



## **QUEENSTOWN LAKES DISTRICT COUNCIL**

### **SUMMARY OF STATEMENT OF PROPOSAL**

## **TRADE WASTE BYLAW**

**Submissions close at 12 noon on 6 March 2015**

## **What are we trying to achieve with a Trade Waste Bylaw?**

Clean water – that's the ultimate aim.

Our wastewater system accepts everything that our community flushes and washes away, from homes, businesses and industries that are connected to the reticulated system. We take it, treat it and discharge it on your behalf and we have a proactive programme to minimise the likelihood of overflows caused by trade waste. This includes CCTV inspections and in the current financial year we are spending over \$100,000 assessing 15km of pipes in the highest priority areas.

Nonetheless, the system is no longer managing to keep up with the volume and content of trade waste being discharged. As a consequence, high levels of contaminants such as fat, oil and grease are causing blockages and sewage overflows. This is unacceptable in many ways, including the impacts on the environment, human health and cultural values.

By tackling the amount of fat, oil and grease in the wastewater system, QLDC will go a long way to addressing these problems. We believe that the costs of clearing the wastewater network as a result of trade waste discharges should be met by the businesses that are discharging trade wastes, and not ratepayers.

There are around 460 food businesses in our district. While most have grease traps or grease converters, many of them don't appear to be big enough for the volume they're dealing with, or are not being appropriately maintained.

QLDC has looked at several other options and has determined that a Trade Waste Bylaw will give the Council the authority to require businesses and industries to keep the most problematic contaminants out of the wastewater system.

## **What would a Trade Waste Bylaw do?**

The bylaw is designed to

- protect the health and safety of the community from potential adverse effects of harmful substances discharged to the public wastewater system;
- protect the environment from adverse effects of harmful substances discharged to the public wastewater system;
- protect the public wastewater system from damage and provide for its efficient operation.

The key features of the proposal are that:

- Some wastes will be prohibited from entering the wastewater network at all.
- All premises discharging trade waste will be licensed by the Council in one of three categories – permitted, conditional and prohibited trade waste.
- Conditions of a licence will require that the premises test their trade waste and submit a report specifying whether that waste complies.
- QLDC will set up a monitoring programme to check each premises for compliance with the Trade Waste Bylaw.
- Non-compliance will be dealt with by prosecution and / or by disconnecting the non-complying premises from QLDC's wastewater network.
- The cost of non-compliance will be met by those who damage or misuse the wastewater system.

- Each trade premises will be required to pay an application fee, and an annual inspection fee. These fees will be set as part of the Council's Long Term Plan process.
- QLDC proposes that the Bylaw will come into effect on 1 August 2015.

### **What are the benefits of having a Trade Waste Bylaw?**

- QLDC staff, contractors and the general public will be protected
- QLDC will be able to meet the requirements of the Resource Management Act, and particularly the resource consents held for the discharge of treated sewage and the placement of sludge and biosolids on land
- The investment in wastewater infrastructure will be protected
- All aspects of wastewater drainage will be addressed
- Businesses which discharge trade waste will consider and – where appropriate and practicable – implement waste minimisation and cleaner production techniques to reduce the quantity and improve the quality of their discharges. This will help QLDC meet the targets of the NZ Waste Strategy
- There will be more consistency between the Queenstown Lakes District and neighbouring local authorities in the way trade wastes are regulated
- Infrastructure will be protected from damage and misuse
- Compliance enforcement will be fair and straightforward
- The proposed penalties of up to \$200,000 will be in line with the new Local Government Act
- The cost of non-compliance will be met by those who damage or misuse the wastewater assets.

### **Costs**

QLDC proposes that all commercial premises will apply for either a “permitted” or “controlled” trade waste consent. In most cases, the application cost is likely to be around \$110. Applications for “controlled” consents that take longer to process are likely to cost up to \$1000. The rates would be based on the estimated time that a suitably qualified person would take to assess each application, plus any external costs such as testing samples.

The breakdown of fees could include any of the following items:

1. License application (approximately \$110/hour)
2. Inspection costs (approximately \$110/hour)
3. Sampling costs for fat, oil and grease only (\$80)
4. Written approvals of changes to license (approximately \$110/hour)

QLDC proposes to set the fees each year as part of the Annual Plan process.

### **Enforcement**

QLDC proposes to institute a staggered enforcement regime to reflect the implementation of the proposed Bylaw and the issues that it will address. This will enable businesses to amend current practices, with the intention that they will move to self-regulation and compliance by the time the Bylaw comes into full effect.

The proposal is to encourage self-compliance, in accordance with Council's Enforcement Strategy, followed by enforcement as necessary. Table 1 provides an overview of the options available to monitor and maintain compliance with the proposed bylaw.

**Table 1 – Enforcement options**

Option	Description	Outcome
Self-Compliance	Businesses undertake regular sampling of their business discharge to ensure the levels comply with the proposed bylaw levels permitted.	Sampling results to be sent to Council Engineer for assessment.  Non-compliance may lead to additional monitoring at the business owners cost in accordance with the bylaw fee schedule.
Programmed monitoring	Council undertakes routine monthly monitoring of businesses discharging fats, oil and grease (FOG)	Sampling to be undertaken at the business owners costs. Non-compliance with the proposed bylaw will lead to increased sampling.
Non-Compliance Monitoring	Councils undertakes monitoring of business found to be non-compliant.	Continue to monitor and to consider additional enforcement action.
Disconnection	Where serious or continued non-compliance is established, to consider the removal of the permitted or controlled trade waste licence and disconnection from the wastewater network.	Consider prosecution and to remove the immediate issue of non-complying trade waste levels in the network.
Prosecution	Where Non-compliance with the bylaw continues, prosecution is considered in consideration of the Enforcement Strategy and Prosecution policy.	Compliance with the bylaw to reduce the incidence of excess FOG and other trade waste in the network.

**Would you be affected / Do you have a view?**

The Council has resolved to begin an extended period of consultation on the proposed Trade Waste Bylaw. This is a summary of the full Statement of Proposal – you will find that on our website [www.qldc.govt.nz](http://www.qldc.govt.nz) along with the report that the Council considered in November 2014. Copies are also in all QLDC offices and libraries.

We would like to hear your views. You are welcome to make a submission, whether or not you are a business that would be bound by a Trade Waste Bylaw. You can make a submission using the on-line submission form on our website [<http://www.qldc.govt.nz/trade-waste-bylaw-2014/>] or email your views to [services@qldc.govt.nz](mailto:services@qldc.govt.nz). Written submissions posted or delivered to the Council at Private Bag 50072 Queenstown, 9348 are also accepted.

Please be aware that all submissions will be made public, including the names of submitters.

Submissions close at **12:00 noon on Friday 6 March 2015**

