge –
    - (i) does not exceed any flow rate and volume limit at the point of discharge specified in a Trade Waste Control made under clause 11;



- (ii) only contains substances which are the subject of a Trade Waste Control under clause 11; and
- (iii) complies with any characteristics and substances limits specified in the Trade Waste Control under clause 11;
- (d) the discharge does not include rainwater, surface water, water seepage or groundwater, unless inclusion is unavoidable because the trade premises is in a catchment area which has a combined sewer/storm water system and there is no separate storm water system available;
- (e) the discharge is not tankered waste; and
- (f) the discharge is not of a type prohibited in Schedule 3.

Clause 7 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clauses 6, 7, 8 and 12.

## 8 Dilution of trade waste

- (1) The occupier of a trade premises must not allow the addition of any type of water to any trade waste discharge unless specifically allowed in a trade waste agreement under clause 13 and the occupier complies with any conditions of the agreement.

Clause 8 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clause 12.

## 9 Occupier to monitor discharge of trade waste on request

- (1) This clause applies to the occupier of a trade premises who discharges trade waste from those premises into the public wastewater system without a trade waste agreement under clause 13.

### **Related information**

Where an occupier of trade premises has a trade waste agreement, monitoring is required as a condition of that agreement.

- (2) The occupier of a trade premises must monitor the discharge of trade waste from those premises into the public wastewater system if required by, and to the satisfaction of, the council for the purposes of –
  - (a) determining whether any discharge of trade waste into the public wastewater system is allowed under clause 7 or whether it requires a trade waste agreement under clause 13; and
  - (b) determining whether any discharge of trade waste into the public wastewater system is of a type prohibited in Schedule 3.
- (3) Monitoring requested in subclause (2) may include the installation, testing and maintenance of –
  - (a) meters to measure the volume and rate of any discharge of trade waste into the public wastewater system; and

- (b) apparatus to collect samples to determine the nature and composition of any discharge of trade waste into the public wastewater system.

Clause 9 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clause 11.

## **10 Storage and disposal of hazardous materials**

- (1) No person may –
  - (i) store, transport, handle or use any hazardous materials; or
  - (ii) cause or allow the storage, transportation, handling or use of any hazardous materialsin a way which results or may result in the materials entering the public wastewater system.
- (2) The occupier of a trade premises who disposes of any hazardous materials off the premises must –
  - (i) keep records of the disposal; and
  - (ii) make the records in (i) available to council within four hours of a request by council.

Clause 10 amended by minute GB/2019/72, in force on 25 July 2019 to clarify and move some matters to new clause 10A.

## **10A Requirement to notify council of accidents or spills**

- (1) The occupier of trade premises must notify the council immediately of any accident or spill that has, or may have, resulted in a discharge into the public wastewater system which does not meet the requirements of clause 6.

Clause 10A inserted by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clause 10

### **Related information**

In the event of an accident or spill, the occupier shall notify Watercare's Trade Waste Department on (09) 442 2222 or as stipulated in a trade waste management plan.

## **Part 3**

### **Trade waste controls and trade waste agreements**

## **11 Trade waste controls**

- (1) Council may make controls about the discharge of trade waste into the public wastewater system.
- (2) Any controls made under subclause (1) –
  - (a) may specify limits on the flow rate and volume of trade waste discharges from low risk trade premises;

- (b) may specify limits on the substances and other permitted characteristics of trade waste discharges from any trade premises;
- (c) must be made in accordance with clause 12;
- (d) may be amended, replaced or revoked in accordance with clause 12 with all necessary modifications; and
- (e) will be publicly available.

## 12 Procedure for making trade waste controls

- (1) Council must before making a control under clause 11 –
  - (a) be satisfied that the control is appropriate to give effect to the purpose of the Bylaw;
  - (b) have regard to the effectiveness, efficiency and reasonableness of the control; and
  - (c) have regard to the general decision-making requirements under [Subpart 1 of Part 6](#) of the Local Government Act 2002.

### Related information

[Subpart 1 of Part 6](#) of the Local Government Act 2002 refers to the need to define the problem, identify and assess reasonably practicable options and to consider the views of persons affected by the decision to the extent council in its discretion considers proportionate to the significance of the matters affected by the decision.

## 13 Trade waste agreements

- (1) Council may at its discretion, enter into a written trade waste agreement with any occupier of a trade premises to allow the discharge of trade waste from those premises into the public wastewater system.
- (2) Council may consider the following matters in deciding whether to enter into a written trade waste agreement in subclause (1) –
  - (a) current quality, quantity and flow rate of the discharge;
  - (b) likely future quality, quantity and flow rate of the discharge;
  - (c) potential effects of the discharge in combination with other trade waste discharges in the vicinity of the discharge point;
  - (d) waste minimisation and cleaner production initiatives that reduce the quantity or flow rate of the discharge, or improves the quality of the discharge;
  - (e) capacity of the public wastewater system to transfer the discharge from the point of discharge to the treatment plant;

- (f) capacity of the wastewater treatment plant to receive and treat the discharge in compliance with statutory requirements or relevant industry guidelines;
  - (g) the trade premise's trade waste management plan and emergency spill response procedures; and
  - (h) health and safety of any person.
- (3) Council may include conditions on the following matters when entering into a trade waste agreement in subclause (1) –
- (a) points of discharge;
  - (b) pre-treatment requirements;
  - (c) records of scheduled cleaning, maintenance and calibration of pre-treatment systems;
  - (d) concentration or mass limits on certain substances in the discharge;
  - (e) limits on the volume and flow rate of the discharge;
  - (f) timing of the discharge;
  - (g) provision of appropriate sampling points for the purposes of monitoring;
  - (h) metering, monitoring and sampling of the discharge by the occupier;
  - (i) metering, monitoring and sampling of the discharge by council;
  - (j) laboratories that may analyse samples of the discharge; and
  - (k) any other relevant matter.

**Related information**

Other relevant matters relate to conditions that are unique to a particular site to allow flexibility.

- (4) Council may vary conditions of a trade waste agreement in subclause (1) due to any change —
- (a) in the types of substances in the discharge;
  - (b) in the flow rate or volume of the discharge;
  - (c) in the public wastewater network;
  - (d) in the wastewater treatment plant receiving the discharge; and
  - (e) required for council to comply with statutory requirements or relevant industrial guidelines.

**Related information**

Occupiers of trade premises may request variations to the conditions of their trade waste agreements. Any request will be subject to a risk assessment.

- (5) Trade waste agreements in subclause (1) expire on the earlier of –
- (a) the end of the term stated in the agreement;
  - (b) the occupier ceases to occupy the premises for which the agreement is held, unless the agreement is transferred in accordance with subclause (6); or
  - (c) the premises permanently ceases to discharge trade waste into the public wastewater system.
- (6) Trade waste agreements in subclause (1) are not transferable unless council has given prior written approval, which would not be unreasonably withheld.
- (7) Trade waste, sewage or water from other premises may not be discharged from the occupier’s trade premises into the public wastewater system unless council has given prior written approval.
- (8) Council may suspend or cancel a trade waste agreement in subclause (1) if it is satisfied that –
- (a) the occupier has failed to comply with any condition of the agreement or clause in this Bylaw;
  - (b) the occupier has failed to maintain effective control over any trade waste discharge;
  - (c) circumstances exist which make it necessary in the public interest to cancel the agreement; or
  - (e) any negligence of the occupier threatens the –
    - (i) safety of, or threatens to cause damage to any part of, the public wastewater system; or
    - (ii) health or safety of any person.
- (9) Council may require an occupier, at their expense, to disconnect the trade premises from the public wastewater system where the council suspends or cancels a trade waste agreement under subclause (8).

**Related information**

If an occupier or owner fails to comply with a disconnection notice within the relevant timeframe, Watercare may carry out the works and recover the associated costs (Local Government Act 2002, section [186](#)).

The [customer contract](#) with Watercare Services Ltd sets out the terms and conditions for the provision of water and wastewater services, and customer complaint process, including use of a third party to help resolve an issue.

Part 3 amended by minute GB/2019/72, in force on 25 July 2019 to amend heading, insert new clause 11 and 12 about controls and amended provisions related to trade waste agreements previously in clause 22. Matters previously in Part 3 where appropriate are in Part 2.

**Part 4**  
**[revoked]**

Part 4 amended by minute GB/2019/72, in force on 25 July 2019 to revoke matters previously in Part 4 about transitional consents.

## Part 5 [revoked]

Part 5 amended by minute GB/2019/72, in force on 25 July 2019 to revoke matters about metering, monitoring and sampling. Matters previously contained in clause 22 about trade waste agreements where appropriate are in clause 13.

## Part 6

### Enforcement powers, offences and penalties

Parts 6 amended by minute GB/2019/72, in force on 25 July 2019 to amend matters previously in Part 6 about transitional consents, and to renumber and amend matters previously contained in Part 6 about enforcement, offences and penalties.

#### 14 Compliance with the Bylaw

- (1) Council may use its powers under the [Local Government Act 2002](#) to enforce this Bylaw.

##### Related information

Local Government Act 2002 enforcement powers include: court injunction ([section 162](#)), seizure and disposal of property (sections [164](#), [165](#), [168](#)), powers of entry (sections [171](#), [172](#), [173](#)), liability for costs to remedy damage (section [176](#)), power to request name and address ([section 178](#)), power to execute works and recover costs (sections [186](#), [187](#)) (as reprinted on 1 July 2018).

Clause 14 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clauses 6(2)(b), 6(2)(c) and 26.

#### 15 Removal of works

- (1) Council may, under [section 163](#) of the Local Government Act 2002 –
  - (a) remove or alter any work or thing that is, or has been, constructed in breach of this Bylaw; and
  - (b) recover the costs of removal or alteration from the person who committed the breach.

Clause 15 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clause 25.

#### 16 Bylaw breaches

- (1) A person who fails to comply with this Bylaw commits a breach of this Bylaw and is liable to a penalty under the [Local Government Act 2002](#).

##### Related information

A person who is convicted of an offence against this Bylaw can be fined a maximum of \$200,000 under [section 242\(5\)](#) of the Local Government Act 2002, (as reprinted on 1 July 2018), and any penalties that may apply under [section 66](#) the Health Act 1956 (as reprinted on 26 November 2018).

Clause 16 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clause 24.

## Part 7

### Savings and transitional provisions

#### 17 Existing trade waste agreements saved

- (1) A trade waste agreement entered into under this Bylaw before 25 July 2019 is to be treated as if it had been entered into under clause 13, and this Bylaw applies to that agreement accordingly.

Part 7 amended by minute GB/2019/72, in force on 25 July 2019 to contain amendments to matters previously in clause 22(2) and 27.

**Schedules**

**Schedule 1: Low-risk trade waste and trade waste requirements**

- (1) Low-risk trade waste –
  - (a) must not exceed the flow rate and volume limits specified in a Trade Waste Control made under clause 11;
  - (b) must not contain a substance that is not the subject of a Trade Waste Control made under clause 11; and
  - (c) must comply with any characteristic and substance limits as specified in a Trade Waste Control made under clause 11.
- (2) The following table specifies:
  - (a) types of trade premises from which trade waste discharges into the public wastewater system are determined to be low-risk; and
  - (b) requirements before trade waste from certain premises in (a) may be discharged into the public wastewater system.

Type of trade premises	Minimum requirements
<b>Food Service Premises</b>	
Premises that prepare and/or serve hot food <sup>1</sup> , or foods that generate greasy/oily waste:  <sup>1</sup> For the purpose of this table “hot food” means that more than minimal greasy/oily wastes are generated as a result of preparing and/or serving food on the premises. This excludes hot food that does not generate greasy waste eg. tea, coffee, and food which has been prepared elsewhere and is only heated up on the premises, if it does not generate greasy/oily wastes.	<b>Grease trap</b> Requirements: <ul style="list-style-type: none"> <li>(i) appropriately sized grease trap(s) related to size of operation to prevent oil and fats in any discharge from entering the public wastewater system;</li> <li>(ii) all grease trap(s) must be maintained appropriately and routinely serviced for optimal operation;</li> <li>(iii) service records must be retained for 5 years and may be requested by council; and</li> <li>(iv) participate in any tracking program to verify the requirements of clause (ii) have been met.</li> </ul> Used oil and fats must be collected and not discharged to the public wastewater system.
Café, canteen, cafeteria, coffee shop/lounge, bakery (retail only), restaurant, bistro, delicatessen, fast food outlet, food caravan, pizzeria, restaurant, sandwich shop, snack bar, takeaway outlets, etc	<b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements: <ul style="list-style-type: none"> <li>(i) prevent food waste and other solid materials from entering the public wastewater system; and</li> </ul>



Type of trade premises	Minimum requirements
Boarding house / hostel kitchen / dining halls	(ii) collected material is emptied into a bin for disposal.
Butcher, fishmonger (retail only)	
Commercial kitchen/caterer (retail only)	
Day care centre, school, polytechnic, university	
Residential care facility (retirement home, nursing home)	
Hotel, motel, club (with restaurant)	
Church, community hall, civic centre, function centre, marae.	
Supermarket with cooking on-site.	
<b>Any of the premises above where minimal, if any, hot food is prepared and minimal, if any, oily/greasy wastewater generated</b>	<b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements: (i) prevent food waste and other solid materials from entering the public wastewater system; and (ii) collected material is emptied into a bin for disposal.
Bakery - hot bread, no meat or dairy products cooked on site	
Business offices	
Salad bar / juice bar	
Supermarket with fruit/vegetable section	
Fruit and vegetable market (retail)	
<b>Automotive/Engineering</b>	
Auto dismantler	<b>Oil interceptor/separator</b> Requirements: (i) appropriately sized oil interceptor/separator related to size of operation to prevent oil, grease, fuel, sand and sediment in any discharge from entering the public wastewater system; (ii) all oil interceptor/separators must be maintained appropriately and routinely serviced for optimal operation; (iii) service records must be retained for 5 years and may be requested by council; and (iv) participate in any tracking program to verify the requirements of clause (ii) have been met.  <b>Floor screens</b> Requirements:
Automotive servicing workshops	
Car detailing	
Car wash	
Car valet	
Mechanical / engineering workshop	
Panel beating / spray painting	

Type of trade premises	Minimum requirements
	<p>(i) prevent rags and other solid materials from entering the public wastewater system; and</p> <p>(ii) collected material is emptied into a bin for disposal.</p> <p>No open areas allowing discharge of stormwater to the public wastewater system.</p> <p>Kerosene, fuels, solvents, engine/gearbox oil, radiator fluid, ultrasonic cleaner waste etc. may not be discharged into the public wastewater system.</p> <div data-bbox="735 745 1385 936" style="border: 1px solid black; padding: 5px;"> <p><b>Related information</b></p> <p>Automotive cleaning chemicals must be of a type / operating dilution that ensures the pH of any discharge entering the public wastewater system is between 6 -10.5.</p> </div>
<b>Medical Services</b>	
Dental surgery <sup>2</sup>	<p><b>Amalgam trap</b> Requirements:</p> <p>(i) amalgam traps must be maintained appropriately and routinely serviced or replaced for optimal operation by a supplier or licensed contractor;</p> <p>(ii) removal records must be retained for 5 years and may be requested by council; and</p> <p>(iii) participate in any tracking program to verify the requirements of clause (ii) have been met.</p> <p><sup>2</sup> In those areas where the concentration of mercury in the wastewater treatment plant's biosolids exceeds or is close to exceeding relevant guidelines, dental surgeries will require a trade waste agreement. Contact Watercare Services Limited for further information.</p>
Dental technician	<p><b>Plaster traps</b> Requirements:</p> <p>(i) solid particles must be removed from the wastewater;</p> <p>(ii) plaster traps must be maintained appropriately and routinely serviced for optimal operation; and</p> <p>(iii) service records must be retained for 5 years and may be requested by council.</p>
Doctor's surgery / medical centre / health industry.	<p><b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements:</p>

Type of trade premises	Minimum requirements
	(i) prevent solid materials from entering the public wastewater system; and (ii) collected material is emptied into a bin for disposal. Discharge of hazardous or prohibited pharmaceuticals to the public wastewater system is not permitted.
Chemists / pharmacists	Discharge of hazardous or prohibited pharmaceuticals to the public wastewater system is not permitted.
Optical processes	<b>Sedimentation tank</b> Requirements: (i) solid particles must be removed from the wastewater; (ii) sedimentation tank must be maintained appropriately and routinely serviced for optimal operation; and (iii) service records must be retained for 5 years and may be requested by council.
Veterinary clinics	<b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements: (i) prevent hair and other solid materials from entering the public wastewater system; and (ii) collected material is emptied into a bin for disposal. Discharge of hazardous or prohibited pharmaceuticals to the public wastewater system is not permitted.
X-rays (<10 standard x-ray films a day) small professional customers, chiropractors, veterinary clinics, dentists, doctor's surgery	Silver concentrations must not exceed the limits specified in a Trade Waste Control made under clause 11.
<b>Other commercial activities</b>	
Animal wash / Animal pound / Dog groomer / Kennels / Pet shop	<b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements: (i) prevent hair and other solid materials from entering the public wastewater system; and (ii) collected material is emptied into a bin for disposal.
Barber / Hairdresser / Beautician	<b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements:

Type of trade premises	Minimum requirements
	(i) prevent hair and other solid materials from entering the public wastewater system; and (ii) collected material is emptied into a bin for disposal.  Discharge of concentrated, hazardous or prohibited substances to the public wastewater system is not permitted.
Carpet cleaners	20 micron or smaller filtration system.
Cooling towers	Discharge not to exceed 500 litres an hour
Crafts (ceramic, pottery, jewellery, gem stones etc)	<b>Sedimentation tank</b> Requirements: (i) solid particles must be removed from the wastewater; (ii) sedimentation tank must be maintained appropriately and routinely serviced for optimal operation; and (iii) service records must be retained for 5 years and may be requested by council.
Dry cleaners	<b>Solvent recovery system</b> or meet the following requirements: (i) dry cleaning solvents must be removed by a licenced contractor; (ii) removal records must be retained for 5 years and may be requested by council; and (iii) participate in any tracking program to verify the requirements of clause (ii) have been met.  Lint screens to remove lint and solids.
Florist	<b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements: (i) prevent solid materials from entering the public wastewater system; and (ii) collected material is emptied into a bin for disposal.
Funeral parlour / mortuary	<b>Screens covering floor drains and table drainage outlets.</b> Requirements: (i) prevent solid materials from entering the public wastewater system; and (ii) collected material is emptied into an appropriate container for disposal.  Formaldehyde must not exceed the limits specified in a Trade Waste Control made under clause 11.

Type of trade premises	Minimum requirements
Laboratory (analytical)	<p><b>Sink strainer/screen and screens covering floor drains (if present)</b> Requirements:</p> <ul style="list-style-type: none"> <li>(i) prevent solid materials from entering the public wastewater system; and</li> <li>(ii) collected material is emptied into a bin for disposal;</li> </ul> <p><b>pH control (if necessary)</b> Appropriate treatment to ensure pH lies between 6 – 10.5 Discharge of concentrated, hazardous or prohibited substances to the public wastewater system is not permitted.</p>
Laundromat (self-service)	<p>Lint screens to remove lint and solids. Appropriate device to reduce temperature to below 40°C before discharge, if necessary.</p>
Photographic (limited to hobby clubs etc)	<p>Silver concentrations must not exceed the limits specified in a Trade Waste Control made under clause 11. Discharge of concentrated spent solutions to the public wastewater system is not permitted.</p>
Sanitary / garbage bin washing	<p><b>Screens covering floor drains and any discharge outlet</b> Requirements:</p> <ul style="list-style-type: none"> <li>(i) prevent solid materials from entering the public wastewater system; and</li> <li>(ii) collected material is emptied into a bin for disposal.</li> </ul> <p>Appropriate device to reduce temperature to below 40°C before discharge, if necessary.</p>
Stone cutting	<p><b>Sedimentation tank</b> Requirements:</p> <ul style="list-style-type: none"> <li>(i) solid particles must be removed from the wastewater;</li> <li>(ii) sedimentation tank must be maintained appropriately and routinely serviced for optimal operation; and</li> <li>(iii) service records must be retained for 5 years and may be requested by council.</li> </ul> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 2px;"> <p><b>Related information</b> pH correction may be necessary.</p> </div>
Swimming pool / spa (residential, hotel, or club)	<p>Discharge must be less than 20 L/minute.</p>

Schedule 1 amended by minute GB/2019/72, in force on 25 July 2019 to amend heading, clarify content and move volume limits to a Trade Waste Control.



## Schedule 2

[revoked]

Schedule 2 amended by minute GB/2019/72, in force on 25 July 2019 to revoke matters about conditional trade waste and where appropriate to address trade waste discharges requiring a trade waste agreement in clause 7 and a Trade Waste Control.

### Schedule 3: Prohibited trade waste

- (1) The following table specifies prohibited types of discharge characteristics and substances that are not allowed to be discharged from a trade premises into the public wastewater system.
- (2) A trade waste discharge is considered to be a prohibited trade waste if the concentration of the prohibited characteristics or substances exceeds background levels.
- (3) The term **background level** in (2) means the concentration of any characteristic of that type of discharge that may be present in the municipal water supply, or in any other water supply that is approved by the council, and used on the trade premises.

Type of prohibited discharge
Any discharge that contains any one or more solid, liquid or gaseous substances which alone or in combination with any other substances will immediately or over time – – <ol style="list-style-type: none"><li>(a) interfere with the free flow of wastewater in the public wastewater system;</li><li>(b) damage any part of the public wastewater system;</li><li>(c) directly or indirectly cause the quality of effluent, biosolids or other solids from any wastewater treatment plant to breach any conditions of a Resource Management Act 1991 resource consent, water right, permit or other legislative approval;</li><li>(d) prejudice the occupational health and safety of any person or people;</li><li>(e) have an adverse impact on fish, animal or plant life in the receiving environment after treatment at a wastewater treatment plant;</li><li>(f) cause malodorous or poisonous gases; or</li><li>(g) cause discolouration in receiving waters after treatment at a wastewater treatment plant.</li></ol>
Any discharge that contains any amount of – <ol style="list-style-type: none"><li>(a) harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;</li><li>(b) dry solids, solids longer than 30mm, heavy solids which settle faster than 50mm/minute, fibrous material, sheet films, and anything which may react or combine to form a solid mass;</li><li>(c) solid waste that has been macerated, pulverised or liquefied, unless otherwise permitted under this Bylaw;</li></ol>
<b>Related information</b> Prohibited macerated or pulverised waste refers to the output from large industrial / commercial size macerators with grinder motors more powerful than one horsepower (HP). It does not include domestic sized food disposal units ( $\leq$ 1HP).

### Type of prohibited discharge

- (d) liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents, calcium carbide and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
- (e) asbestos;
- (f) tin (as tributyl and other organotin compounds);
- (g) chromium (as organic compounds);
- (h) 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;
- (i) any health care wastes covered by NZS 4304 or any pathological or histological wastes;
- (j) radioactivity levels in excess of the Office of Radiation Safety guidelines;
- (k) substances banned under the Hazardous Substances and New Organisms Act 1996 (HSNO);
- (l) rain, surface, seepage or subsoil water, unless otherwise permitted under this Bylaw; or
- (m) pharmaceutical liquid, solid or gel waste containing hazardous ingredients, including, but not limited to, cytotoxic waste.

#### Related information

More information on the recommended disposal of prohibited substances can be found on the [Trade Waste](#) web page.

Schedule 3 amended by minute GB/2019/72, in force on 25 July 2019 to amend matters about prohibited trade waste.

### Related information, Bylaw history

Date	Description
01 November 2010	<b>Made</b> legacy bylaws about trade waste <sup>1</sup> (Section 63 Local Government (Auckland Transitional Provisions) Act 2010)
01 November 2010	<b>Commencement</b> of legacy bylaws about trade waste (Section 63 Local Government (Auckland Transitional Provisions) Act 2010)
22 August 2013	<b>Made</b> Auckland Council Trade Waste Bylaw 2013 and <b>decided</b> to revoke legacy bylaws (GB/2013/85)
01 July 2014	<b>Commencement</b> of new Auckland Council Trade Waste Bylaw 2013 and revocation of legacy bylaws (GB/2013/85)
12 July 2018	<b>Review</b> of Auckland Council Trade Waste Bylaw 2013 completed (REG/2018/50)
28 March 2019	<b>Proposal</b> to amend Auckland Council Trade Waste Bylaw 2013 (GB/2019/23)
25 July 2019	<b>Made</b> amendments to Auckland Council Trade Waste Bylaw 2013 (GB/2019/72)
X 2019	<b>Public notice</b> of amendments to Auckland Council Trade Waste Bylaw 2013
25 July 2019	<b>Commencement</b> of amendments to the Auckland Council Trade Waste Bylaw 2013

<sup>1</sup> Legacy bylaws made: Auckland Regional Council Trade Wastes Bylaw 1991; Franklin District Council Trade Waste Bylaw 2007; Part 9 (Trade Waste) of the North Shore City Bylaw 2000; Chapter 17 (Trade Waste) of the Rodney District Council General Bylaw 1998.