



AGENDA

Ordinary Council meeting Wednesday, 1 July 2026

I hereby give notice that an Ordinary meeting of Council will be held on:

Date: Wednesday, 1 July 2026

**Time: 4:00 pm - Trade Waste and Stormwater
Bylaws Hearing**

**Location: Tauranga City Council Chambers
L1, 90 Devonport Road
Tauranga**

**Marty Grenfell
Chief Executive**

Terms of reference – Council

Membership

Chair	Mayor Mahé Drysdale
Deputy Chair	Deputy Mayor Jen Scoular
Members	Cr Hautapu Baker Cr Glen Crowther Cr Rick Curach Cr Steve Morris Cr Marten Rozeboom Cr Kevin Schuler Cr Rod Taylor Cr Hēmi Rolleston
Quorum	<u>Half</u> of the members present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members present, where the number of members (including vacancies) is <u>odd</u> .
Meeting frequency	Three weekly or as required

Role

- To ensure the effective and efficient governance of the City.
- To enable leadership of the City including advocacy and facilitation on behalf of the community.
- To review and monitor the performance of the Chief Executive.

Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
 - Power to make a rate.
 - Power to make a bylaw.
 - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
 - Power to adopt a long-term plan, annual plan, or annual report
 - Power to appoint a chief executive.
 - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
 - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
 - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.

- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the council-controlled organisation Boards of Directors/Trustees and representatives of Council to external organisations.
- Undertake statutory duties in regard to Council-controlled organisations, including reviewing statements of intent, with the exception of the Local Government Funding Agency where such roles are delegated to the City Delivery Committee. (Note that monitoring of all Council-controlled organisations' performance is undertaken by the City Delivery Committee. This also includes Priority One reporting.)
- Consider all matters related to Local Water Done Well.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.
- Review and monitor the Chief Executive's performance.
- Develop Long Term Plans and Annual Plans including hearings, deliberations and adoption.

Procedural matters

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

Regulatory matters

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).

Order of Business

1 Opening karakia 7

2 Apologies 7

3 Public forum..... 7

4 Acceptance of late items 7

5 Confidential business to be transferred into the open..... 7

6 Change to the order of business 7

7 Confirmation of minutes..... 7

Nil

8 Declaration of conflicts of interest 7

9 Deputations, presentations, petitions 7

Nil

10 Recommendations from other committees..... 7

Nil

11 Business..... 8

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Nil

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- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**
- 4 ACCEPTANCE OF LATE ITEMS**
- 5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6 CHANGE TO THE ORDER OF BUSINESS**
- 7 CONFIRMATION OF MINUTES**
Nil
- 8 DECLARATION OF CONFLICTS OF INTEREST**
- 9 DEPUTATIONS, PRESENTATIONS, PETITIONS**
Nil
- 10 RECOMMENDATIONS FROM OTHER COMMITTEES**
Nil

11 BUSINESS

11.1 Hearings Report - Stormwater Bylaw Review 2026

File Number: A20425018

Author: Jennifer Ross, Policy Analyst

Authoriser: Mike Seabourne, Head of Transport

PURPOSE OF THE REPORT

1. To receive submissions on the proposed draft Stormwater Bylaw 2026.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Hearings Report - Stormwater Bylaw Review 2026".
- (b) Receives the written submissions on the draft Stormwater Bylaw 2026.
- (c) Receives the verbal submissions from those who wish to speak to their submission.

EXECUTIVE SUMMARY

2. On 16 December 2025, the Council approved the draft Stormwater Bylaw 2026 (**Stormwater Bylaw**) and a statement of proposal for public consultation.
3. Submissions were sought from key stakeholders and the public between 4 May and 5 June 2026.
4. 17 submissions were received (**Attachment 1**) and three of the submitters wish to speak to the Council at the hearings today.
5. The Council is asked to hear the submitters. A deliberations report, including analysis of the submissions will be presented at the Council meeting on 11 August 2026.

BACKGROUND

6. Tauranga City Council's Stormwater (Pollution Prevention) Bylaw was first adopted in 2010 and last reviewed in 2015. The bylaw aims to protect the environment, community health and the stormwater network by regulating the discharge of contaminants, ensuring the network is used solely for stormwater drainage, and preventing damage or unauthorised alteration. The bylaw empowers the council to require treatment works, monitor discharges, enforce Pollution Prevention Plans, and apply penalties for non-compliance.
7. This review of the Stormwater Bylaw has been undertaken in accordance with the Local Government (Water Services) Act 2025 (**Act**). Feedback from key stakeholders was sought in 2025 to understand how they thought the bylaw was working and identify any potential improvements. Stakeholders included staff, mana whenua representatives, as well as some businesses that have previously interacted with the Tauranga City Council about Pollution Prevention Plans.
8. On 16 December 2026, Council considered and approved, the draft Stormwater Bylaw 2026 (**Attachment 2**) and associated statement of proposal for public consultation.

9. Targeted public consultation was carried out from 4 May to 5 June 2026 and was promoted through direct emails to key stakeholders, the Let’s Talk website and inclusion in the Korero Mai newsletter.

STATUTORY CONTEXT

10. The bylaw is made under section 258 of the Local Government (Water Services) Act 2025. This new act requires territorial authorities to follow the bylaw making process and consultation requirements set out in the Local Government Act 2002.
11. The special consultative procedure must be used when amending or replacing a bylaw unless the proposed changes are minor or are correcting errors.

STRATEGIC ALIGNMENT

12. This contributes to the promotion or achievement of the following strategic community outcome(s):

	Contributes
We are an inclusive city	<input type="checkbox"/>
We value, protect and enhance the environment	<input checked="" type="checkbox"/>
We are a well-planned city that is easy to move around	<input checked="" type="checkbox"/>
We are a city that supports business and education	<input checked="" type="checkbox"/>
We are a vibrant city that embraces events	<input type="checkbox"/>

13. Reviewing the Stormwater Bylaw helps strengthen the contribution that it makes to three community outcomes:
 - (a) valuing, protecting and enhancing the environment by ensuring that stormwater is not polluted and that the stormwater network operates effectively;
 - (b) a well-planned city by setting the expectation that our stormwater network is constructed in accordance with the Infrastructure Development Code; and
 - (c) being a city that supports business by providing a framework for Tauranga City Council or the water service provider, to work with businesses that manage potential pollutants to ensure effective pollution prevention.

FINANCIAL CONSIDERATIONS

14. There are no financial considerations associated with hearing submissions on the draft Stormwater Bylaw.

RISKS AND LEGAL IMPLICATIONS

15. There are no legal implications or risks associated with hearing submissions on the draft Stormwater Bylaw.

TE AO MĀORI APPROACH

16. As a pollution prevention bylaw, the Stormwater Bylaw supports Kaitiakitanga of the built environment (Taiaohanga) and the health of wai and waterways. The updated bylaw will reflect this in its purpose clause.
17. The proposed draft bylaw also aligns with Manaakitanga by helping keep the stormwater network safe and sanitary, and with Kaitiakitanga by protecting stormwater from preventable pollution. It recognises the link between strategies developed with tangata whenua and how Tauranga City Council protects stormwater from pollution.

CLIMATE IMPACT

- 18. The Stormwater Bylaw supports the protection and development of quality stormwater infrastructure which is essential to Tauranga’s ability to be resilient to the changing weather conditions associated with a changing climate.

CONSULTATION / ENGAGEMENT

- 19. As noted in paragraph 7, initial consultation and engagement focused on gathering feedback about the current bylaw from staff, mana whenua representatives, as well as businesses that have previously interacted with Tauranga City Council regarding Pollution Prevention Plans.
- 20. These stakeholders were invited to provide feedback on the draft Stormwater Bylaw 2026. Emails were sent to stakeholder businesses, the Bay of Plenty Regional Council and Western Bay of Plenty District Council with information about the bylaw review and a link to the consultation page on the Let’s Talk section of Tauranga City Council’s website.
- 21. Te Rangapū Mana Whenua o Tauranga Moana were informed of the consultation on the draft bylaw by email, invited to share their feedback and were provided a link to the consultation page for further information.
- 22. Members of the community that subscribe to the Korero Mai newsletter were informed of the consultation through inclusion of a link to the Let’s Talk webpage.
- 23. The Let’s Talk webpage included a summary of the bylaw, and the key proposed changes, along with links to the draft bylaw, statement of proposal, current bylaw and online submission form.
- 24. Submitters were specifically asked to provide their feedback on:
 - (a) Whether they support the proposal to adopt the draft bylaw
 - (b) Whether the proposed changes strike the right balance between environmental protection and practical requirements
 - (c) What impact they expect from the proposed changes
 - (d) Anything that needs refinement or should be changed.
- 25. Given the technical nature of this bylaw, feedback from the community has been limited.
- 26. 17 submissions were received and are attached (**Attachment 1**). Table one below identifies the two submitters wishing to speak to their submission today. An updated schedule may be provided at today’s hearings if any changes occur prior to the hearing.

Table One

Name of Submitter	Submission No.
Des Heke, Ngati He	3
Joey McKenzie, Port of Tauranga Limited	15

SIGNIFICANCE

- 27. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council’s Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
- 28. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region

- (b) any persons who are likely to be particularly affected by, or interested in, the matter.
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
29. While the bylaw has important implications for environmental protection, public health, and the effective operation of the stormwater network, it does not fundamentally alter levels of service, involve significant financial investment, or result in major changes to strategic infrastructure assets. The primary impacts are regulatory and operational in nature, affecting specific stakeholder groups (such as businesses and developers) more directly than the wider community. Accordingly, the matter is considered to have a moderate level of impact overall. The decision to receive and hear submissions is procedural in nature and is therefore assessed as being of low significance.

ENGAGEMENT

30. Taking into consideration the above assessment and that consultation has already taken place with a wide range of stakeholders, officers are of the opinion that no further engagement is required prior to the Committee receiving submissions.

NEXT STEPS

31. On 11 August 2026 the Council will be presented with an analysis of the submissions. The Council will then deliberate on any further changes to the draft Stormwater Bylaw 2026 arising from the issues raised by submitters prior, to making a decision on adopting the updated bylaw.

ATTACHMENTS

1. **Submissions received on Stormwater Bylaw 2026 - A20538344** [↓](#) 
2. **Draft Stormwater Bylaw 2026 - A20185420** [↓](#) 

Attachment 1**Submissions on the draft Stormwater Bylaw 2026**

Table One Support for the proposed Stormwater Bylaw	pg. 1-2
Table Two Balance between environmental protection and practical requirements	pg. 3
Table Three Expected impacts	pg. 4
Table Four Refinement or changes	pg. 5
Table Five About submitters	pg. 6
Individual submissions:	
Western Bay of Plenty District Council	pg. 7-10
Port of Tauranga Limited	pg. 11-19
Enviro NZ Services Limited	pg. 20-21
Bay of Plenty Regional Council	pg. 22-28

TABLE ONE - Overall, do you support the proposal to adopt a new Stormwater Bylaw to replace the 2015 bylaw?

Sub #	First Name	Last Name	Organisation	Response	Reasons
1	Linda	Loughlin		Support	
2	Phil	Scherer	TYPBC	Strongly support	Too much rubbish is getting into the harbour after heavy rain.
3	Des	Heke	Ngati He	Strongly oppose	Definition of wetlands to include natural wetlands and wetlands created for the treatment of stormwater. The issue is that whakapapa and ecological species and habitat is being impacted by stormwater discharge . The case for the ate Pahou Wetlands requires cultural and ecological remediation. Therefore policy and methods needs to be reflected in the bylaw with is consistent with biodiversity and heritage legislation and regional policy. Mauri is a key cultural factor and a cultural analysis and assembly of stormwater structures and activities would resolve matters prior to the Bylaw being implemented.
4	Nathan	Hanlon		Strongly oppose	More red tape, less practical solutions. Increased compliance
5	Nicola	Mulgrew		Support	
6	Damian	Skinner		Strongly support	It is always necessary to review environmental regulations and laws to ensure they are fit for purpose, as well as to move towards
7	Ian	Grace		Oppose	As it appears that "Waters Done Well" entity is a forgone conclusion WHY is TCC wasting yet more of their ratepayers budget setting principals which may be changed /adjusted by the
8	Jean	Fraser		Strongly support	as owners we don't have drainage maps let alone other pipes
9	C	DE WEYER		Strongly support	
10	Tom	Rawson		Strongly support	Bye law needs to be updated
11	Holly	Simperingham		Strongly support	The changes seem like overall improvements and in particular I appreciate the recognition of the role of tangata whenua and te ao Māori in stormwater management and kaitiakitanga
12	Jim	Foden		Support	I feel that industrial discharge into our stormwater system is a bad

13	Ginny	McCarty	N/a - Te Papa peninsular resident.	Neutral/unsure	Arhamai, I dont know anything about the existing or the proposed bylaws, but I strongly support better protections for our harbour and estuaries. On Cameron Road for example, I would love to see
14	James	Denyer	Western Bay of Plenty District Council	Support	WBOPDC supports the proposed bylaw’s intent to strengthen the regulatory framework and enable clarity for all parties. We are, however, of the opinion
15	Joey	McKenzie	Port of Tauranga Limited	Support	See written submission
16	Cathryn	Taylor	Enviro NZ	Support	See written submission
17	Sharlene	Pardy	Bay of Plenty Regional Council	Support	Bay of plenty Regional Council supports the proposed changes to the Tauranga City Stormwater Bylaw but recommends a number of changes, as laid out in the table at the end of this submission.

TABLE TWO -

Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?

Sub #	First Name	Last Name	Organisation	Response	Reasons
1	Linda	Loughlin		The balance is right	
2	Phil	Scherer	TYPBC	The balance is right	
3	Des	Heke	Ngati He	The changes are too strongly focused toward practical requirements	Wetlands definitions and Maori land encumbered by storm water activities and structures are not clearly identified
4	Nathan	Hanlon		The changes are too strongly focused toward environmental protection	
5	Nicola	Mulgrew		The balance is right	
6	Damian	Skinner		The changes are slightly too focused toward practical requirements	I would prefer stronger environmental protection, but the proposed changes are at least moving in the right direction.
7	Ian	Grace		The changes are slightly too focused toward practical requirements	
8	Jean	Fraser		The changes are slightly too focused toward practical requirements	don't know enough...I can't answer..so the previous question is invalid
9	C	DE WEYER		The balance is right	
10	Tom	Rawson		The balance is right	Environmental protection needs updating
11	Holly	Simperingham		The balance is right	
12	Jim	Foden		The changes are too strongly focused toward environmental protection	Residents washing a car in their driveway once a week should not be an offence. I think this is an absolute overkill.
13	Ginny	McCarty	N/a - Te Papa peninsular resident.	The changes are too strongly focused toward practical requirements	I have to answer, but I havent read the policies, but I support environmental protection, as the water quality of our awa and moana will sustain this city's people, economy & tourism.

TABLE THREE - If you're likely to be directly affected, what impact do you expect from the proposed changes?

Sub #	First Name	Last Name	Organisation	Response	Reasons
1	Linda	Loughlin		Positive	
2	Phil	Scherer	TYPBC	Positive	
3	Des	Heke	Ngati He	Positive	Accumulative effects culminate from adverse events or activities and the long term focus of maori land tenure and ecological systems require advocacy and provision
5	Nicola	Mulgrew		Positive	
6	Damian	Skinner		Minor positive	The harbour and waterways will become healthier and that will benefit me as someone who lives in this area and uses these amenities.
7	Ian	Grace		Negative	Who knows until the 'Waters Done Well' entity makes up it's own rules and charges.
8	Jean	Fraser		Positive	gain some knowledge of storm water drains, sewerage drains, overflow and need for circumference drains
9	C	DE WEYER		Not sure	
10	Tom	Rawson		No real impact	Established house
12	Jim	Foden		Negative	I feel fining a pensioner \$750 for washing his or her car on their driveway very harsh. One cap of biodegradable car wash, once a week won't hurt the environment compared with what council blow and sweep into open roadway drains everywhere every day.
13	Ginny	McCarty	N/a - Te Papa peninsular resident.	Not sure	

TABLE FOUR - Is there anything you think needs refinement or should be changed?

Sub #	First Name	Last Name	Organisation	Response
3	Des	Heke	Ngati He	Engagement with maori land owners
5	Nicola	Mulgrew		What role could tangata whenua possibly have in stormwater? Stop pandering to the minority.
7	Ian	Grace		Who knows until the 'Waters Done Well' entity makes up it's own rules and charges.
8	Jean	Fraser		use simple language..Tauranga, as everyone knows, has very shifty soil..the fix is going to be colossal\$\$\$..so where is the money??perhaps fewer roads of importance and
10	Tom	Rawson		Road flooded in front of house in recent downpour
12	Jim	Foden		Have some sense, tone it down
14	James	Denyer	Western Bay of Plenty District Council	See written submission
15	Joey	McKenzie	Port of Tauranga Limited	See written submission
16	Cathryn	Taylor	Enviro NZ	See written submission
17	Sharlene	Pardy	Bay of Plenty Regional Council	See written submission

TABLE FIVE - About and experience

Sub #	First Name	Last Name	Organisation	Which best describes you?	Have you had direct experience with any of the following stormwater matters?
1	Linda	Loughlin		Property owner (residential)	Operating a site that could discharge contaminants (e.g. yard washing, chemicals, sediment)
2	Phil	Scherer	TYPBC	Resident/member of the public	None of the above/not sure
3	Des	Heke	Ngati He	Tangata whenua/iwi organisation	Building/developing (new connection or vesting stormwater assets),A stormwater pollution incident/spill,Flooding/ponding issues
4	Nathan	Hanlon		Developer/contractor/consultant (works involving stormwater)	Building/developing (new connection or vesting stormwater assets)
5	Nicola	Mulgrew		Property owner (residential)	None of the above/not sure
6	Damian	Skinner		Property owner (residential)	None of the above/not sure
7	Ian	Grace		Property owner (residential)	None of the above/not sure
8	Jean	Fraser		Resident/member of the public	None of the above/not sure
9	C	DE WEYER		Resident/member of the public	None of the above/not sure
10	Tom	Rawson		Property owner (residential)	Flooding/ponding issues
11	Holly	Simperingham		Resident/member of the public	Building/developing (new connection or vesting stormwater assets),A stormwater pollution incident/spill
12	Jim	Foden		Resident/member of the public	None of the above/not sure
13	Ginny	McCarty	N/a - Te Papa peninsular resident.	Resident/member of the public	Building/developing (new connection or vesting stormwater assets)
14	James	Denyer	Western Bay of Plenty District Council	District Council	District Council matters
15	Joey	McKenzie	Port of Tauranga Limited	Port	Port facilities
16	Cathryn	Taylor	Enviro NZ	Waste Service Provider	Operating waste management facilities
17	Sharlene	Pardy	Bay of Plenty Regional Council	Regional Council	Regional Council matters



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5 June 2026

Tauranga City Council
Policy Team – Stormwater Bylaw review
policy@tauranga.govt.nz

Name: Mayor James Denyer
Organisation: Western Bay of Plenty District Council
Postal Address: Private Bage 12803, Tauranga 3143
Daytime Phone: 0800 926 732
Email: [REDACTED]

Tēnā koe Sir/Madam,

Western Bay of Plenty District Council submission on Stormwater Bylaw review

Western Bay of Plenty District Council (WBOPDC) welcomes the opportunity to provide feedback on Tauranga City Council's (TCC) consultation on TCC Stormwater Bylaw.

WBOPDC do not wish to speak at hearings on this matter. However, we are happy to answer any questions or further discussion to clarify any of our submission points.

Following WBOPDC and TCC's formal decisions, a new water organisation will be established to deliver Water Services across the sub-region. A key element of this process will be a review of the existing water-related bylaws with a view of introducing new ones by August 2030. WBOPDC would like to enable the most efficient approach with this regard and have considered TCC's proposed Stormwater Bylaw with this in mind. Submission points are therefore aimed at moving towards a sub-regionally consistent approach.

Te Kaunihera a rohe mai i ngā Kuri-a-Whārei ki Ōtamarākau ki te Uru



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WBOPDC's Overall Position

WBOPDC supports the proposed bylaw's intent to strengthen the regulatory framework and enable clarity for all parties. We are, however, of the opinion that refinement and clarification is required on the following key submission points:

- (1) While the intent of clause 6.3 is understood we suggest that the wording of the proposed clause creates far-reaching liability. The implications and expectations for a general member of the public are unclear; however, a failure to act could result in a breach of the bylaw and liable for an infringement notice (\$1000). A proactive, engaged and informed community is desired, however requiring this through bylaw regulations may not be the right tool in this case.
- (2) It is recommended that clause 7.1 be amended to include reference to the terms and conditions of resource Consent. The suggested revision is shown below for reference:

*The water service provider may establish standards and controls for the stormwater network through guidelines, **conditions of Resource Consent** or through inclusion in the Infrastructure Development Code. These standards and controls may relate to:*

- (a) *The maintenance and construction of works that may affect the public stormwater network.*
- (b) *The operation of both private and public stormwater networks.*
- (3) It is recommended that amendments are made to Clause 11 to better align with the requirements and intent of the *Local Government (Water Services) Act 2025*. In particular, the Act introduces a stronger mandate for water service providers to develop and implement comprehensive stormwater risk management approaches, including the preparation of stormwater risk management plans for their service areas.

Te Kaunihera a rohe mai i ngā Kuri-a-Whārei ki Ōtamarākau ki te Uru



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A key component of these plans is the identification and management of all elements of the stormwater network, which extends beyond piped infrastructure to include overland flow paths. These flow paths – across both public and private land – must now be recognised as forming an integral part of the functioning stormwater network.

Clause 11 currently limits network protection provisions to “components of the public stormwater network,” which appears to exclude overland flow paths. This omission creates a gap in the protection framework and is not consistent with the broader network definition and risk-based management approach required under the Act.

It is recommended that Clause 11 be expanded to:

- Explicitly recognise overland flow paths as part of the stormwater network where identified by the water service provider;
- Provide for the identification of critical overland flow paths through stormwater risk management planning processes; and
- Include provisions to ensure that no person may obstruct, alter, damage, or otherwise compromise the function of these critical overland flow paths without approval.

This would ensure that all critical components of the stormwater system—both piped and overland – are afforded appropriate protection, and that the bylaw supports the water service provider in fulfilling its statutory obligations under the *Local Government (Water Services) Act 2025*.

An extract from section 3.1 of the Western Bay of Plenty District Council Stormwater Bylaw is copied below as an example which captures overland flow paths under network protection.

3.1 Damage to Public Stormwater Network

- 3.1.1 *No person shall destroy or cause or allow any damage to be caused to any:*
- a) *Dam*
 - b) *Weir*
 - c) *Stormwater detention device*
 - d) *Swale*

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- e) **Overland flow paths** identified in a consent notice, other documents of Council or illustrated in integrated catchment management plans.
- f) Stopbank
- g) Headworks
- h) Building; or, treatment device
- i) Drainage reserve land
- j) Ecological device
- k) Erosion and scour control structures
- l) Stormwater inlet and outlet structures
- m) Stormwater pipes
- n) Any other installation connected with the public stormwater network and under control of the Council.

3.1.2 No person shall modify, interfere with or remove items listed in Clause 3.1.1 without the prior approval of Council.

3.1.3 Every person excavating or working around the public stormwater network must take due care to ensure that the excavation or work is carried out in a manner that does not damage and/or compromise the integrity of the public stormwater network. If any damage occurs, the person must report it to Council or an Authorised Officer as soon as possible.

Conclusion

Western Bay of Plenty District Council largely supports the proposed changes to the Stormwater Bylaw 2026 and looks forward to continued co-operation and engagement with Tauranga City Council.

Nāku noa, nā

A handwritten signature in black ink that reads "James Denyer".

James Denyer

Mayor – Western Bay of Plenty District Council

Te Kaunihera a rohe mai i ngā Kuri-a-Whārei ki Ōtamarākau ki te Uru



Submission of Port of Tauranga Limited

Tauranga City Council Draft Stormwater Bylaw 2026

Submission prepared by: Joey McKenzie (Environmental Manager, Port of Tauranga Limited)

Date: 5 June 2026

Address for Service: Port of Tauranga Limited
Attn: Joey McKenzie
Private Bag 12504
Tauranga Mail Centre, Tauranga 3143, New Zealand

1 Introduction

- 1.1 Port of Tauranga (**POTL**) welcomes and appreciates the opportunity to provide feedback on the Tauranga City Council (**TCC**) Draft Stormwater Bylaw 2026 (**the Bylaw**).
- 1.2 POTL would like the opportunity to speak to Council about its submission.
- 1.3 POTL operates sites that are/will be regulated by the current and future Stormwater Bylaw and therefore are subject to the requirements of the Bylaw.

2 General comments

- 2.1 POTL supports the updating of the Bylaw and recognises the opportunity to improve the provisions of the Bylaw.
- 2.2 POTL recognises the appropriateness of aligning the Bylaw with the Local Government (Water Services) Act 2025.



- 2.3 POTL seeks to ensure that the provisions of the Bylaw provide clarity to users of the Bylaw to enable efficient assessment of requirements for discharges to the public stormwater network.
- 2.4 POTL seeks to ensure that the provisions of the Bylaw provide workable compliance pathways to parties connected to or connecting to the TCC public stormwater network, provided their stormwater contributions to the network do not threaten the compliance of TCC with regards to its comprehensive stormwater discharge consent requirements, or threaten the TCC public stormwater network infrastructure.
- 2.5 POTL recognises that some matters discussed below are complex in nature and strongly encourages further discussion between the two parties if comments provided do not clearly articulate the issue identified or do not align with the position/understanding of TCC. This comment is made with particular regard to comments made around 'minimum water quality standards' and the interactions between the Bylaw and the Regional Natural Resources Plan.

3 Specific comments

Specific comments on provisions within the proposed bylaw are provided in **Table 1** below.

Table 1 – POTL position on draft provisions

Provision	Position	Comments	Relief sought
Section 4.2 (b)	Oppose in part	POTL supports the prevention of discharges to the stormwater network which could adversely impact receiving environments, however, notes that the public stormwater network does/can also facilitate waters other than stormwater that do not negatively impact receiving environments, such as base flows and permitted minor discharges of water such as those authorised by Rule CD3 of the Bay of Plenty Coastal Environment Plan.	Amend this section to: Preventing the discharges of unauthorised contaminants to the public stormwater network This wording aligns with language utilised in Section 6.1 of the Bylaw.
Definition of Private stormwater network	Oppose in part	POTL supports what it understands to be the intent of this provision. POTL does request that better clarification is provided to recognise that the definition does not cover privately owned stormwater systems that do not connect to the public stormwater network at all.	Amend this definition to: Means all privately-owned components of a stormwater network, <u>located</u> on private land, up to a point of service connection with the public stormwater network, <u>Including</u> any pipe, gutter, catchpits, subsoil drains, treatment devices, rainwater tanks and any stormwater management device. <u>Excluding any privately-owned components of a stormwater network that does not connect to the public stormwater network.</u>
Definition of Pollution Prevention Plan	Oppose in part	As the bylaw already specifies the requirements to meet the minimum water quality standards of the Regional Natural resources plan (with proposed amendments	Amend the definition to: means a plan approved by the water services provider which identifies



Provision	Position	Comments	Relief sought
		to this reference offered in latter section of this feedback), the inclusion of 'Regional Natural Resources Plan' is superfluous.	actual or potential risks relating to the discharge of contaminants from a specific site or operation, and the management strategies implemented or proposed to mitigate against these risks. The plan identifies the mechanisms to reduce the potential for breaching the minimum water quality standards as specified in this Bylaw.
Definition of Regional Natural Resources Plan	Oppose	The reference of ' <i>relevant sections</i> ' of the Natural Resources Plan is ambiguous and could lead to inconsistent application of the bylaw and/or uncertainty for users when undertaking assessments against the bylaw.	Delete this definition and detail in sections 6.1 the exact section of the Natural Resources plan that is relevant, which I assume is rule DW R20 conditions (a), (c), (e), (h), (i), (j) or Modify the 'Term' to 'Water quality standards of the Natural Resources Plan' update the definition to explicitly define these standards as 'Water quality standards detailed by the Natural Resources Plan rule DW R20 conditions (a), (c), (e), (h), (i), (j)' or Add an additional section to the Bylaw which specifies in full the water quality standards detailed in the Natural



Provision	Position	Comments	Relief sought
			Resources Plan rule DW R20 conditions (a), (c), (e), (h), (i), (j), and then reference this section throughout the document.
Section 6.1	Oppose in part or oppose, dependent on the intent of the section.	<p>Whilst the heading for Section 6 details 'Minimum Water Quality Standards' Section 6.1 goes beyond this scope by referencing compliance requirements with permitted activity rules in their entirety. Scope creep occurs due to permitted activity rule conditions regulating matters other than just water quality standards.</p> <p>Whilst the heading of the section references 'Minimum Water Quality Standards' this could be considered a Chapeau and its applicability and legal application to later sections is uncertain. It would be more appropriate to narrow the scope of section 6.1 of the Bylaw or by other means.</p> <p>If full compliance with permitted activities is required, this may not be achievable due to the following.</p> <p>It is of my understanding that, historically, the water quality standards of the Natural Resource Plan Permitted Activity Rule DW R20 have been used to assess compliance with the current Section 6.1 of the Stormwater Bylaw 2015. This rule authorises 'discharge to land where the discharge enters surface water'. I am aware that TCC and Bay of Plenty Regional Council consider</p>	<p>Exact relief sought is dependent on how the above-mentioned matter of 'Definition of Regional Natural Resources Plan' is addressed.</p> <p>However, ultimately, Section 6.1 (a) needs to refine its scope to compliance with the defined water quality standards of Rule DW R20, namely, conditions (a), (c), (e), (h), (i), (j).</p>



Provision	Position	Comments	Relief sought
		<p>discharges of stormwater to the TCC public stormwater network as discharges to land (noting that the RMA definition of water excludes water conveyed in pipes), leaving the subsequent discharge to surface water to occur via the TCC stormwater network, as authorised by the TCC comprehensive stormwater consent.</p> <p>However, I note that not all discharges from the TCC stormwater network enter surface water, some enter coastal waters/the CMA (which is generally not recognised as surface water). There is no rule in the Regional Coastal Environment Plan that Authorises discharges to land that enters coastal waters. Therefore, if the TCC public stormwater network that receives the stormwater from a private site ultimately discharges the stormwater in to coastal water, there is no permitted activity available to authorise the 'discharge to land' component of the activity.</p> <p>This would mean that all stormwater discharges into the TCC stormwater network that discharge to coastal water would therefore need a resource consent in accordance with section 6.1 (b).</p> <p>If the intent of the section is to only require discharges in to the TCC stormwater network to comply with water quality standards of permitted activity rules, then the Section is</p>	



Provision	Position	Comments	Relief sought
		<p>opposed in part, recommending clarification of what water quality standards need to be met.</p> <p>If the intent of the rule is to require all discharges in to the TCC public stormwater network to comply with permitted activities in their entirety, then the section is opposed due to this not being achievable for any discharge in to a TCC public stormwater network that discharges in to coastal waters and potential large ramifications for sites that don't meet non-water quality related conditions of permitted activity rules when the TCC stormwater network does discharge in to surface water.</p>	
Section 8.2	Oppose in part	<p>Given the powers available to the water services provider under Section 8, and the potential consequences to the owner and occupier, it is considered that the timeframe stipulated by the water services provider should be 'reasonable' or 'reasonably practicable'. The use of the word 'reasonable' aligns with its use elsewhere in the document such as in section 6.2 and section 6.3. The term 'reasonably practicable' is also utilised in section 6.3.</p>	<p>Amend the section to:</p> <p>Any management options, treatment or works shall be implemented in a <u>reasonably practicable</u> timeframe stipulated by the water service provider and shall be undertaken and / or maintained at the owner or occupier's expense.</p>
Section 12.2	Oppose in part	<p>The references to sections of the Local Government (Water Services) Act 2025 in section 17.4(a) to (h) should be amended to clarify that the infringement offences arise in accordance with the relevant section. As</p>	<p>Amend the section to:</p> <p>For the purposes of section 269 of the Local Government (Water Services) Act</p>



Provision	Position	Comments	Relief sought
		<p>currently drafted, the wording implies that the listed offences fully reflect the scope of matters within the listed section, which is not accurate.</p>	<p>2025, the following offences are identified as infringement offences:</p> <p>(a) Negligently disposing of or discharging materials or substances into wastewater network (<u>in accordance with s313</u>).</p> <p>(b) Connecting to or disconnecting from or discharging into the wastewater network without authorisation (<u>in accordance with s314</u>).</p> <p>(c) Discharging Trade Waste without a Permit (in accordance with s317).</p> <p>(d) Breach of Trade Waste Permit (<u>in accordance with s318</u>).</p> <p>(e) Failure to comply with water services bylaw relating to equipment or device causing specified serious risk (<u>in accordance with s327</u>).</p> <p>(f) Failure to comply with direction given by compliance officer (<u>in accordance with s331</u>).</p>



Provision	Position	Comments	Relief sought
			<p>(g) Failure to comply with compliance order or court order (in accordance with s332).</p> <p>(h) Tampering with a water meter (in accordance with s333).</p>
Section 14.1	Oppose in part	<p>Given the powers available to the water services provider under Section 8, and the potential consequences to the owner and occupier, it is considered that the timeframe stipulated by the water services provider should be 'reasonable' or 'reasonably practicable'. The use of the word 'reasonable' aligns with its use elsewhere in the document such as in section 6.2 and section 6.3. The term 'reasonably practicable' is also utilised in section 6.3.</p>	<p>Amend the section to:</p> <p>The water service provider may give notice to any person in breach of this bylaw to carry out any remedial action in order to comply with the bylaw and every such notice shall state <u>a reasonably practicable timeframe</u> within which the remedial action is to be carried out, and may be extended from time to time.</p>



02 June 2026

Proposed Stormwater Bylaw 2026
Tauranga City Council

policy@tauranga.govt.nz

Submission on the Proposed Stormwater Bylaw

Thank you for the opportunity to submit on the Tauranga Proposed Stormwater Bylaw.

Enviro NZ Services Limited ("Enviro NZ") is a national waste service provider. Enviro NZ has 62 operating sites throughout New Zealand. Sites include collections depots, materials recovery facilities, transfer stations, cleanfill, landfills and solid and liquid hazardous waste treatment facilities. Enviro NZ operates approximately 600 vehicles and has 1100 staff.

Enviro NZ operates the following waste management facilities that service the Tauranga area:

- Enviro NZ Collections Depot at 357 Taurikura Drive, Omanawa, Tauranga.
- A transfer station and materials recovery facility at 55 Truman Lane, Tauranga.
- A transfer station at 55 Maleme Street, Tauranga.

Enviro NZ generally supports the proposed changes to the Stormwater Bylaw with some comments as follows:

Clause 4.2d – It is unclear how the conditions involve tangata whenua or what "the active exercising of Kaitiakitanga" means in the context of this bylaw. The meaning of "the active exercising of Kaitiakitanga" needs to be clarified.

Clauses 6.3 and 11.3 – When referring to "Anyone" or "Any Person" the condition seems to be too broad, as it does not consider whether that person may have a role in the discharge or have the ability to manage the discharge. The right to access private land is also an issue. These clauses may make a person unduly liable for something over which they have no control. We propose this clause is deleted.



Clause 7.4 – It is unclear whether this is a completely separate approval process, or whether these matters are already covered when applying for building consent.

Clause 11.4a – The term “near” is very vague. Suggest amending to “*In close proximity*” to be consistent with standard drawings T553 and T554 of the Infrastructure Development Code and defining close proximity.

A further general comment is that it is unclear whether the bylaw applies if a site already has a resource consent. It is suggested that clause 6.1 is amended to clarify this.

Enviro NZ does not require to be heard in relation of this submission.

Yours sincerely

Laurence Dolan
Environmental Manager

m [REDACTED]
[REDACTED]

Cathryn Taylor
Regional Manager Bay of Plenty

m [REDACTED]
[REDACTED]

Stormwater Bylaw consultation 2026

The Stormwater Bylaw provides rules for how stormwater is managed within Tauranga, helping to prevent pollution, protect public infrastructure, and ensure new developments contribute to a healthy, resilient city.

Tauranga City Council is reviewing and updating the Stormwater Bylaw to ensure it remains fit for purpose, complies with new legislative requirements, and reflects community expectations.

Submitter details

We require your contact details should we have any questions about your submission or to contact you if you wish to speak to your submission.

Name:	Sharlene Pardy, Acting Strategy and Planning Manager
Organisation or company:	Bay of Plenty Regional Council
Phone number:	0800 884 880
Email:	[REDACTED]

Would you like to speak to your submission in a public hearing?

Yes

Privacy Statement

Written submissions may contain personal information within the meaning of the Privacy Act 2020. By taking part in this public submission process, submitters agree to any personal information (including names and contact details) in their submission being made available to the public as part of the consultation and decision-making process. Council may choose to redact information from submissions before making them public.

You don't have to answer all the questions on the form except for those marked with an *. If you don't answer the questions marked with an *, we may be unable to contact you about your submission such as to arrange a time for you to speak to Council in support of your submission or update you on the outcome of your submission.

All information collected will be held by Tauranga City Council, He Puna Manawa, 21 Devonport Road, Tauranga. Submitters have the right to request access to and correction of their personal information.

For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to Tauranga City Council's privacy statement.

Which best describes you?

Other: Local authority/regional council

Have you had any direct experience with any of the following? Please select as many answers as are applicable.

Not applicable

- Building/developing (new connection or vesting stormwater assets)
- Operating a site that could discharge contaminants (e.g. yard washing, chemicals, sediment)
- A stormwater pollution incident/spill
- Flooding/ponding issues
- None of the above/not sure

Overall, do you support the proposal to adopt a new Stormwater Bylaw to replace the 2015 bylaw?

Please select one answer only

- Strongly support
- Support
- Neutral/unsure
- Oppose
- Strongly oppose

Please explain the reasons for your answer.

Bay of plenty Regional Council supports the proposed changes to the Tauranga City Stormwater Bylaw but recommends a number of changes, as laid out in the table at the end of this submission.

Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?

Please select one answer only

Not applicable

- The changes are too strongly focused toward environmental protection
- The changes are slightly too focused toward environmental protection
- The balance is right
- The changes are slightly too focused toward practical requirements
- The changes are too strongly focused toward practical requirements

Please explain the reasons for your answer.

If you're likely to be directly affected, what impact do you expect from the proposed changes?

Please select one answer only

Not applicable

- Positive
- Minor positive
- No real impact
- Minor negative
- Negative
- Not sure
- Will not affect me

Please explain the reasons for your answer.

Not applicable

Is there anything you think needs refinement or should be changed?

Tauranga Stormwater Bylaw 2026 provision	Bay of Plenty Regional Council submission point
<p>4.1(b) Purpose</p> <p>(b) complies with the conditions of the Tauranga City Council’s comprehensive stormwater discharge consents, and</p>	<p>TCC holds stormwater discharge resource consents other than the four comprehensive stormwater consents. Bay of Plenty Regional Council (Regional Council) recommends the following change to 4.1(b):</p> <p>(b) complies with the conditions of the any permanent stormwater discharge consent held by Tauranga City Council ’s comprehensive stormwater discharge consents, and</p> <p>...</p>
<p>4.2 This bylaw supports this purpose through:</p> <p>...</p> <p>(d) imposing requirements for activity-specific plans to support compliance with consent conditions, and consequences for non-compliance, which may include involving tangata whenua in the active exercising of kaitiakitanga.</p>	<p>4.2(d) consent conditions</p> <p>It is not clear which consent conditions 4.2(d) is referring to – consent conditions in stormwater discharge consents held by TCC?</p>
	<p>4.2(d) non-compliance</p> <p>It is not clear what non-compliance 4.2(d) is referring to – non-compliance with consent conditions, non-compliance with activity-specific plans, or non-compliance with tangata whenua exercising kaitiakitanga?</p>
	<p>4.2(d) tangata whenua involvement</p> <p>4.2(d) could be interpreted that involving tangata whenua is a consequence of non-compliance – is this correct? If not, Regional Council suggests rephrasing 4.2(d) as follows:</p> <p>(d) imposing requirements for activity-specific plans to support compliance with consent conditions, and /or imposing requirements for activity-specific plans as consequences for non-compliance, and/or which may include involving tangata whenua in the active exercising of kaitiakitanga.</p>
<p>5. Definitions</p>	<p>4.2(d) tangata whenua involvement</p> <p>The nature of tangata whenua involvement is not clear. Regional Council suggests clarifying what would trigger tangata whenua involvement and the scope of the involvement.</p>
	<p>The Regional Natural Resources Plan is for the Bay of Plenty, not the Bay of Plenty Regional Council:</p>

Tauranga Stormwater Bylaw 2026 provision	Bay of Plenty Regional Council submission point
<p>Regional Natural Resources Plan: means the relevant sections of the Bay of Plenty Regional Council’s Regional Natural Resources Plan</p>	<p>5. Definitions Regional Natural Resources Plan: means the relevant sections of the Bay of Plenty Regional Council’s Regional Natural Resources Plan.</p>
<p>5. Definitions</p> <p>and</p> <p>8.1 The water service provider may require the owner or occupier to implement management options, treatment, or works that comply with the Infrastructure Development Code in order to prevent the unauthorised discharge of contaminants into the public stormwater network or otherwise protect the network from damage or alteration.</p>	<p>A treatment train approach and using water sensitive design are key methods to protect stormwater quality. Water sensitive design is a key goal in Tauranga Taurikura and the Infrastructure Development Code. Regional Council recommends including definitions for these two terms and referring to them in section 8.1 of the bylaw:</p> <p>5. Definitions <u>Treatment train: means a series of connected stormwater management devices arranged in sequence so that each stage progressively treats and reduces contaminants, flow, and volume, before discharge.</u> <u>Water sensitive design: means an approach to land use and development that integrates the management of stormwater, groundwater, and water supply to protect water quality, reduce flooding, and mimic natural water processes.</u></p> <p>8.1 The water service provider may require the owner or occupier to implement management options, treatment, or works that comply with the Infrastructure Development Code, <u>including water sensitive design and a treatment train</u>, in order to prevent the unauthorised discharge of contaminants into the public stormwater network or otherwise protect the network from damage or alteration.</p>
<p>6.1 A person must prevent the discharge of contaminants, either directly or indirectly, into any part of the stormwater network unless the discharge:</p> <p>(a) is permitted by a rule in the Regional Natural Resources Plan, or</p> <p>(b) is authorised by a resource consent.</p>	<p>6.1 A person must prevent the discharge of contaminants, either directly or indirectly, into any part of the stormwater network unless the discharge:</p> <p>(a) is permitted by a rule in the Regional Natural Resources Plan <u>or a relevant national standard</u>, or</p> <p>(b) is authorised by a resource consent.</p>
<p>7.2 Any stormwater network components that are vested in the water service provider must:</p>	<p>7.2 Any stormwater network components that are vested in the water service provider must:</p>

Tauranga Stormwater Bylaw 2026 provision	Bay of Plenty Regional Council submission point
(a) be of a type, design, location and performance that enables the water service provider to comply with Tauranga City Council’s or the water service provider’s comprehensive stormwater consents; and	(a) be of a type, design, location and performance that enables the water service provider to comply with any permanent stormwater discharge consent held by Tauranga City Council’s or the water service provider’s comprehensive stormwater consents ; and
7.4(a) the applicant must provide sufficient information in a form agreed by the water service provider to enable the water service provider to understand the proposed activity and be satisfied as to whether or not the stormwater network has capacity for the proposed activity; and	Regional Council recommends either: <ul style="list-style-type: none"> • providing more clarity about what form the information should take if it must be agreed by the water service provider, or • changing 7.4(a) to the following: 7.4(a) the applicant must provide sufficient information in a form agreed by the water service provider to enable the water service provider to understand the proposed activity and be satisfied as to whether or not the stormwater network has capacity for the proposed activity; and
8.2 Any management options, treatment, or works shall be implemented in a timeframe stipulated by the water service provider and shall be undertaken and / or maintained at the owner or occupier’s expense.	From a compliance point of view, Regional Council recommends adding clause (b) to 8.2: 8.2 (a) Any management options, treatment, or works shall be implemented in a timeframe stipulated by the water service provider and shall be undertaken and / or maintained at the owner or occupier’s expense. (b) the applicant must provide the water service provider with access to the completed works and supporting documentation to enable the water service provider to undertake inspections that satisfy the water service provider that the work has been completed to an acceptable standard and in accordance with the approvals granted under step (a).
10. Pollution prevention plans 10.1 Where a site is deemed to be a high risk facility under Schedule 4 of the Regional Natural Resources Plan and discharges to the public stormwater network, the occupier of the site may be required to prepare a Pollution Prevention Plan and submit the plan to the water service provider for approval.	10. Pollution prevention plans Clause 10.1 Regional Council recommends changing the wording of 10.1 from “approval” to “certification”. Terms such as “approval” suggest broad discretion and a decision on the merits of the plan. Certification is more appropriate because it reflects a compliance check rather than a decision-making process. The certifier’s role is to confirm that the management plan meets the required criteria,

Tauranga Stormwater Bylaw 2026 provision	Bay of Plenty Regional Council submission point
	<p>not to reconsider its merits or make a judgement about whether it should proceed. A certification process also provides more certainty for people preparing pollution prevention plans.</p> <p>Regional Council considers that for more complex sites, the site owner or occupier is not qualified to write a pollution prevention plan; we recommend enabling TCC to require a suitably qualified and experienced person to prepare the plan.</p> <p>Deleting the word ‘public’ ensures that discharges to private stormwater infrastructure that flow into the public stormwater network are captured by 10.1.</p> <p>Regional Council recommends that TCC include the list of high-risk facilities from Schedule 4 of the Regional Natural Resources Plan in the Stormwater Bylaw as a standalone schedule, rather than cross-referencing Regional Natural Resources Plan Schedule 4 in the bylaw. There is no guarantee that the Regional Natural Resources Plan Schedule 4 will continue to exist under the new planning system. Including a list of high risk facilities in the Stormwater Bylaw improves certainty, clarity, and accessibility, by putting all relevant information in one place.</p> <p>10. Pollution prevention plans</p> <p>10.1 Where a site is deemed to be a high risk facility under Schedule 41 of the Regional Natural Resources Plan this bylaw and discharges to the public stormwater network, the occupier of the site, or a suitably qualified and experienced person in stormwater management, may be required to prepare a Pollution Prevention Plan and submit the plan to the water service provider for approval <u>certification that it meets the requirements of 10.2 of this bylaw</u>.</p>
<p>10.2(c) Methods in place to control contamination of the public stormwater network; and</p>	<p>Regional Council recommends using a stronger term than control, based on 6.1 of the bylaw:</p> <p>10.2(c) Methods in place to control <u>avoid</u> contamination of the public stormwater network; and</p>

Tauranga Stormwater Bylaw 2026 provision	Bay of Plenty Regional Council submission point
10.2 If another plan has been prepared which addresses these issues, it may be used in place of a Pollution Prevention Plan.	10.2 If another plan has been prepared which addresses these issues that is certified to meet the requirements of 10.2 of this bylaw , it may be used in place of a Pollution Prevention Plan.
10.6 Notwithstanding Clause 10.4, the water service provider may require that any Pollution Prevention Plan be revised where there have been significant changes in the facility concerned or its operational procedures.	10.6 Notwithstanding Clause 10.4, the water service provider may require that any Pollution Prevention Plan be revised where there have been significant changes in the facility concerned or its operational procedures. The occupier of the site will submit the revised pollution prevention plan to the water service provider for certification that it meets the requirements of 10.2 of this bylaw.
16.1 The water service provider may waive full compliance with any provision of this bylaw in a case where the water service provider is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. The water service provider may in its discretion impose conditions of any such waiver.	Regional Council is concerned that clause 16.1 may risk non-compliance with stormwater discharge consent conditions. The following addition is suggested: 16.1 The water service provider may waive full compliance with any provision of this bylaw, except any actions required to meet any consent conditions of any stormwater discharge consents held by the council or water services provider , in a case where the water service provider is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. The water service provider may in its discretion impose conditions of any such waiver.

Thank you for your submission.

If you have selected that you wish to speak to your submission we will be in contact with you.

DRAFT STORMWATER BYLAW 2026



First adopted	2010	Minute reference	
Revisions/amendments	28 September 2015	Minute reference	
	[TBC] 2026	<i>Change to Local Government (Water Services) Act 2025</i>	
Review date	This bylaw is to be reviewed 10 years after date of last review		
Relevant legislation	This bylaw is made under section 258(1)(c) of the Local Government (Water Services) Act 2025		

1. TITLE

1.1 This bylaw is the Tauranga City Council Stormwater Bylaw 2026.

2. COMMENCEMENT

2.1 This bylaw comes into force on [TBC]

3. APPLICATION AND INTERPRETATION

3.1 Unless otherwise stated, this bylaw shall apply to the whole of the city.

3.2 Words which refer to the singular include the plural and the plural includes the singular.

3.3 Reference to any act, regulation or plan or provision of any act, regulation or plan includes any amendment to that act, regulation or plan or any act, regulation or plan passed in substitution for it.

3.4 Notes in italics are for information only and are not part of this bylaw.

4. PURPOSE

4.1 The purpose of this bylaw is to support the development, operation and maintenance of a public stormwater network that:

- (a) aligns with Tauranga Taurikura, a city that values, protects and enhances our environment,
- (b) complies with the conditions of the Tauranga City Council's comprehensive stormwater consents, and
- (c) aligns with Tauranga Mataraunui, a city where people feel safe, connected and healthy.

- 4.2 This bylaw supports this purpose through:
- (a) preventing or minimising the discharge of contaminants into the public stormwater network
 - (b) requiring the use of the public stormwater network for the drainage of stormwater only
 - (c) protecting the public stormwater network, including the land, structures and infrastructure associated with that network, from damage, misuse, interference and nuisance
 - (d) imposing requirements for activity-specific plans to support compliance with consent conditions, and consequences for non-compliance, which may include involving tangata whenua in the active exercising of kaitiakitanga.

5. DEFINITIONS

Term	Definition
Component	means any physical or natural element that forms part of a stormwater network or contributes to stormwater management. This includes, but is not limited to: dam, weir, overland flow path, stormwater management device, stopbank, headworks, treatment device, drainage reserve land, ecological device, erosion and scour control structure, stormwater inlet or outlet structure, stormwater pipe, drain cover, stormwater pump system.
Contaminant	is as defined by the Resource Management Act 1991. At the date of this bylaw, a contaminant includes 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"> a. When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. 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
Discharge	is as defined by the Resource Management Act 1991 and means to emit, deposit, and allow to escape
Infrastructure Development Code	often referred to as the “IDC”, means the technical and procedural code that sets the standards for land and infrastructure development in Tauranga to ensure functional, safe and sustainable infrastructure.
Management options	mean a process or procedure for preventing or minimising the discharge of contaminants to the public stormwater network to protect the water service provider’s infrastructural assets
Occupier	is as defined by the Resource Management Act 1991. At the date of this bylaw, occupier means the inhabitant occupier of any property. In relation to any land (including any premises and any coastal marine area) this includes any agent, employee, or other person acting or apparently acting in the general management or control of the land, or any plant or machinery on that land

Term	Definition
Owner	in relation to any land or premises means any person for the time being entitled to the rent of the land or premises or who would be so entitled if the land or premises were let to a tenant whether on his/her own account or as the agent of a trustee for any other person and includes any person registered and the proprietor of the land or premises
Person	includes a corporation sole and also a body of persons, whether corporate or unincorporated
Pollution Prevention Plan	means a plan approved by the water services provider which identifies actual or potential risks relating to the discharge of contaminants from a specific site or operation, and the management strategies implemented or proposed to mitigate against these risks. The plan identifies the mechanisms to reduce the potential for breaching the minimum water quality standards as specified in this bylaw or the Regional Natural Resources Plan
Private stormwater network	means all privately owned components of a stormwater network on private land up to the point of service connection with the public stormwater network, including any pipe, gutter, catchpits, subsoil drains, treatment devices, rainwater tanks and any stormwater management device.
Public stormwater network	means all components of the Tauranga City stormwater network owned by the water services provider, including any or all of the following: a. Pipes, drains, drainage channels, catch pits, manholes, lateral connections, stormwater management devices, land drainage work or treatment facility, vested in or under the control of the water service provider, which serves more than one freehold lot; Any drain, kerb, drainage channels, land drainage works or treatment facilities within a legal road reserve or other public places; and Any drain, drainage channel, land drainage work or treatment facility declared to be a public drain under section 462 of The Local Government Act 1974.
Regional Natural Resources Plan	means the relevant sections of the Bay of Plenty Regional Council's Regional Natural Resources Plan
Stormwater	means surface water run-off resulting from rainfall

Term	Definition
Stormwater management devices	<p>has the same meaning as in the Tauranga City Plan with the addition of secondary flow paths. At the date of this bylaw, this means a device or facility used to reduce stormwater runoff volume, flow and/or contaminant loads prior to discharge. This includes but is not limited to:</p> <ul style="list-style-type: none"> a. rain gardens and swales; b. permeable paving with below ground storage; c. rainwater tank; d. infiltration trenches; e. sand filters; f. green roofs; g. wetlands; h. ponds; i. proprietary treatment devices; j. soakholes and soakpits; and k. secondary flow paths.
Stormwater network	<p>is as defined in the Local Government (Water Services) Act 2025. At the date of this bylaw, this means</p> <ul style="list-style-type: none"> (a) the water services infrastructure and processes that are used to provide a stormwater service; and are owned by, or operated by, for, or on behalf of, a water services provider, and (b) includes any of the following that receives stormwater from, or conveys stormwater to, the infrastructure referred to in paragraph (a): an overland flow path, green water services infrastructure, a watercourse; and (c) may include overland flow paths and watercourses that cross over or beneath private land.
Unauthorised discharge	<p>means a discharge that is not permitted by a rule in the Regional Natural Resources Plan or authorised by a resource consent.</p>
Water Service Provider	<p>is as defined in the Local Government (Water Services) Act 2025. At the date of this bylaw, this includes a territorial authority that has not transferred to a water organisation all of the authority's responsibility for providing water services, in relation to the water services for which the authority continues to have responsibility; or a water organisation to which a territorial authority or a regional council has transferred responsibility for providing water services, in relation to the responsibility transferred.</p>

These definitions apply unless the context requires otherwise.

6. MINIMUM WATER QUALITY STANDARDS

- 6.1 A person must prevent the discharge of contaminants, either directly or indirectly, into any part of the stormwater network unless the discharge;
- (a) Is permitted by a rule in the Regional Natural Resources Plan; or
 - (b) Is authorised by a resource consent.
- 6.2 A person must take all reasonable steps to store, handle, transport and use materials in a way that protects the public stormwater network from the unauthorised discharge of contaminants.
- 6.3 Anyone who becomes aware of, or suspects, an unauthorised discharge or imminent unauthorised discharge of contaminants into the public stormwater network must immediately take all reasonable steps to stop the discharge or prevent it from continuing, and must notify the water service provider as soon as reasonably practicable.

7. SAFE AND EFFICIENT NETWORK DEVELOPMENT AND CONNECTIONS

- 7.1 The water service provider may specify standards and controls for the stormwater network by issuing guidelines or through inclusion in the Infrastructure Development Code for:

- (a) The maintenance and construction of works that may affect the public stormwater network;
- (b) The operation of both private and public stormwater networks.

For guidance, refer to Chapter DS-5 (Stormwater Design Standards) of the Infrastructure Development Code for further details and relevant restrictions.

- 7.2 Any stormwater network components that are vested in the water service provider must:

- (a) be of a type, design, location and performance that enables the water service provider to comply with Tauranga City Council's or the water service provider's comprehensive stormwater consents; and
- (b) comply with the Infrastructure Development Code on the date they are vested in the water service provider, unless a valid departure agreement has been made with the water service provider. The water service provider may inspect any stormwater network components to ensure compliance with the Infrastructure Development Code prior to the components being vested in the water service provider.

For guidance, refer to Chapter GEN-6 (Departures) of the Infrastructure Development Code for further details and relevant restrictions.

- 7.3 A person must obtain approval from the water service provider before:
- (a) making any new connection to the public stormwater network; or
 - (b) undertaking work to:

- i. make substantial or structural changes to premises that would affect the flow rate through an existing connection to the public stormwater network (for example, where a substantial area of ground soakage will be sealed), or
 - ii. construct stormwater network components to be vested in the water service provider, or
 - iii. alter or modify any part of the public stormwater network, including connections between private stormwater networks and the public stormwater network.
- 7.4 In accordance with s150 of the Local Government (Water Services) Act 2025, the approval process referred to in clause 7.3 to regulate connections to the public stormwater network requires the following three steps:
 - (a) the applicant must provide sufficient information in a form agreed by the water service provider to enable the water service provider to understand the proposed activity and be satisfied as to whether or not the stormwater network has capacity for the proposed activity; and
 - (b) the applicant must provide detailed engineering plans to the water service provider to enable the water service provider to be satisfied that the proposed activity can be implemented; and
 - (c) the applicant must provide the water service provider with access to the completed works and supporting documentation to enable the water service provider to undertake inspections that must satisfy the water service provider as to whether the work has been completed to an acceptable standard and in accordance with the approvals granted under steps (a) and (b).

8. TREATMENT OR WORKS TO BE UNDERTAKEN

- 8.1 The water service provider may require the owner or occupier to implement management options, treatment or works that comply with the Infrastructure Development Code in order to prevent the unauthorised discharge of contaminants into the public stormwater network or otherwise protect the network from damage or alteration.
- 8.2 Any management options, treatment or works shall be implemented in a timeframe stipulated by the water service provider and shall be undertaken and / or maintained at the owner or occupier's expense.
- 8.3 The water service provider may recover from the owner or occupier the costs, including the costs associated with additional inspections and monitoring of discharges from a property into the public stormwater network, when:
 - (a) the owner or occupier does not implement the management options, treatment or works required by the water service provider in the timeframe stipulated by the water service provider, and
 - (b) the lack of implementation is suspected in the unauthorised discharge of contaminants to the public stormwater network.

9. MONITORING DISCHARGES

- 9.1 The water service provider may inspect private and public stormwater networks in order to ensure compliance with this bylaw.

10. POLLUTION PREVENTION PLANS

- 10.1 Where a site is deemed to be a high risk facility under Schedule 4 of the Regional Natural Resources Plan and discharges to the public stormwater network, the occupier of the site may be required to prepare a Pollution Prevention Plan and submit the plan to the water service provider for approval.

- 10.2 The Pollution Prevention Plan must include:

- (a) A suitably scaled drawing showing the site layout, boundaries, all private stormwater and wastewater drainage including the point of connection to the public stormwater networks, relevant buildings and outdoor spaces (including their use); and
- (b) A site assessment identifying all actual and potential sources of stormwater pollution; and
- (c) Methods in place to control contamination of the public stormwater network; and
- (d) Methods and timeframes proposed to control contamination of the public stormwater network; and
- (e) A description of the maintenance procedures in place and proposed; and
- (f) Spill prevention and spill response procedures.

If another plan has been prepared which addresses these issues, it may be used in place of a Pollution Prevention Plan.

- 10.3 Within three months of being requested to do so, the occupier must provide a Pollution Prevention Plan to the water service provider for review and approval. Failure to provide a Pollution Prevention Plan within the three months of the request is a breach of this bylaw and may result in additional site inspections by the water service provider at the cost of the occupier and/or other enforcement action.
- 10.4 Once the Pollution Prevention Plan has been approved by the water service provider, the occupier must comply with all provisions, including timeframes specified, of the Pollution Prevention Plan.
- 10.5 The occupier must review the Pollution Prevention Plan every three years and provide it to the water service provider for review and approval.
- 10.6 Notwithstanding Clause 10.4, the water service provider may require that any Pollution Prevention Plan be revised where there have been significant changes in the facility concerned or its operational procedures.

11. NETWORK PROTECTION

- 11.1 A person must not cause, or allow to be caused, any damage to any component of the public stormwater network.
- 11.2 A person must not modify, interfere with or remove component of the public stormwater network without the prior approval of the water service provider.

- 11.3 Any person who knows of damage to the public stormwater network must report it to the water service provider immediately.
- 11.4 Network proximity:
- (a) In accordance with section 307 of the Local Government (Water Services) Act 2025, any building work over or near the public stormwater network requires approval from the water service provider; and
 - (b) Where building work is within the proximate distances from the public stormwater network specified in Infrastructure Development Code, it must comply with the Infrastructure Development Code to protect the public stormwater network. Any variation from the Infrastructure Development Code for a structure on, over, or in proximity to the public stormwater network must be approved by the water service provider.

For guidance, refer to T553 and T554 of T500 Stormwater in Chapter SD-1 (Standard Drawings) and Chapter GEN-6 (Departures) of the Infrastructure Development Code for further details and relevant restrictions.

12. OFFENCES AND BREACHES

- 12.1 Every person breaches this bylaw and commits an offence who:
- (a) Does, or allows anything to be done, which is contrary to this bylaw or any part of it; or
 - (b) Fails to do, or allows anything to remain undone, which ought to be done by that person within the time and in the manner required by this bylaw or any part of it; or
 - (c) Does anything which this bylaw prohibits; or
 - (d) Fails to comply with any notice given to that person under this bylaw or any part of it or any condition of a licence granted by the water service provider; or
 - (e) Obstructs or hinders any water service provider officer or other water service provider appointed person in performing any duty or in exercising any power under this bylaw
- 12.2 For the purposes of section 269 of the Local Government (Water Services) Act 2025, the following offences are identified as infringement offences:
- (a) Carrying out building work over or near stormwater infrastructure without approval (s307).
 - (b) Negligently disposing of or discharging materials or substances into stormwater network (s320).
 - (c) Connecting to or disconnecting from, or discharging materials or substances into, stormwater network without authorisation (s322).
 - (d) Carrying out work on or in relation to the stormwater network without authorisation (s324).
 - (e) Breach of duty causing serious risk (s326).

- (f) Failure to comply with water services bylaw relating to equipment or device causing specified serious risk (s327).
- (g) Failure to notify of notifiable risk/hazard causing serious risk (s328).
- (h) Breach of bylaw relating to undertaking specified classes of work near, under, or above stormwater network (s330).
- (i) Failure to comply with direction given by compliance officer (s331).
- (j) Failure to comply with compliance order or court order (s332).

13. FEES

- 13.1 The water service provider may in accordance with section 150 of the Local Government Act 2002 (modified as necessary) prescribe fees or charges payable for any certificate, licence, approval, permit or consent form or inspection made by the water service provider under this bylaw.
- 13.2 The fee for each infringement offence listed in clause 12.2 is \$1000 for an individual and \$3000 for a body corporate.

14. NOTICES AND ORDERS

- 14.1 The water service provider may give notice to any person in breach of this bylaw to carry out any remedial action in order to comply with the bylaw and every such notice shall state the time within which the remedial action is to be carried out, and may be extended from time to time.
- 14.2 The chief executive of the water service provider may serve a compliance order in accordance with section 297 of the Local Government (Water Services) Act 2025.

15. PENALTIES

- 15.1 Subject to anything to the contrary, every person who commits an offence against this bylaw shall be subject to the penalties set out in the Local Government (Water Services) Act 2025.
- 15.2 The water service provider, or an authorised agent appointed by it, may remove or alter any work or thing that is or has been constructed in breach of this bylaw.
- 15.3 The water service provider may recover the costs of removing or altering the work or thing that is in breach of this bylaw from the person who committed the breach. This does not relieve that person of liability for the breach.

16. DISPENSING POWERS

- 16.1 The water service provider may waive full compliance with any provision of this bylaw in a case where the water service provider is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. The water service provider may in its discretion impose conditions of any such waiver.

11.2 Hearings Report - Trade Waste Bylaw Review 2026

File Number: A20425032

Author: Jennifer Ross, Policy Analyst

Authoriser: Mike Seabourne, Head of Transport

PURPOSE OF THE REPORT

1. To receive submissions on the proposed draft Trade Waste Bylaw 2026.

RECOMMENDATIONS

That the Council:

- (a) Receives the report "Hearings Report - Trade Waste Bylaw Review 2026".
- (b) Receives the written submissions on the draft Trade Waste Bylaw 2026.
- (c) Receives the verbal submissions from those who wish to speak to their submission.

EXECUTIVE SUMMARY

2. On 16 April 2026, the Council approved the draft Trade Waste Bylaw 2026 (**Trade Waste Bylaw**) and a statement of proposal for public consultation.
3. Submissions were sought from key stakeholders and the public between 4 May and 5 June 2026.
4. Twenty submissions were received (**Attachment 1**) and seven of the submitters wish to speak to the Council at the hearings today.
5. The Council is asked to hear the submitters. A deliberations report, including analysis of the submissions will be presented at the Council meeting on 11 August 2026.

BACKGROUND

6. Tauranga City Council's Trade Waste Bylaw aims to protect the wastewater network by regulating the discharge of contaminants, ensuring it protects public health and the environment from the effects of trade waste discharges, manages the capacity of the wastewater network, and enables compliance with Tauranga City Council's resource consents relating to the discharges associated with wastewater. The bylaw empowers the council to require treatment works, charge for additional demand on wastewater treatment plant, monitor discharges, enforce consents (now called permits under the Local Government (Water Services) Act 2025 (**Act**)), and apply penalties for non-compliance.
7. This review of the Trade Waste Bylaw has been undertaken in accordance with the Act. Feedback from key stakeholders was sought in 2025 to understand how they thought the bylaw was working and identify any potential improvements. Stakeholders included staff, mana whenua representatives, as well as some businesses that have previously interacted with the Tauranga City Council about trade waste.
8. On 16 April 2026, Council considered and approved the draft Trade Waste Bylaw 2026 (**Attachment 2**) and associated statement of proposal for public consultation.

9. Targeted public consultation was carried out from 4 May to 5 June 2026 and was promoted through direct emails to key stakeholders, the Let’s Talk website and inclusion in the Korero Mai newsletter.

STATUTORY CONTEXT

10. The bylaw is made under section 258 of the Local Government (Water Services) Act 2025. This new act requires territorial authorities to follow the bylaw making process and consultation requirements set out in the Local Government Act 2002.
11. The special consultative procedure must be used when amending or replacing a bylaw unless the proposed changes are minor or are correcting errors.

STRATEGIC ALIGNMENT

12. This contributes to the promotion or achievement of the following strategic community outcomes:

	Contributes
We are an inclusive city	<input type="checkbox"/>
We value, protect and enhance the environment	<input checked="" type="checkbox"/>
We are a well-planned city that is easy to move around	<input checked="" type="checkbox"/>
We are a city that supports business and education	<input checked="" type="checkbox"/>
We are a vibrant city that embraces events	<input type="checkbox"/>

13. The bylaw aligns with three of the above community outcomes. It contributes to:
 - (a) valuing, protecting and enhancing the environment by ensuring that trade waste is managed to support an effective wastewater network;
 - (b) a well-planned city by setting the expectation that our trade waste is managed in accordance with trade waste and wastewater industry standards; and
 - (c) being a city that supports business by providing the framework for Tauranga City Council to work with businesses that operate using appropriate trade waste management methods to ensure effective wastewater treatment.

FINANCIAL CONSIDERATIONS

14. There are no financial considerations associated with hearing submissions on the draft Trade Waste Bylaw.

RISKS AND LEGAL IMPLICATIONS

15. There are no legal implications or risks associated with hearing submissions on the draft Trade Waste Bylaw.

TE AO MĀORI APPROACH

16. Through pollution prevention, the Trade Waste Bylaw supports Kaitiakitanga of the built environment (Taiaohanga), wai and waterways. The draft bylaw recognises this by incorporating relevant terminology into the purpose clause.
17. The proposed draft bylaw also aligns with Manaakitanga by supporting care and safety for people and an effective wastewater network, and with Kaitiakitanga by helping protect the natural environment from contaminated wastewater discharges. It also reflects the Tauranga City Council strategies developed with tangata whenua to protect the environment.

CLIMATE IMPACT

- 18. The Trade Waste Bylaw supports the protection of wastewater infrastructure which contributes to Tauranga’s ability to be resilient to the changing weather conditions associated with a changing climate.

CONSULTATION / ENGAGEMENT

- 19. As noted in paragraph 7, initial consultation and engagement focused on gathering feedback about the current bylaw from staff, mana whenua representatives, as well as businesses that have previously interacted with Tauranga City Council regarding trade waste discharges and consents.
- 20. These stakeholders were invited to provide feedback on the draft Trade Waste Bylaw 2026. Emails were sent to stakeholder businesses, the Bay of Plenty Regional Council and Western Bay of Plenty District Council with information about the bylaw review and a link to the consultation page on the Let’s Talk section of Tauranga City Council’s website.
- 21. Te Rangapū Mana Whenua o Tauranga Moana were informed of the consultation on the draft bylaw by email, invited to share their feedback, and were provided a link to the consultation page for further information.
- 22. Members of the community that subscribe to the Korero Mai newsletter were informed of the consultation through inclusion of a link to the Let’s Talk webpage.
- 23. The Let’s Talk webpage included a summary of the bylaw, and the key proposed changes, along with links to the draft bylaw, statement of proposal, current bylaw and online submission form.
- 24. Submitters were specifically asked to provide their feedback on:
 - (a) Whether they support the proposal to adopt the draft bylaw
 - (b) The introduction of a new “controlled” category of trade waste discharges
 - (c) Proposed requirements for pre-treatment and stronger controls on hazardous waste
 - (d) What impact they expect from the proposed changes
 - (e) Anything that needs refinement or should be changed
- 25. Given the technical nature of this bylaw, feedback from the community has been limited.
- 26. Twenty submissions were received and are attached (**Attachment 1**). Table one below identifies the seven submitters wishing to speak to their submission today. An updated schedule may be provided at today’s hearings if any changes occur prior to the hearing.

Table One

Name of Submitter	Submission No.
David O’Hanlon, Business Owner	1
Darryl McLaughlin, WashNShine	4
Lovepreet Singh	13
Jesse Van Heuven, Port of Tauranga Limited	14
Chloe Trenouth, Winstone Wallboards Limited	17
Trent Sunich, SLR Consulting for Fuel Companies	18
Andrew Targett, Hospitality Business Owner	20

SIGNIFICANCE

27. The Local Government Act 2002 requires an assessment of the significance of matters, issues, proposals and decisions in this report against Council's Significance and Engagement Policy. Council acknowledges that in some instances a matter, issue, proposal or decision may have a high degree of importance to individuals, groups, or agencies affected by the report.
28. In making this assessment, consideration has been given to the likely impact, and likely consequences for:
 - (a) the current and future social, economic, environmental, or cultural well-being of the district or region
 - (b) any persons who are likely to be particularly affected by, or interested in, the matter
 - (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.
29. While the bylaw has important implications for environmental protection, public health, and the effective operation of the wastewater network, it does not fundamentally alter levels of service, involve significant financial investment, or result in major changes to strategic infrastructure assets. The primary impacts are regulatory and operational in nature, affecting specific stakeholder groups (such as businesses) more directly than the wider community. Accordingly, the matter is considered to have a moderate level of impact overall. The decision to receive and hear submissions is procedural in nature and is therefore assessed as being of low significance.

ENGAGEMENT

Taking into consideration the above assessment and that consultation has already taken place with a wide range of stakeholders, officers are of the opinion that no further engagement is required prior to the Committee receiving submissions.

NEXT STEPS

30. On 11 August 2026 the Council will be presented with an analysis of the submissions. The Council will then deliberate on any further changes to the draft Trade Waste Bylaw 2026 arising from the issues raised by submitters prior, to making a decision on adopting the updated bylaw.

ATTACHMENTS

1. **Submissions on Trade Waste Bylaw 2026 - A20543179**  
2. **Draft Trade Waste Bylaw 2026 - A20185200**  

Attachment 1**Submissions on the draft Trade Waste Bylaw 2026**

Table One Support for the proposed Trade Waste Bylaw	pg. 2-4
Table Two Categories of discharges	pg. 5-7
Table Three Encouraging cleaner discharges	pg. 8-13
Table Four Refinement or changes	pg. 14-15
Table Five About submitters	pg. 16-17
Individual submissions:	
Port of Tauranga Limited	pg. 18-26
Enviro NZ Services Limited	pg. 27-28
Bay of Plenty Regional Council	pg. 29-35
Winstone Wallboards Limited	pg. 36-37
Bp Oil New Zealand Limited Mobil Oil New Zealand Limited Z Energy Limited	pg. 38-81
Western Bay of Plenty District Council	pg. 82-86
Andrew Targett	pg. 87

TABLE ONE - Overall, do you support the proposal to adopt a new Trade Waste Bylaw to replace the 2019 bylaw?

Sub #	First Name	Last Name	Organisation	Response	Reasons
1	David	O'Hanlon		Support	The current system works fine, I see a few people not complying with no penalties. Better enforcement is required.
2	Bruce	Guise	Subway CBD	Neutral/unsure	There isn't any info here on the existing Bylaw so can't support or oppose
3	Mike	Archer	ContainerCo	Neutral/unsure	I believe there are enough controls in place already on our waste water discharge permit
4	Darryl	McLaughlin	Wash N Shine	Neutral/unsure	As a business owner operating a car wash facility, I support the intent of updating the bylaw to ensure environmental protection and alignment with current standards. However, I have selected neutral as I do not yet have enough clarity on how the proposed changes will practically impact businesses like ours. Trade waste requirements directly affect our operations, and any changes could involve significant costs for system upgrades, compliance, and potential operational adjustments. It is important that any new bylaw remains practical, proportionate, and achievable for existing businesses, particularly where sites may have physical or financial limitations. I would like to see clear, industry-specific guidance (especially for car wash operators), realistic transition timeframes, and consideration given to the cost burden of compliance. Providing certainty around future requirements will also help businesses make informed investment decisions. Overall, I am open to supporting changes, but this depends on the final details being fair, clearly communicated, and workable in a real-world business environment.

TABLE ONE - Overall, do you support the proposal to adopt a new Trade Waste Bylaw to replace the 2019 bylaw?

Sub #	First Name	Last Name	Organisation	Response	Reasons
5	Phil	Scherer	TYPBC	Strongly support	
6	Xing	Zhong		Oppose	I am concerned that the proposed changes will impose significant additional compliance costs and administrative burdens on small to medium-sized businesses, which are already struggling with high operational expenses.
7	Bill	Basher		Neutral/unsure	Need time frame to allow for additional costs
8	Nicola	Mulgrew		Neutral/unsure	
9	Damian	Skinner		Strongly support	It is important to update bylaws to ensure they are fit for purpose, and with various related laws changing, it is a good idea to ensure the bylaws meet new legal definitions and standards. Plus, environmental regulations should always be moving towards greater stringency.
10	C	VAN DE WEYER		Strongly support	Important to keep things up to date, clear, and in line with current systems
11	Songsak	Prasanpoung	Lek's go Thai food truck	Neutral/unsure	
12	Cui yao	Ruan		Neutral/unsure	
13	Lovepreet	Singh	Flexible hours and peace	Strongly support	I don't know about the benefits of this proposal. But if it can help the environment gets better for community that will be great. I request that it should be cost effective.

TABLE ONE - Overall, do you support the proposal to adopt a new Trade Waste Bylaw to replace the 2019 bylaw?

Sub #	First Name	Last Name	Organisation	Response	Reasons
					Any new proposals should have effective way to grow safe and strong community not to waste time and money.
14	Jesse	Van Heuven	Port of Tauranga Limited	0	See written submission
15	Cathryn	Taylor	Enviro NZ	Support	See written submission
16	Sharlene	Pardy	Bay of Plenty Regional Council	Support	See written submission
17	Chloe	Trenouth	Winstone Wallboards Limited	0	See written submission
18	Trent	Sunich	Fuel Companies	0	See written submission
19	James	Denyer	Western Bay of Plenty District Council	Support	See written submission
20	Andrew	Targett	0	0	See file note of phone conversation

TABLE TWO - Categories of discharges

Sub #	First Name	Last Name	Organisation	Do you agree with the introduction of a new "Controlled" category requiring permits and pre-treatment?	Do you think the revised classification system provides a fair, risk based approach to managing trade waste?	How do you expect the new classification and permitting system would affect you? - Selected Choice
1	David	O'Hanlon		Not sure	Not sure	unsure until you provide more information. We are fully compliant and report monthly. We already have sumps, filetrs and multipule interceptors
2	Bruce	Guisse	Subway CBD	No	No	We already have to have a grease trap for a business that only ever reheats and never actually cooks any fatty products. Potentially this will give license to increase the cost to do business and make a good business potentially end up with too much compliance. Maybe over the top. hard enough to do business and meet the criteria that is current
3	Mike	Archer	ContainerCo	No	Not sure	It appears to already be in effect as my tradewaste is treated in the Controlled area

TABLE TWO - Categories of discharges

Sub #	First Name	Last Name	Organisation	Do you agree with the introduction of a new “Controlled” category requiring permits and pre-treatment?	Do you think the revised classification system provides a fair, risk based approach to managing trade waste?	How do you expect the new classification and permitting system would affect you? - Selected Choice
4	Darryl	McLaughlin	Wash N Shine	Not sure	Not sure	As a car wash operator, this change is likely to place our business into the new “Controlled” category due to the nature of our discharge and use of wash bays. This could result in additional permitting requirements, increased compliance costs, and potential upgrades to existing systems, even where infrastructure is already in place and operating effectively. There is also concern around increased administrative burden and uncertainty when planning future investments. Clear guidance, recognition of existing compliant systems, and reasonable transition periods will be important to minimise unnecessary disruption and cost.
5	Phil	Scherer	TYPBC	Yes	Yes	Will not affect me
6	Xing	Zhong		No	No	The business is currently on the brink of insolvency. Additional costs for permits and pre-treatment would be the final straw, forcing us to shut down as we cannot sustain any more overheads
7	Bill	Basher		Yes	Yes	costs associated with compliance

TABLE TWO - Categories of discharges

Sub #	First Name	Last Name	Organisation	Do you agree with the introduction of a new “Controlled” category requiring permits and pre-treatment?	Do you think the revised classification system provides a fair, risk based approach to managing trade waste?	How do you expect the new classification and permitting system would affect you? - Selected Choice
8	Nicola	Mulgrew		Yes	Yes	Will not affect me
9	Damian	Skinner		Yes	Yes	I am a user of the harbour and local waterways
10	C	VAN DE WEYER		Yes	Yes	Will not affect me
11	Songsak	Prasanpoung	Lek’s go Thai food truck	Not sure	Not sure	Will not affect me
12	Cui yao	Ruan		No	No	Will not affect me
13	Lovepreet	Singh	Flexible hours and peace	Yes	Yes	If it will effect cost it will effect directly
16	Shartene	Pardy	Bay of Plenty Regional Council	Yes	Yes	N/A

TABLE THREE - Encouraging cleaner discharges

Sub #	First Name	Last Name	Organisation	Do you think that the proposed requirements for pre treatment (e.g. grease traps, interceptors) are going to encourage cleaner discharges?	Do you agree that stronger controls on hazardous or prohibited discharges (including PFAS) are necessary?	Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?	Can you provide some feedback on why you provided these answers?
1	David	O'Hanlon		Not sure	Not sure	The balance is right	Very broadbrush and generic environmental wise, need more specifics about the actual chemicals and hazards you are looking to manage. the devil is always in the detail and none has been provided.
2	Bruce	Guise	Subway CBD	Not sure	Yes	The changes are slightly too focused toward environmental protection	Anything is good so long as the implementation is calculated and explainable.

TABLE THREE - Encouraging cleaner discharges

Sub #	First Name	Last Name	Organisation	Do you think that the proposed requirements for pre treatment (e.g. grease traps, interceptors) are going to encourage cleaner discharges?	Do you agree that stronger controls on hazardous or prohibited discharges (including PFAS) are necessary?	Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?	Can you provide some feedback on why you provided these answers?
3	Mike	Archer	ContainerCo	Not sure	Yes	The changes are slightly too focused toward environmental protection	Our new consent definitely had more additions and compliance requirements in it than the previous one, so why bother changing?
4	Darryl	McLaughlin	Wash N Shine	Yes	Yes	The changes are slightly too focused toward environmental protection	*See below table
5	Phil	Scherer	TYPBC	Not sure	Not sure	The changes are too strongly focused toward	

TABLE THREE - Encouraging cleaner discharges

Sub #	First Name	Last Name	Organisation	Do you think that the proposed requirements for pre treatment (e.g. grease traps, interceptors) are going to encourage cleaner discharges?	Do you agree that stronger controls on hazardous or prohibited discharges (including PFAS) are necessary?	Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?	Can you provide some feedback on why you provided these answers?
						practical requirements	
6	Xing	Zhong		Yes	No	The changes are too strongly focused toward practical requirements	"The business is currently on the brink of insolvency. Additional costs for permits and pre-treatment would be the final straw, forcing us to shut down as we cannot sustain any more overheads
7	Bill	Basher		Yes	Yes	The changes are slightly too focused toward	

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						practical requirements	
8	Nicola	Mulgrew		No	Yes	The balance is right	
9	Damian	Skinner		Yes	Yes	The changes are slightly too focused toward practical requirements	I would prefer greater environmental protection, but I can also understand that businesses need to use these regulations and be able to undertake commercial activities.
10	C	VAN DE WEYER		Not sure	Yes	The balance is right	

TABLE THREE - Encouraging cleaner discharges

Sub #	First Name	Last Name	Organisation	Do you think that the proposed requirements for pre treatment (e.g. grease traps, interceptors) are going to encourage cleaner discharges?	Do you agree that stronger controls on hazardous or prohibited discharges (including PFAS) are necessary?	Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?	Can you provide some feedback on why you provided these answers?
11	Songsak	Prasanpoung	Lek's go Thai food truck	Yes	Yes	The balance is right	
12	Cui yao	Ruan		Yes	Not sure	The balance is right	
13	Lovepreet	Singh	Flexible hours and peace	Yes	Yes	The changes are too strongly focused toward environmental protection	
16	Sharlene	Pardy	Bay of Plenty Regional Council	Yes	Yes	N/A	See written submission

TABLE THREE - Encouraging cleaner discharges

*From Darryl McLaughlin in table above –

As a business owner, I support the importance of environmental protection and responsible trade waste management. However, the proposed changes appear to lean slightly too far toward environmental outcomes without fully considering the practical and financial impact on businesses.

For industries such as car wash operations, compliance already requires significant investment in systems and ongoing maintenance. Additional requirements, permitting, and potential upgrades could create increased costs and administrative burden, particularly where existing systems are already functioning effectively.

It is also important to recognise that many businesses are currently operating under challenging economic conditions. Introducing additional compliance costs without sufficient transition time or support may place further strain on businesses that are already under pressure.

Our business has already invested in systems such as water recycling and pre-treatment to minimise discharge and environmental impact. It is important that businesses that have taken proactive steps like this are recognised within the bylaw and not subject to unnecessary additional requirements or costs.

It is important that the bylaw achieves a balance that protects the environment while remaining practical, proportionate, and achievable for businesses to implement.

TABLE FOUR - Is there anything you think needs refinement or should be changed?

Sub #	First Name	Last Name	Organisation	Response
1	David	O'Hanlon		The current legislation needs more policing. Especially those who do not currently comply
2	Bruce	Guise	Subway CBD	All businesses should be looked individually and not just lumped into a category. Eg. What is their actual waste? not a perceived waste as it is currently. If you make more changes then there needs to be more clarity on the requirements and opportunity to discuss.
3	Mike	Archer	ContainerCo	More of a focus on hazardous substance discharge and penalties
4	Darryl	McLaughlin	Wash N Shine	<p>Greater clarity is needed around how the new categories and permitting requirements will apply to existing businesses, particularly those that already have compliant systems in place.</p> <p>Consideration should be given to:</p> <ul style="list-style-type: none"> Recognising existing infrastructure and avoiding unnecessary upgrades Providing clear, industry-specific guidance (e.g. for car wash operators) Allowing reasonable transition timeframes for any new requirements Considering the current economic environment and the financial impact of compliance changes Ensuring consistency in how rules are applied <p>A more collaborative and practical approach will help businesses comply effectively while still achieving environmental outcomes but also the bylaw should recognise businesses that have already invested in water recycling and pre-treatment systems, and avoid requiring unnecessary upgrades where effective systems are already in place.</p>

TABLE FOUR - Is there anything you think needs refinement or should be changed?

Sub #	First Name	Last Name	Organisation	Response
6	Xing	Zhong		New business only Financial subsidiary 3~5year grace period
8	Nicola	Mulgrew		Advertised penalties for non-compliance, as well as regular and not-forewarned inspections.
14	Jesse	Van Heuven	Port of Tauranga Limited	See written submission
15	Cathryn	Taylor	Enviro NZ	See written submission
16	Sharlene	Pardy	Bay of Plenty Regional Council	See written submission
17	Chloe	Trenouth	Winstone Wallboards Limited	See written submission
18	Trent	Sunich	Fuel Companies	See written submission
19	James	Denyer	Western Bay of Plenty District Council	See written submission
20	Andrew	Targett		See file note submission

TABLE FIVE - About and experience

Sub #	First Name	Last Name	Organisation	Which best describes you?	Are you currently involved in discharging trade waste to the Council wastewater network?	What type of activity best describes your trade waste (if applicable)? Selected Choice
1	David	O'Hanlon		Business owner	Yes – with an existing consent/permit	Other Trades or Services (please specify) Truck Wash
2	Bruce	Guise	Subway CBD	Business owner	Yes – with an existing consent/permit	Food Services
3	Mike	Archer	ContainerCo	Business operator/manager	Yes – with an existing consent/permit	Other Trades or Services (please specify) Container Cleaning
4	Darryl	McLaughlin	Wash N Shine	Business owner	Unsure	Other Trades or Services (please specify) Carwash
5	Phil	Scherer	TYPBC	Business owner	No	Manufacturing
6	Xing	Zhong		Business owner	No	Food Services
7	Bill	Basher		Employee at a trade premises	Yes – with an existing consent/permit	Food Processing
8	Nicola	Mulgrew		Resident / member of the public	No	
9	Damian	Skinner		Resident / member of the public	No	

TABLE FIVE - About and experience

Sub #	First Name	Last Name	Organisation	Which best describes you?	Are you currently involved in discharging trade waste to the Council wastewater network?	What type of activity best describes your trade waste (if applicable)? Selected Choice
10	C	VAN DE WEYER		Employee at a trade premises	No	Food Services
11	Songsak	Prasanpoung	Lek's go Thai food truck	Business operator/manager	Yes – without a consent/permit	Food Services
12	Cui yao	Ruan		Industry representative	No	Manufacturing
13	Lovepreet	Singh	Flexible hours and peace	Business owner	No	Food Services



Submission of Port of Tauranga Limited

Tauranga City Council Trade Waste Bylaw review

Submission prepared by: Jesse van Heuven (Port of Tauranga Limited)
Joey McKenzie (Port of Tauranga Limited)

Date: 5 June 2026

Address for Service: Port of Tauranga Limited
Attn: Jesse van Heuven (Senior Environmental Advisor)
Private Bag 12504
Tauranga Mail Centre, Tauranga 3143, New Zealand



1 Introduction

- Port of Tauranga Limited (**POTL**) appreciates the opportunity to submit on the proposed Tauranga City Council (**TCC**) Trade Waste Bylaw review¹ (**TWBR**).
- POTL would like the opportunity to speak to Council about its submission.
- POTL operates multiple trade waste discharges across its operation and is therefore directly impacted by any proposed changes in the TWBR.

2 General comments

- POTL acknowledges the need to revise the Trade Waste Bylaw, including incorporating updates to align with the Local Government (Water Services) Act 2025.
- The proposed TWBR is intended to provide clear requirements for obtaining and renewing trade waste permits, and greater responsibility for owners and occupiers to ensure compliance. It is not clear at this stage as to how TCC are

¹ [Trade Waste Bylaw review - Letstalk Tauranga](#)

planning to implement this bylaw to ensure these objectives are met.

- Compliance ultimately requires engagement, education, and understanding by both Council and trade waste premises (and personnel) to ensure clarity on requirements and timeframes.
- POTL looks forward to pragmatic and practical conversations with TCC about implementation in the future.

3 Specific comments

Specific comments on the provisions contained within the proposed TWBR are provided in **Table 1** below.

Table 1 – POTL position on proposed provisions

Provision	Position	Comments	Relief sought
Definitions			
<p>Allowed discharges means Trade Waste discharges that:</p> <p>(j) comply with all the physical and chemical characteristics set out in Schedule One and does not exceed a maximum volume of Trade Waste of 1m³/day; and</p> <p>(k) are deemed by the Water Service Provider to be low risk and a pre-treatment device is not required.</p>	Neutral	<p>The volume threshold for 'allowed' discharges (previously referred to as 'permitted') has significantly reduced under the proposed bylaw. This is likely to have effects on trade waste premises that have previously been able to operate under a 'permitted' threshold based on flow.</p>	<p>POTL seeks clarity from TCC about how new activity classifications and associated requirements will be implemented.</p>
<p>Controlled discharges means Trade Waste discharges that:</p> <p>(a) comply with all the physical and chemical characteristics set out in Schedule One; and</p> <p>(b) do not exceed a maximum volume of 3m³/day; and</p> <p>(c) are deemed by the Water Service Provider to be medium risk and a pre-treatment device is required.</p>	Neutral	<p>The volume threshold from an 'allowed' discharge (previously referred to as 'permitted') has significantly reduced under the proposed bylaw.</p> <p>The introduction of a controlled category (permit required) means that some trade waste premises that have previously been able to operate under a 'permitted' threshold based on flow, may now require a permit.</p>	
Section 5 – classification and restriction of discharges			
<p>Section 5.2</p> <p>No Person may make a Controlled discharge, or a Conditional discharge to the Wastewater System without a Permit. A Permit is not required to make an Allowed discharge.</p>	Oppose in part	<p>Section 5.2 as drafted does not provide for a transitional phase for activities potentially moving from the current 'permitted' (and proposed 'allowed') framework to a "controlled" discharge (i.e., requiring a permit).</p>	<p>POTL seeks amendment to Section 16 (transitional provisions) to ensure there is a pathway for discharges that may previously have operated under a 'permitted' activity based on flow but may now require a permit.</p>

Provision	Position	Comments	Relief sought
		As written, the provision infers that no discharge can occur unless it has a permit, or it is an allowed discharge.	Should the relief sought in Section 16.1 be agreed to, the following amendments are sought to Section 5.2 (or similar wording): No Person may make a Controlled discharge, or a Conditional discharge to the Wastewater System without a Permit. A Permit is not required to make an Allowed discharge (<u>refer to section 16.1 for transitional provision requirements</u>).
Section 12 – Management of hazardous materials			
Section 12.1 No Person shall store, transport, handle or use, or cause to be stored, transported, handled or used any of the materials described in clause 12.3 in a manner that may cause the material to enter the Wastewater System.	Oppose in part	The current wording of section 12.1 is confusing, as it implies that no person shall store, transport, handle or use any materials described in clause 12.3 in a manner that may cause the material to enter the wastewater system. The key qualifier here is adding the word 'quantities' particularly as it relates to materials listed in clause 12.3(b) and (c).	Amend section 12.1 as follows: No Person shall store, transport, handle or use, or cause to be stored, transported, handled or used any of the materials <u>or quantities</u> described in clause 12.3 in a manner that may cause the material to enter the Wastewater System. Alternative proposed wording for section 12.1 (for simplicity and ease of reading and understanding): <u>The storage, transport, handling or use of any materials or quantities</u>



Provision	Position	Comments	Relief sought
			<u>described in clause 12.3 shall be managed in a manner to ensure the material does not enter the Wastewater System.</u>
<p>Section 12.3</p> <p>The materials referred to in clauses 12.1 and 12.2 are products or wastes that:</p> <p>(a) contain corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or</p> <p>(b) are likely to generate toxic, flammable, explosive or corrosive materials in quantities that are likely to be hazardous when mixed with the wastewater stream; or</p> <p>(c) are likely to endanger the health and safety of any Person or be harmful to the Wastewater System or the environment.</p>	Oppose in part	<p>The current wording of section 12.3(c) is confusing, as it implies that no person shall store, transport, handle or use any materials described in 12.3 in a manner that may cause the material to enter the wastewater system. The key qualifier here is adding the word 'quantities' particularly as it relates to materials listed in sections 12.3(b) and (c).</p>	<p>Amend section 12.3 as follows:</p> <p>The materials referred to in clauses 12.1 and 12.2 are products or wastes that:</p> <p>....</p> <p>(c) are <u>in quantities that are</u> likely to endanger the health and safety of any Person or be harmful to the Wastewater System or the environment.</p>
Section 14 – Treatment of trade waste and mass limits			
<p>Section 14.2</p> <p>Dischargers must:</p> <p>(a) fit grease interceptors, and may be required by the Water Service Provider to fit permanent sink screens, in all food premises or any premises where any fat, grease or oil could be present in the Trade Waste discharge and comply with the provisions of their Permit in respect of the sizing, cleaning and maintenance of the interceptors.</p> <p>(b) fit inceptor traps to Wastewater discharges from</p>	Oppose in part	<p>Section 14.1 states that the Water Service Provider may grant a permit subject to the provision of appropriate pre-treatment systems.</p> <p>Section 14.2(b) as written implies that a discharger must fit interceptor traps to wastewater discharges from trade premises where oils, grit or other pollutants are likely to be present. This is not quantified with thresholds.</p>	<p>It would be useful for TCC to clarify if the intent of section 14.2(b) is indeed to require all trade premises to fit interceptor traps to all wastewater discharges.</p> <p>If this is the case, section 14.2 (b) should be amended to quantify thresholds for the presence of oils, grit or other pollutants which therefore would require an interceptor trap to be fitted.</p>

Provision	Position	Comments	Relief sought
<p>Trade Premises where oils, grit or other pollutants are likely to be present.</p> <p>(c) refer to Part Three of Schedule Three for details of typical pre-treatment requirements for Trade Premises.</p>			
Section 15 – sampling, testing and monitoring			
<p>Section 15.2</p> <p>Where the Water Service Provider requires metering to measure the flow rate and volume of Trade Waste discharges, the Discharger will:</p> <p>(a) be responsible for the supply, installation, maintenance and reading of a meter with specifications that are approved by the Water Service Provider for the measurement of the rate or quantity of discharge of Trade Waste from its premises. These meters shall be approved by the Water Service Provider but shall remain the property of the Discharger;</p> <p>(b) make records of flow and/or volume available at any time reasonably requested by the Water Service Provider and shall submit the records to the Water Service Provider at prescribed intervals, in a format and by the method approved by the Water Service Provider; and</p> <p>(c) install the meters in accordance with the manufacturer’s instructions, in a location that is readily accessible for reading and maintenance, to the satisfaction of a Compliance Officer.</p>	<p>Neutral</p>	<p>For completeness, section 15.2 should make reference to section 15.1 which outlines why sampling, analysis and monitoring may be required by the Water Service Provider, or by the discharger.</p>	<p>Amend section 15.2 as follows (or similar wording)</p> <p>Where the Water Service Provider requires metering to measure the flow rate and volume of Trade Waste discharges <u>in accordance with requirements in section 15.1</u>, the Discharger will:</p> <p>...</p>



Provision	Position	Comments	Relief sought
Section 16 – transitional provisions			
<p>Section 16.1</p> <p>Every existing Trade Waste consent, permission, agreement granted under the Tauranga City Council Trade Waste Bylaw 2019 shall continue in force as if it were made or a Permit under this Bylaw until it reaches the expiry date specified in that consent, permission or agreement, provided that no consent shall run beyond three years of when this Bylaw comes into effect.</p>	<p>Oppose in part</p>	<p>Section 16.1 (transitional provisions) states that every existing Trade Waste consent, permission, or agreement granted under the Tauranga City Council Trade Waste Bylaw 2019 shall continue in force as if it were made or a Permit under this Bylaw until it reaches the expiry date specified in that consent, permission or agreement, provided that no consent shall run beyond three years of when this Bylaw comes into effect.</p> <p>However, previously ‘permitted’ discharges (no consent required) may not be captured by this transitional provision if there was no permission or agreement provided by TCC with an associated expiry date.</p> <p>POTL seeks amendment to section 16.1 to ensure there is a pathway and sufficient time for discharges that may previously have operated under a ‘permitted’ activity based on flow to apply for a permit.</p>	<p>Amend section 16.1 as follows (or similar wording):</p> <p>Every existing Trade Waste consent, permission, <u>or</u> agreement granted under the Tauranga City Council Trade Waste Bylaw 2019 shall continue in force as if it were made or a Permit under this Bylaw until it reaches the expiry date specified in that consent, permission or agreement, provided that no consent shall run beyond three years of when this Bylaw comes into effect.</p> <p><u>For previously ‘permitted’ activities under the Trade Waste Bylaw 2019 that may require consent under the current Trade Waste Bylaw (2026), a permit must be applied for no later than 2 years after the date on which this bylaw is first adopted.</u></p>
Section 17 – Accidents, offences and breaches			
<p>Section 17.1</p> <p>17.1 In the event of any accident occurring that may alter the discharges into the Wastewater System from a</p>	<p>Oppose in part</p>	<p>POTL understands the requirement to notify the Water Service Provider of an accident including spills or process</p>	<p>Amend section 17.1(a) to include a four-hour window for notification, as follows:</p>



Provision	Position	Comments	Relief sought
<p>Trade Premises:</p> <p>(a) the Discharger must inform the Water Service Provider immediately on discovery of that accident, including spills or process mishaps, where it may cause breach of this Bylaw, even if the breach will be temporary;</p> <p>(b) where a Permit for Controlled Discharges or Conditional Discharges applies, the Water Service Provider may initiate a review or cancellation of the Permit;</p> <p>(c) where the Trade Premises usually produces Allowed Discharges, the Water Service Provider may require that the Discharger apply for a Permit.</p>		<p>mishaps that may cause a breach of the bylaw. However, immediate notification does not seem practical.</p> <p>While notification is required to the Water Service Provider, there are no further details provided as to where this notification should be made to, or how (i.e., email, phone, etc).</p> <p>In terms of section 17.1(b), it seems extreme that an accident that may cause the alteration of a discharge, may result in a permit being cancelled.</p>	<p>(a) the Discharger must inform the Water Service Provider immediately within four hours of discovery of that an accident, including spills or process mishaps, where it that may cause breach of this Bylaw, even if the breach will be temporary;</p> <p>Amend section 17(a) to provide details about who notification needs to be made to, and how.</p> <p>Amend section 17(b) to clarify circumstances where the cancellation of a permit may be considered.</p>
<p>Section 17.4</p> <p>For the purposes of section 269 of the Local Government (Water Services) Act 2025, the following offences are identified as infringement offences:</p> <p>(a) Negligently disposing of or discharging materials or substances into wastewater network (s313).</p> <p>(b) Connecting to or disconnecting from or discharging into the wastewater network without authorisation (s314).</p> <p>(c) Discharging Trade Waste without a Permit (s317).</p> <p>(d) Breach of Trade Waste Permit (s318).</p> <p>(e) Failure to comply with water services bylaw relating to equipment or device causing specified serious risk</p>	<p>Oppose in part</p>	<p>The references to sections of the Local Government (Water Services) Act 2025 in section 17.4(a) to (h) should be amended to clarify that the infringement offences arise in accordance with the relevant section. As currently drafted, the wording implies that the listed offences fully reflect the scope of matters within the listed section, which is not accurate.</p>	<p>Amend section 17.4 as follows:</p> <p>For the purposes of section 269 of the Local Government (Water Services) Act 2025, the following offences are identified as infringement offences:</p> <p>(a) Negligently disposing of or discharging materials or substances into wastewater network (<u>in accordance with</u> s313).</p> <p>(b) Connecting to or disconnecting from or discharging into the wastewater network without authorisation (<u>in accordance with</u></p>

Provision	Position	Comments	Relief sought
<p>(s327).</p> <p>(f) Failure to comply with direction given by compliance officer (s331).</p> <p>(g) Failure to comply with compliance order or court order (s332).</p> <p>(h) Tampering with a water meter (s333).</p>			<p>s314.</p> <p>(c) Discharging Trade Waste without a Permit (<u>in accordance with s317</u>).</p> <p>(d) Breach of Trade Waste Permit (<u>in accordance with s318</u>).</p> <p>(e) Failure to comply with water services bylaw relating to equipment or device causing specified serious risk (<u>in accordance with s327</u>).</p> <p>(f) Failure to comply with direction given by compliance officer (<u>in accordance with s331</u>).</p> <p>(g) Failure to comply with compliance order or court order (<u>in accordance with s332</u>).</p> <p>(h) Tampering with a water meter (<u>in accordance with s333</u>).</p>



02 June 2026

Proposed Tradewaste Bylaw 2026
Tauranga City Council

policy@tauranga.govt.nz

Submission on the Proposed Tradewaste Bylaw

Thank you for the opportunity to submit on the Tauranga Proposed Tradewaste Bylaw.

Enviro NZ Services Limited ("Enviro NZ") is a national waste service provider. Enviro NZ has 62 operating sites throughout New Zealand. Sites include collections depots, materials recovery facilities, transfer stations, cleanfill, landfills and solid and liquid hazardous waste treatment facilities. Enviro NZ operates approximately 600 vehicles and has 1100 staff.

Enviro NZ operates the following waste management facilities that service the Tauranga area:

- Enviro NZ Collections Depot at 357 Taurikura Drive, Omanawa, Tauranga.
- A transfer station and materials recovery facility at 55 Truman Lane, Tauranga.
- A transfer station at 55 Maleme Street, Tauranga.

Enviro NZ generally supports the proposed changes to the Tradewaste Bylaw with some comments as follows:

The proposed changes to the clauses:

Clause 16 – The transitional provisions do not appear to cover consents granted before 2019. It is also unclear what the expiry date would become if there is an existing condition granting an automatic annual renewal (unless reviewed by council).

It is suggested that the transitional provisions are clarified to apply to all consents granted prior to adoption of the amended bylaw.



It is also suggested it is clarified whether automatic annual renewal will continue to apply until such time as council reviews, or until three years from when the bylaw comes into effect.

Clause 14.2(b), (c) and Schedule 3, Part 3- There is no typical pre-treatment example or sizing provided for interceptors for trade premises other than grease traps. Suggest providing minimum sizing/ratio requirement, or treatment parameters.

Enviro NZ does not require to be heard in relation of this submission.

Yours sincerely

Handwritten signature of Laurence Dolan in blue ink.

Laurence Dolan
Environmental Manager

Two black rectangular redaction boxes covering contact information for Laurence Dolan.

Handwritten signature of Cathryn Taylor in blue ink.

Cathryn Taylor
Regional Manager Bay of Plenty

Two black rectangular redaction boxes covering contact information for Cathryn Taylor.

Trade Waste Bylaw consultation 2026

The Trade Waste Bylaw sets out the rules for how trade waste is managed in Tauranga, helping to protect the wastewater network, support safe and sustainable business operations and ensure compliance with resource consents and environmental standards.

Tauranga City Council is reviewing and updating the Trade Waste Bylaw to ensure it remains fit for purpose, compliant with new legal requirements, and reflective of community expectations.

Submitter details

We require your contact details should we have any questions about your submission or to contact you if you wish to speak to your submission.

Name:	Sharlene Pardy, Acting Strategy and Planning Manager
Organisation or company:	Bay of Plenty Regional Council
Phone number:	0800 884 880
Email:	[REDACTED]

Would you like to speak to your submission in a public hearing?

Yes

Privacy Statement

Written submissions may contain personal information within the meaning of the Privacy Act 2020. By taking part in this public submission process, submitters agree to any personal information (including names and contact details) in their submission being made available to the public as part of the consultation and decision-making process. Council may choose to redact information from submissions before making them public.

You don't have to answer all the questions on the form except for those marked with an *. If you don't answer the questions marked with an *, we may be unable to contact you about your submission such as to arrange a time for you to speak to Council in support of your submission or update you on the outcome of your submission.

All information collected will be held by Tauranga City Council, He Puna Manawa, 21 Devonport Road, Tauranga. Submitters have the right to request access to and correction of their personal information.

For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to Tauranga City Council's privacy statement.

Which best describes you?

Other: Local authority – regional council

Are you currently involved in discharging trade waste to the Council wastewater network?

No

What type of activity best describes your trade waste (if applicable)?

Not applicable

Overall, do you support the proposal to adopt a new Trade Waste Bylaw to replace the 2019 bylaw?

✓ Support

Please explain the reasons for your answer.

The proposed changes provide clearer rules and stronger controls to better manage discharges to the wastewater network, reducing risks to infrastructure, the environment, and public health. The updated framework also improves compliance and accountability, helping ensure a more sustainable and well-managed system.

Change to categories of trade waste discharges

Current bylaw	Draft bylaw
Council consents issued	Trade waste permits issued
<p>Three categories of trade waste:</p> <ol style="list-style-type: none"> 1. Permitted (no consent required): includes discharges that have permitted characteristics. 2. Conditional (consent required): includes discharges with high flow or high loading above the allowed discharge characteristics that put additional pressure on the network and treatment plant processes. 3. Prohibited (never consent): any discharge that may cause harm to the wastewater network, staff, be toxic to fish, animals or plant life after treatment or cause breaches of resource consents. 	<p>Four categories of trade waste discharges:</p> <ol style="list-style-type: none"> 4. Allowed (no permit required): includes discharges that have permitted characteristics and are in low volumes. 5. Controlled (permit required): includes discharges with characteristics that require pre-treatment such as grease traps and wastewater interceptors to manage impact on the network. E.g. restaurants and those with wash bays. 6. Conditional (permit required): includes discharges with high flow or high loading above the allowed discharge characteristics that put additional pressure on the network and treatment plant processes. 7. Prohibited (never permit): any discharge that may cause harm to the wastewater network, staff, be toxic to fish, animals or plant life after treatment or cause breaches of resource consents.

Do you agree with the introduction of a new “Controlled” category requiring permits and pre-treatment?

✓ Yes

Do you think the revised classification system provides a fair, risk-based approach to managing trade waste?

✓ Yes

How do you expect the new classification and permitting system would affect you?
 Please select one answer only
 Not applicable
 Will not affect me
 Describe the effect on you

Do you think that the proposed requirements for pre-treatment (e.g. grease traps, interceptors) are going to encourage cleaner discharges?

✓ Yes

Do you agree that stronger controls on hazardous or prohibited discharges (including PFAS) are necessary?

✓ Yes

Do the proposed changes strike the right balance between environmental protection and practical requirements for people and businesses?

- o The changes are too strongly focused toward environmental protection
- o The changes are slightly too focused toward environmental protection
- o The balance is right
- o The changes are slightly too focused toward practical requirements
- o The changes are too strongly focused toward practical requirements

[See table in next question](#)

Can you provide some feedback on why you provided these answers?

[See table in next question](#)

Is there anything you think needs refinement or should be changed?

Tauranga Trade Waste Bylaw 2026 provision	Bay of Plenty Regional Council submission point
<p>Definitions</p> <p>Conditional discharges: means Trade Waste discharges that:</p> <ul style="list-style-type: none"> (a) are Temporary Discharges and are not Allowed Discharges or Controlled Discharges; or (b) do not comply with one or more of the physical and chemical characteristics set out in Schedule One; or (c) exceed a maximum volume of Trade Waste of 3m³ /day; or (d) are deemed by the Water Service Provider to be high risk and a pre-treatment device or system is required; or (e) are Tankered Waste; or (f) contain POPs. 	<p>Bay of Plenty Regional Council (Regional Council) recommends using the full term for persistent organic pollutants/avoiding using the acronym POPs throughout the bylaw to avoid confusion:</p> <p>Definitions</p> <p>Conditional discharges: means Trade Waste discharges that:</p> <ul style="list-style-type: none"> (a) are Temporary Discharges and are not Allowed Discharges or Controlled Discharges; or (b) do not comply with one or more of the physical and chemical characteristics set out in Schedule One; or (c) exceed a maximum volume of Trade Waste of 3m³ /day; or (d) are deemed by the Water Service Provider to be high risk and a pre-treatment device or system is required; or (e) are Tankered Waste; or (f) contain persistent organic pollutants (POPs).
<p>Definitions</p> <p>Controlled discharges: means trade waste discharges that:</p> <ul style="list-style-type: none"> (a) comply with all the physical and chemical characteristics set out in Schedule One; and (b) do not exceed a maximum volume of 3m³ /day; and (c) are deemed by the water service provider to be medium risk and a pre-treatment device is required. 	<p>A low risk discharge that exceeds 1m³/d but is less than 3m³/day would not meet any of the definitions of allowed discharges, conditional discharges, or controlled discharges. The definitions should be amended to capture a low risk discharge that exceeds 1m³/d but is less than 3m³/day.</p>
<p>Definitions</p> <p>POPs: persistent organic pollutants, including polyfluoroalkyl and perfluoroalkyl substances (PFAS), perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA)</p>	<p>Regional Council recommends using the full term for persistent organic pollutants/avoiding using the acronym POPs throughout the bylaw to avoid confusion:</p>

Tauranga Trade Waste Bylaw 2026 provision	Bay of Plenty Regional Council submission point
	<p>Persistent organic pollutants: includes polyfluoroalkyl and perfluoroalkyl substances (PFAS), perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA). Sometimes referred to as POPs.</p>
<p>Definitions</p> <p>Prohibited discharge: means trade waste discharges that that has, or is likely to have, any of the physical or chemical characteristics set out in Schedule Two.</p>	<p>Definitions</p> <p>Prohibited discharge: means trade waste discharges that that has, or is likely to have, any of the physical or chemical characteristics set out in Schedule Two.</p>
<p>Definitions</p> <p>Trade waste: means any waste that is discharged in the course of an industrial, commercial, or trade process or operation, or a related process or operation and is discharged in a wastewater system but does not include any class of waste or material that has been specified to not be trade waste by a trade waste discharge plan.</p>	<p>Definitions</p> <p>Trade waste: means any waste that is discharged in the course of an industrial, commercial, or trade process or operation, or a related process or operation and is discharged in , or should be discharged into, a wastewater system but does not include any class of waste or material that has been specified to not be trade waste by a trade waste discharge plan.</p>
<p>13.2 Any person transporting tankered waste must:</p> <p>...</p> <p>(b) ensure the tanker is thoroughly washed between tanker loads of varying waste categories to prevent cross-contamination;</p>	<p>Regional Council recommends specifying that wash water from tanker washdown must be captured and treated to reduce the risk of uncontrolled discharges to the receiving environment.</p> <p>13.2 Any person transporting tankered waste must:</p> <p>...</p> <p>(b) ensure the tanker is thoroughly washed (in a washdown facility designed to prevent untreated tanker wash water from discharging into the stormwater system or the natural environment) between tanker loads of varying waste categories to prevent cross-contamination;</p> <p>Following on from the previous point, Regional Council considers it relevant to add a definition of tanker wash water to the definitions section:</p> <p>Definitions</p> <p>Tanker wash water: means liquid waste generated from the internal or external cleaning of tankers or bulk liquid containers, including water containing residues of transported substances, detergents, and other</p>

Tauranga Trade Waste Bylaw 2026 provision	Bay of Plenty Regional Council submission point
	contaminants, and is considered non-domestic trade waste requiring controlled collection, treatment, or disposal.
<p>13.4 No water used during the repair or construction of water mains maybe discharged into the wastewater system, or adjacent water course without prior written approval from the water service provider.</p>	<p>The water service provider cannot provide permission to discharge water mains water to any water course – this is regulated by the Regional Natural Resources Plan. Regional Council recommends clarifying the approvals required for discharges during repair or construction of water mains:</p> <p>13.4 No water used during the repair or construction of water mains maybe discharged into:</p> <p>(a) the wastewater system without prior written approval from the water service provider, or</p> <p>(b) any adjacent water course if the discharge does not meet permitted rules in the Regional Natural Resources Plan, or</p> <p>(c) the stormwater system if the discharge does not meet section 6 of the Stormwater Bylaw 2026.</p>
<p>14.2 Dischargers must:</p> <p>...</p> <p>(b) fit inceptor traps to Wastewater discharges from Trade Premises where oils, grit or other pollutants are likely to be present.</p>	<p>14.2 Dischargers must:</p> <p>...</p> <p>(b) fit interceptor traps to Wastewater discharges from Trade Premises where oils, grit or other pollutants are likely to be present.</p>
<p>17.3 The chief executive of the water service provider may:</p>	<p>17.3 The chief executive of the water service provider, or their delegate, may:</p>
<p>17.4 For the purposes of section 269 of the Local Government (Water Services) Act 2025, the following offences are identified as infringement offences:</p> <p>...</p> <p>(c) Discharging trade waste without a permit (s317)</p>	<p>17.4 For the purposes of section 269 of the Local Government (Water Services) Act 2025, the following offences are identified as infringement offences:</p> <p>...</p> <p>(c) Discharging trade waste to the wastewater system without a permit (s317)</p>
<p>21.1 The water service provider may waive full compliance with any provision of this bylaw in a case where the water service provider is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. The water</p>	<p>21.1 The water service provider may waive full compliance with any provision of this bylaw in a case where the water service provider is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community. The water service provider may in its discretion impose conditions of any such</p>

Tauranga Trade Waste Bylaw 2026 provision	Bay of Plenty Regional Council submission point
<p>service provider may in its discretion impose conditions of any such waiver.</p>	<p>waiver. In no circumstances shall any waiver cause a breach of the wastewater discharge consent limit from any wastewater treatment plant, or any relevant rule in a national environmental standard or regional plan.</p>
<p>Schedule three – permit consideration criteria and conditions 1. Part one – consideration criteria ... (t) where POPs are present, the quantity in relation to the levels recommended by the Environmental Protection Authority, or the Ministry for the Environment, and the guidance available (<i>Explanatory Note - Current guidance on levels of PFAS is outlined in PFAS Disposal to Trade Waste (Environmental Protection Authority, 2018) and Advice for Councils – PFAS (Ministry for the Environment, 2018)</i>)</p>	<p>This clause indicates that TCC is considering accepting trade waste containing PFAS where concentrations are below the interim levels set out in Schedule 3, Part 1(t). However, PFAS was not assessed as part of any consent applications to Regional Council for any wastewater treatment plant discharges. If TCC intends to permit PFAS in the future, a variation to the consent conditions to include PFAS and other persistent organic pollutants should be sought and the potential effects of discharging persistent organic pollutants on the receiving environment must be assessed.</p> <p>Until TCC’s wastewater treatment plant discharge consent conditions are varied to accept persistent organic pollutants, Regional Council recommends deleting Schedule three – permit consideration criteria and conditions, Part one – consideration criteria (t), and explicitly listing persistent organic pollutants in Schedule two – characteristics of prohibited discharges:</p> <p>Schedule two – characteristics of prohibited discharges: (h) radioactivity levels in excess of the guidelines set by the Office of Radiation Safety; (i) persistent organic pollutants.</p>
<p>Schedule three – permit consideration criteria and conditions Part two – conditions of permits Any Permit to discharge Trade Waste may be granted subject to any conditions the Water Service Provider considers appropriate, including but not limited to: ... (t) where the discharges include POPs, a plan agreed with the Water Service Provider to remove and/or reduce the discharge of POPs;</p>	<p>Until TCC’s wastewater treatment plant discharge consent conditions are varied to accept persistent organic pollutants, Regional Council recommends the following amendment to Schedule three, part two (t):</p> <p>Schedule three – permit consideration criteria and conditions Part two – conditions of permits Any permit to discharge trade waste may be granted subject to any conditions the water service provider considers appropriate, including but not limited to: ... (t) where the discharges include persistent organic pollutants POPs, a plan agreed with the water service provider to remove and/or reduce persistent organic pollutants from the discharge of POPs;</p>

Chloe Trenouth Consulting
E. [REDACTED]
M. 0 [REDACTED]

04 June 2026

Tauranga City Council
Private Bag 12022
Tauranga 3143

Via email: policy@tauranga.govt.nz

Draft Trade Waste Bylaw 2026 – Feedback of Winstone Wallboards Ltd

Winstone Wallboards Ltd (**WWL**) appreciates the opportunity to provide feedback on Tauranga City Council's draft Trade Waste Bylaw 2026. WWL own and operate a plasterboard manufacturing facility at 135 Kaweroa Drive, Tauriko.

As a manufacturer with an operational presence in Tauranga and a strong interest in efficient, environmentally responsible management of industrial discharges, WWL support the overall objective of protecting the wastewater system, public health, and the environment. WWL recognise the need to update the bylaw to align with the Local Government (Water Services) Act 2025 and to reflect current best practice in trade waste management. WWL also support the Council's intention to strengthen provisions for classification, permitting, monitoring, and pre-treatment, as these measures can provide greater certainty for both the Council and trade premises operators.

It is important that the bylaw and any associated trade waste controls are clear, practical, and proportionate for industrial operators. In particular, WWL encourage Council to ensure that discharge thresholds are supported by transparent technical guidance and a risk-based approach that recognises differences between industries and discharge profiles. Where site-specific permits are required, the application, review, and variation processes should be efficient, predictable, and based on evidence of actual risk to the wastewater system and treatment processes.

Under the current Trade Waste Bylaw, WWL intermittently discharge wash water from the forklift wash bay as a permitted activity and do not require a permit. The worst-case trade waste discharge from the Tauriko site is up to a maximum of 2m³ per day but is generally much lower associated with washing two forklifts per day. Wash water flows to a Hynds Oil and Grit Interceptor System prior to discharge to the sewer and has been deemed low risk by the Council upon inspection.

WWL is not opposed to the proposed four categories of trade waste discharge, but is concerned about the proposal to reduce the permitted or allowed discharge threshold from 5m³ to 1m³. This would require WWL to obtain a trade waste permit as a *Controlled Discharge*, which would be subject to annual renewal resulting in additional compliance costs with no environmental benefit.

The proposal lacks explanation around how the Council has determined the reduced threshold of 1m³. WWL accept a reduced threshold may be appropriate as an *Allowed Discharge*, but request that the threshold be no less than a maximum of 2m³ and that the definition recognise

compliance with the Schedule One characteristics and pre-treatment prior to discharge resulting in a low-risk discharge.

Operations at the Tauriko site are proactively managed to ensure ongoing compliance through our Environmental Management Plan, including inspections and maintenance of any treatment devices. Therefore, requiring a trade waste permit with annual renewal for WWL's site is considered onerous and unnecessary.

Thank you for considering this submission. WWL would like to speak in support of this submission at the hearing.

Yours sincerely



Chloe Trenouth, Consultant
On behalf of Winstone Wallboards Ltd

Contact: Chloe Trenouth

Contact phone number: [REDACTED]

Contact email: [REDACTED]

CC. Doug Hallberg, Winstone Wallboards
CC. Shaun Sanders, Winstone Wallboards
CC. Simon Cooper, Winstone Wallboards

Tauranga City Council
 Submission of the Fuel Companies on the Tauranga City Council Draft Trade Waste Bylaw 2026

5 June 2026
 SLR Project No.: 810.031972.00001.0047
 SLR Ref No.: Fuel Companies Submission on TCC Trade Waste Bylaw_v1.0

5 June 2026

SLR Ref No.: Fuel Companies Submission on TCC Trade Waste Bylaw_v1.0

Tauranga City Council

By email: policy@tauranga.govt.nz

SLR Project No.: 810.031972.00001.0047

RE: Submission of the Fuel Companies on the Tauranga City Council Draft Trade Waste Bylaw 2026

Submitter:

bp Oil New Zealand Limited	Mobil Oil New Zealand Limited	Z Energy Limited ¹
PO Box 99 873	PO Box 1709	PO Box 2091
Auckland 1149	Auckland 1140	Wellington 6140

Hereafter referred to as the **Fuel Companies**

Address for Service:

SLR Consulting New Zealand
 PO Box 911310
 Victoria St West
 Auckland 1142

Attention: Trent Sunich

Phone: [REDACTED]

Email: [REDACTED]

¹ On behalf of the wider Z group, including the Z Energy and Caltex operations in New Zealand.



1.0 Introduction

- 1 Tauranga City Council (*TCC or the Council*) is inviting submissions on its proposed Draft Trade Waste Bylaw 2026 (*the draft bylaw*). Council proposes that the draft bylaw will replace the TCC Trade Waste Bylaw 2019.
- 2 bp Oil New Zealand Limited, Mobil Oil New Zealand Limited, and Z Energy Limited (*the Fuel Companies*) receive, store and distribute refined petroleum products around New Zealand. In Tauranga, the Fuel Companies' core business is the operation and management of their individual service station and truck stop networks, commercial facilities and bulk storage (terminal) facilities, as well as associated pipelines supplying petroleum products to these terminals.
- 3 The Fuel Companies seek clarification regarding the management of Persistent Organic Pollutants (POPs) in the draft bylaw.
- 4 In addition to addressing discharges to trade waste containing POPs, this submission also comments on some other aspects of the bylaw which are relevant to activities undertaken by the Fuel Companies.
- 5 The Fuel Companies **wish to be heard** in relation to this submission.

2.0 Discharge of POPs

2.1 Background on POPs

- 6 POPs are a family of thousands of chemicals that vary widely in their chemical and physical properties, as well as their potential risks to human health and the environment. Many POPs are ubiquitous in the environment, including in groundwater², with numerous sources including the aerospace, semiconductor, medical, automotive, construction, electronics, and aviation industries, as well as consumer products including carpets, clothing, furniture, outdoor equipment, food packaging.
- 7 The storage and disposal of POPs in New Zealand is controlled under the Hazardous Substances and New Organisms Act 1996 (*HSNO Act*), and are currently managed under the Hazardous Substances (Storage and Disposal of Persistent Organic Pollutants) Notice 2004 (*2004 Notice*). The 2004 Notice is under revision by the Environmental Protection Authority (*EPA*), with the draft Notice titled Hazardous Substances (Storage and Disposal of Persistent Organic Pollutants) Notice 2024 (*2024 Notice*).
- 8 The 2024 Notice includes listings of substances classified as POPs. The Fuel Companies are of the view that the draft 2024 Notice is likely to be finalised with little or any material change to the key tenants of the 2004 Notice. The 2024 Notice is therefore a key document for guiding regulation in relation to the disposal of POPs in trade waste.
- 9 Reference to POPs has been added to the draft bylaw and is defined as "persistent organic pollutants, including polyfluoroalkyl and perfluoroalkyl substances (PFAS), perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA)".-PFOS, PFOA and perfluorohexane sulfonate (PFHxS) are consistent with the substances, and related compounds or derivatives, listed as POPs in the 2024 Notice.

² For example, Environmental Protection Authority & Regional & Unitary Authorities 2023 (National survey of Per- and Polyfluoroalkyl Substances (*PFAS*) in Groundwater 2022) recorded PFAS in 15 sampled groundwater wells with for example, total PFOS recorded at 0.016 ug/L.



2.2 PFAS at Fuel Company Sites

- 10 PFAS containing fire fighting foams have been held in fixed and mobile fire fighting systems at bulk storage (terminal and depot) sites by the Fuel Companies throughout New Zealand for many years. PFAS, including PFOA and PFOS were often present in these foams as an ingredient or a contaminant.
- 11 It is known that fire fighting training exercises, the application of foams to fight actual fires, and accidental losses of foam concentrates and foam wastes from fire fighting systems have resulted in some contamination of soil and groundwater by PFAS.
- 12 Activities undertaken by the Fuel Companies such as the installation of underground pipelines and foundations, typically at terminals, may involve construction phase stormwater discharges and / or dewatering of groundwater. At such sites where firefighting PFAS based foams have historically been used or stored by the Fuel Companies, it is possible that construction phase stormwater or dewatered ground water discharges could contain traces of PFAS. One pathway option for disposal of these waters is to trade waste, particularly where it is not considered appropriate to discharge via stormwater systems.
- 13 The ability to undertake these maintenance / repair / upgrade works is critical to ensuring the continued safe and efficient operation of these fuel industry sites. This includes the cost-effective management and disposal of contaminated water.

2.3 PFAS Disposal: Regulatory Controls and Guidance

- 14 In accordance with the revised Fire Fighting Chemical Group Standard 2021 (HSR002573), the Fuel Companies have been undertaking the removal PFAS based foams from fire fighting systems, with replacement by PFAS free foams. This needed to be completed by December 2025, unless specifically allowed by the EPA. Notwithstanding this, PFAS may still be present in soils at sites where PFAS based foams have been used.
- 15 Under the 2024 Notice, foam concentrate and high PFAS concentration liquid wastes are defined as *Higher Risk Persistent Organic Pollutants*³ and must be managed in line with stringent (Environmentally Sound) controls as set out in the Basel Technical Guidelines defined in the 2024 Notice.
- 16 Environmentally Sound disposal methods for liquids comprise:
 - destruction and irreversible transformation by a method that conforms with section IV.G.2 of the Basel Technical Guidelines; or
 - export from New Zealand for destruction and irreversible transformation by a method that conforms with section IV.G.2 of the Basel Technical Guidelines.
- 17 Methods that do not constitute Environmentally Sound disposal methods for liquids include (8(2)(3):
 - Dilution to achieve the Low POP Threshold.
- 18 Foam concentrate and associated liquids not meeting the Low POP Threshold have and are being managed by the Fuel Companies in accordance with the prescribed Environmentally Sound disposal methods. This is a complex and costly process.

³ Liquids defined as Higher Risk Organic Pollutants comprise liquids that contain a persistent organic pollutant at a level equal to or above the Low POP Threshold defined in the 2024 Notice. For PFAS the Low POP Thresholds are as follows: PFOA-related compounds – 40 mg/kg, PFHxS and its salts - 1 mg/kg PFHxS-related compounds – 40 mg/kg, PFHxS-related compounds – 40 mg/kg, PFOS and its salts – 1 mg/kg, PFOS derivatives – 40 mg/kg.



- 19 In relation to Low POP Threshold for PFOA, PFHxS and PFOS, the disposal to trade waste is supported by Regulation 23 of *The Fire Fighting Chemical Group Standard 2021* (HSR002573), which provides for the disposal of fire fighting foam waste product, for example, generated by decontamination of fire fighting systems, to trade waste ...*in accordance with an applicable trade waste bylaw if the bylaw expressly permits the discharge of the trade waste containing a PFAS component or components because the component or components are present below a specified concentration.*
- 20 An EPA paper *Disposal of PFAS (EPA 2018) containing wastewater to trade waste* authored by Dr Peter Dawson of the EPA further explores the level of PFOS in wastewater from the decontamination of fire trucks and other fire protection assets, after pre-treatment, that could be acceptable to discharge to wastewater treatment systems. The intent of the paper was to provide guidance to local authorities in setting consent conditions for such disposal, or to set as regulated limits in Trade Waste Bylaws.
- 21 The Paper notes that in addition to maximum concentrations for contaminants, there is also the provision in the Model Bylaws to set daily mass limits. In setting mass limits, a wastewater authority can have consideration of matters including:
- Risks to the ultimate receiving environment.
 - Whether or not the levels proposed pose a threat to the planned or actual beneficial use of biosolids.
 - How great a proportion the mass flow of a contaminant of the discharge will be of the total mass flow of that contaminant in the sewerage system.
- 22 The Paper recommends the following interim levels:
- PFOS 0.1 µg/litre (100 ng/litre or 100 ppt).
 - PFOA 0.1 µg/litre (100 ng/litre or 100 ppt).
 - PFAS (total) 1 µg/litre (1,000 ng/litre or 1,000 ppt) (method of analysis to be advised).
- If daily mass limits are set, then a higher maximum concentration could be acceptable, say 1 µg/litre for PFOS and for PFOA.
- 23 Additional guidance on the management of PFAS including PFOS, PFOA and PFHxS is provided in the Heads of EPA (HEPA) publication *PFAS National Environmental Management Plan (NEMP) Version 3.0*, prepared by the National Chemicals Working Group of the Heads of EPAs Australia and New Zealand. NEMP 3.0 is currently in draft.
- 24 Much of the guidance presented in the NEMP has been adopted in New Zealand, including numerical guidelines for PFOS, PFOA and PFHxS in water for various scenarios. Example criteria for PFOS, PFOA and PFHxS in biosolids are also presented.

2.4 Issues in draft bylaw for PFAS

- 25 The Fuel Companies support the draft bylaw to the extent that it does not try to prevent or eliminate POPs in trade waste discharges; rather the presence of POPs is used as one of the triggers for determining trade waste discharges that requires a permit as a Conditional Discharge. However, the Fuel Companies are concerned that the draft bylaw does not set a trigger level for POPs in the form of a concentration or daily mass limit.



- 26 As noted in paragraph 6, PFAS are ubiquitous in the environment, including in groundwater, with PFAS being derived from many sources including former PFAS-based or contaminated fire fighting foams held on sites occupied by the Fuel Companies and many other industrial operations. Additionally, laboratories provide results to a numerical limit of reporting (*LOR*) or Practical Quantification Limit (*PQL*), which are greater than zero. As a result, virtually all trade waste discharges, where there has been sufficient testing, will “contain POPs” requiring a permit as conditional discharges. In the Fuel Companies view, this is not risk-based and is unlikely to have been the intention of Council.
- 27 Auckland Council have adopted the EPA recommended limits (set out above paragraph 22) in their Trade Waste Controls 2019, *Trade waste characteristics and substances control*, setting daily mass limits for PFOS, PFOA and PFHxS of 35 mg (Mangere Wastewater Treatment Plant) and 7 mg (Rosedale Wastewater Treatment Plant).
- 28 In 2025, Christchurch City Council undertook a review of their trade waste bylaw, which received numerous submissions relating to PFAS. As a result of these submissions, the Council modified the draft bylaw so that PFAS, PFOS, PFOA and PFHxS, in excess of the levels recommended by the Environmental Protection Agency or the Ministry for the Environment, are prohibited characteristics of trade waste discharge, unless subject to a conditional consent.
- 29 The Fuel Companies consider that the approaches taken in Auckland and Christchurch, by allowing a permitted pathway for PFAS, PFOS, PFOA and PFHxS where it meets the levels recommended by the EPA, represents the best practice approach. The reason for this is environmentally sound treatment methods are available to reduce PFOA, PFHxS and PFOS to the expected concentrations permitted for discharge to trade waste.

2.5 Relief Sought – PFAS

- 30 The Fuel Companies seek that the Trade Waste Bylaw include an option to dispose of water that is generated during maintenance / repair / upgrade and similar activities, that is contaminated by PFOA, PFHxS and PFOS, to trade waste, where this complies with the characteristics and limits set out in Schedule One of the draft bylaw.
- 31 The concentration and/or daily mass limits should be calculated in the manner suggested for example in EPA (2018) and the NEMP 2.0.
- 32 Specific relief to the draft bylaw is set out in **Appendix A**. This includes removing the reference to POPs in the Conditional Discharge definition, which is inconsistent with Schedule One which provides for the presence of POPs as an allowed or controlled discharge.

3.0 Carwash Discharges and Quantity Limits

3.1 Operation of Carwash Facilities

- 33 Discharges from modern car wash facilities typically include a pre-treatment device and in some cases a water recycler. Treatment is most frequently provided by a proprietary oil/grit interceptor to reduce both suspended solids and hydrocarbons. This enables the Fuel Companies to comply with permitted physical and chemical characteristics subject to appropriate operation and maintenance, which is addressed via robust procedures. An example of this is the Trade Waste Management Procedure operated by Z Energy which is attached in **Appendix B**. Collectively, the Fuel Companies have comprehensive monitoring records over an extended period



demonstrating consistent compliance with the relevant quality characteristics in Schedule One of the draft bylaw, which means regular compliance testing of outputs from these proprietary devices is not required.

3.2 Service Station Trade Waste Volumes

- 34 The draft bylaw proposes to significantly restrict the volume of trade waste that can be discharged to the network, with volume being one of the primary levers to differentiate allowed discharges from those that need a permit. Currently, the bylaw allows permitted discharges with a volume up to 5m³ per day. Under the draft bylaw, this is set to be reduced to as little as 1m³ per day for allowed discharges, between 1m³ and 3m³ per day for controlled discharges, and over 3m³ per day for conditional discharges. These are some of the strictest trade waste volumes for any territorial authority in New Zealand.
- 35 This change is expected to have an impact on nearly all service station sites across the city, including those that do not operate carwash facilities. As a result, many sites do not require a permit under the current bylaw, most will require a permit under the draft bylaw.
- 36 The volume of trade waste from a service station is not the same for all sites, and is dependent on several factors, including whether the site operates a carwash facilities, the size and scale of any food preparation kitchens associated with the premises, and the volume of customers using toilet facilities on the site. This volume is also expected to be variable across days of the week or months of the year, and any special events, such as holiday periods or public holidays.
- 37 A non-carwash site is expected to have a daily trade waste discharge of between 0.8m³ to 1.5m³. However, the limit in the bylaw is based on the daily maximum quantity. While a daily maximum is the easiest metric for the Council to monitor and enforce, it does not consider any variances across the year, such as high traffic days or special events. Any business with trade waste must operate and seek a permit based on the worse-case daily volume, even if only exceeded for a few days of the year. As a result, most non-carwash site would require a controlled discharge permit to provide compliance certainty.
- 38 Under the draft bylaw, these controlled discharges are deemed to be 'medium risk' despite the sites only having toilets and small food preparation kitchens. Further, the daily limit approach was not an issue under the current bylaw as the limit was set to comfortably accommodate all non-carwash service station sites.
- 39 The Fuel Companies consider that this should be remedied in the draft bylaw by one or more of the following means:
- To specifically provide for service station sites that do not operate a carwash facility as an allowed discharge;
 - To increase the volumetric limit up to 2m³ or more per day;
 - To change the daily maximum limit to an average or a maximum total over a set period. For example, an average daily quantity over a 7-day or 30-day period, or a maximum total quantity over a 30-day or annual period. The latter is an approach adopted by Christchurch City Council on the 2025 Trade Waste Bylaw review where it imposed a maximum annual volume of 1,245m³.
- 40 For a carwash site, the daily volume is expected to be as high as 5m³ where a water recycler is installed and well over 5m³ per day for sites without a recycler. However, water recyclers are expensive to install and operate, and generally only deployed on sites that can guarantee a high throughput of customers.



- 41 For carwash sites without water recyclers there is no significant change as they would require a conditional discharge consent under the current bylaw. However, carwash sites with water recyclers are incentivised under the currently bylaw by being a permitted discharge. This incentivisation is reversed in the draft bylaw, as they are likely to all be classed a conditional discharge (greater than 3m³), which are deemed to be 'high risk', despite the sites having discharge characteristics similar to non-carwash sites, plus car washing products and waxes.
- 42 The best performing carwash sites will also suffer from the same problem as noted above for non-carwash site relating to the maximum daily limit as the measurement metric. That is, an unusually busy day will define whether a site can comply with a set daily limit, even if only exceeded periodically.
- 43 The Fuel Companies consider that this should be remedied in the draft bylaw similar to that noted above for non-carwash sites, such as:
- The volumetric limit to remain unchanged at 5m³ per day for service stations with a carwash. At the minimum, this should be a controlled discharge, but preferably an allowed discharge. The sites that cannot achieve this limit (e.g. no water recyclers) would remain as the higher risk conditional discharges; or
 - To specifically provide for service station sites that operate a carwash facility with water recycler as an allowed discharge; and
 - To change the daily maximum limit to an average or a maximum total over a set period to provide greater flexibility for a carwash site that uses a water recycler.
- 44 Additionally, the Fuel Companies consider there are environment benefits of commercial carwash facilities in terms of the discharge quality going to trade waste. In particular, the restrictions in the draft bylaw (including the limits on duration of permits discussed below in section 4) means that some carwash facilities become uneconomic to install and operate. This has a resulting environmental cost in the form of greater numbers of people washing cars on their driveways where grit, contaminants and washing products find their way into the stormwater system untreated and unregulated, resulting in an overall greater harm to the receiving environment. This will ultimately have greater costs to Council (and ratepayers) through additional mitigation measures on the Council stormwater system to achieve the necessary environmental compliance.

3.3 Relief Sought – Quantity Limits

- 45 The Fuel Companies seek the volumetric limit to remain unchanged at 5m³ per day for service stations with a carwash. At the minimum, this should be a controlled discharge, but preferably an allowed discharge. The sites that cannot achieve this limit (e.g. no water recyclers) would remain as the higher risk conditional discharges; or
- 46 To specifically provide for service station sites that operate a carwash facility with water recycler as an allowed discharge; and
- 47 To change the daily maximum limit to an average or a maximum total over a set period to provide greater flexibility for a carwash site that uses a water recycler.

4.0 Permit Durations

- 48 Section 8 also highlights concerns about the proposed permit durations. Under the draft bylaw, controlled discharge permits are capped at one year and require annual renewal, whereas, somewhat inconsistently, conditional discharge permits may be



granted for one or three years with renewal options. The Statement of Proposal accompanying the draft bylaw does not appear to provide any clear rationale for this distinction, nor for the broader approach to imposing fixed permit durations under the bylaw.

- 49 This represents a notable shift from the current bylaw, which does not prescribe fixed permit terms but instead relies on mechanisms such as annual fees and levies to maintain oversight. It is unclear why a significantly more restrictive approach to permit duration is necessary, particularly given that Council already retains the ability to review permits and impose fees and charges, and require monitoring data to be submitted thereby confirming permit holders are complying with their conditions and contributing to the wastewater system protection outcomes of the Trade Waste Bylaw.
- 50 The potential administrative benefits to Council appear limited and may be outweighed by the increased cost and burden on permit holders (as well as constraints on Council's ability to administer and resource the processing of permit applications and renewals), who would face more frequent application processes, annual fees, and any additional charges.

4.1 Relief Sought – Permit Durations

- 51 The Fuel Companies seek retaining the status quo in the current bylaw which specifies no trade waste permit duration. Alternatively, the Fuel Companies propose a permit duration of five years to respond to the submission points made above.

Signed on behalf of Z Energy Limited, bp Oil New Zealand Limited and Mobil Oil New Zealand Limited.

Regards,

SLR Consulting New Zealand



Trent Sunich
Technical Director – Environment and Planning



Appendix A

Table 1: Fuel Companies submission and relief to the Tauranga City Council Draft Trade Waste Bylaw

Where changes are sought within the table, additions are in red underline, and deletions are in ~~red strikethrough~~.

Provision	Position	Reason	Relief Sought
Definition "Conditional Discharges" clause (f)	Oppose	Refer to discussion in Section 2.0 of this submission.	To address the inconsistency with Schedule One allowed and controlled discharges, amend the definition of Conditional Discharges by deleting clause (f): <i>means Trade Waste discharges that:</i> ... (e) are Tankered Waste; or (f) contain POPs.
Schedule One, section 2 – Chemical Characteristics and Mass Limits of Acceptable Trade Waste Discharges	Oppose	Refer to discussion in Section 2.0 of this submission.	Add a new clause to the acceptable chemical characteristics in Schedule One: <u>2.3 Any POPs do not exceed the levels recommended by the Environmental Protection Authority, or the Ministry for the Environment.</u> Or alternatively, amend Schedule One Table 3 (Acceptable Discharge Characteristics: Organic compounds and pesticides) to include the maximum concentration and/or mass limit for PFAS, PFOS, and PFOA equivalent to the limits recommended by the Environmental Protection Authority for the Ministry for the Environment.
8 Duration and Renewal or Permits	Oppose	Refer to discussion in Section 4.0 of this submission.	Delete entire section. Retain current bylaw provisions (i.e. no specified permit duration). Alternatively, the Fuel Companies propose a permit duration of five years



Appendix B – Z Energy Trade Waste Management Procedure



PROCEDURE

Trade Waste Management Plan

HS-ENV-PRO-011



ZORM

Revision Summary

Version	Author	Reasons for Change	Approver	Date Approved
1.0	H Jones	New document	M Robertson	18 Dec 2018

Document classification	Unclassified
Document location	Controlled copies of this document are accessible in electronic form via the Z Energy server. All paper versions are uncontrolled documents.
Document custodian	Environmental Manager
Document authority	Deviation/variation from this procedure can only be done with the approval of General Manager - HSSE or delegated authority

Trade Waste Discharge Management

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1: Purpose and Scope

This Trade Waste Management Plan (TWMP) provides an overview of how Z Energy manages its trade waste on retail service stations. Discharges are limited to toilet waste, kitchen discharges and car washes (at some sites). Facilities are managed under national maintenance contracts that include the controls listed in this Plan. All carwash facilities are routinely maintained to a consistent schedule by a third party contractor and as such, monitoring data from these sites is typically consistent with respect to trade waste discharges. Similarly there is limited variation in toilet waste or kitchen discharges nationally.

This document provides details of wastewater generated from normal service station operations with an emphasis on carwash units as the main discharge triggering permit requirements.

This TWMP details the following:

- General information about service station site layouts and descriptions;
- The make and model of carwash units that are in use;
- Typical characteristics and volumes generated by the carwash units;
- The wastewater treatment devices present onsite;
- A range of measured contaminant concentrations discharged from the carwash to sewer following on-site water treatment;
- Emergency spill response procedures;
- Internal and external notification procedures;
- Details of wash water from the provision of ready to eat food and beverages.

Z Energy Ltd has over two hundred service stations located throughout New Zealand. All service stations provide ready to eat food and beverages; including the operation of automated coffee machines.



1.1 Trade Waste Bylaws

Trade Waste Bylaws vary across New Zealand; with each District Council identifying different contaminants of concern, monitoring requirements and charging mechanisms.

Z has operated under most of the different trade waste bylaws and has found that service station discharges are often treated as a permitted discharge that does not require a Trade Waste authorisation. In some jurisdictions this may not be the case.

In some jurisdictions car wash facilities are permitted without a specific authorisation. In others high use car washes may trigger thresholds for daily discharge volume and require a Trade Waste Authorisation.

This TWMP does not go into site specific details, rather provides an overview of how Z Energy operates and maintains their trade waste discharge. This is appropriate because operations are broadly consistent and maintenance is under a national contract. Each service station/ carwash will have broadly similar discharge characteristics with the presence or absence of carwashes being the main difference between sites. Accordingly this TWMP is intended to support permit applications by presenting typical discharge data to demonstrate the low risk nature and limited variability of service station trade waste discharges.



2: Service Station Layout and Details

Although each service station will differ in terms of layout, the types of treatment devices used are universal throughout New Zealand.

A typical service station layout with a carwash is appended (Appendix A).

Approximately sixty service stations have active automated carwash facilities. Typically Acco drains are located along the entry and exit of each carwash. All wastewater generated by a carwash goes through an oil/grit interceptor before being discharged to the municipal sewer as 'trade waste'.

Many of the carwash units are water recycling carwashes; where each carwash saves up to 60% of water usage compared to sites without the recycling units.

There are no automated monitoring or logging devices installed for trade waste purposes at any Z service station. As described in Section 7, all carwash treatment devices undergo routine inspections and maintenance on a biannual basis.

All carwash locations and drainage specifications are shown on 'as-built' plans, which are displayed on-site and are also available on request from Z Energy.

The forecourt of each service station is graded and any stormwater is directed to the stormwater network typically via an API prior to discharge as shown on site plans available onsite.

A toilet for public and staff use is located off the main shop and there will be a sink for the food and coffee service area.

Windscreen wash water is discharged to the sewer (through the carwash or toilet when it requires replacement).



3: Nature of Discharge

Trade waste discharges are limited to:

- Toilets
- Food preparation
- Car washes

Note: Workshops are not operated by Z Energy but may be present as part of a sublease. Any workshop discharges are the responsibility of the workshop operator.



4: Toilets

On-site toilets are only used by staff and Z Energy customers and therefore produce a low sewage load.

Windscreen wash water is discharged to the sewer, either through the carwash or via the on-site toilet when it requires replacement.



5: Food Preparation

All retail stores at Z service stations sell a limited range of groceries and provide ready to eat foods. The ready to eat food includes pies, sandwiches, and cold drinks. No raw food components are handled and no food preparation work is undertaken within Z retail stores. All food is purchased pre-prepared and sold as a "finished product". Small amounts of waste and wash water will be generated during the cleaning of the pie warmer trays and food cabinets. The volumes of wastewater and grease produced by the cleaning of the food cabinets is considered to be very low and unlikely to affect the grease component of the discharge from site.

Most sites are also equipped with automatic coffee machines where staff have the capacity to froth and dispense milk for customers. Coffee machines produce small amounts of residual waste and wash water generated during cleaning and operation. This wastewater may potentially contain residual dairy products. The volume of wastewater produced from operation of the coffee machines is low and unlikely to affect the biological oxygen demand (BOD) loading of discharge from a site.



6: Carwashes

6.1 Carwash Details

All Z sites in New Zealand that contain a carwash use a Washtec 3B Pro model unit; manufactured in Germany. This model offers a range of wash options; which Z has classified as 'Z Quick Wash', 'Z Classic Wash' and 'Z Max Wash'. The volume of water generated per wash and detergents used per cycle depends on the carwash option chosen.

The typical vehicle detergents used by Z Energy are Car Kleen (CK) Shampoo, CK Cold Wax, CK Hot Wax, CK Max Gloss and CK Tri Foam Orange Foam:

- Car Kleen Tri Foam Orange is a vehicle detergent for the foaming brush application. Its physiochemical properties include a pH of 7.0, it is biodegradable and completely soluble in water;
- Car Kleen Max Gloss is a foam polish used in automatic carwash systems. It has a pH of 5.5 and is soluble in water;
- Car Kleen Shampoo is a vehicle detergent for jet foaming applications. It has a pH of 7.0, it is biodegradable and is soluble in water;
- Car Kleen Cold Wax and Car Kleen Hot Wax are vehicle drying aids. Both products have a pH of 8.0, are biodegradable and are soluble in water.

These products are manufactured by Car Kleen New Zealand Ltd. Copies of the Safety Data Sheet's (SDS) for each product are found in Appendix B.

The volume of water and detergents used in each carwash cycle are presented in Tables 1 to 3.

Table 1: Z Quick Wash

Wash Pass	Detergent Volume (ml)	Water Volume (L)
Pass 1: Active Pre-foam	20	3
Pass 2: Side Hi-Pressure Pre-wash	0	30
Pass 3: SofTecs Brush Wash with Wheel Wash	25	102
Pass 4: SofTecs Brush Wash with Cold Wax	20	
Total	65	135

Table 2: Z Classic Wash

Wash Pass	Detergent Volume (ml)	Water Volume (L)
Pass 1: Active Pre-foam	20	3
Pass 2: Side Hi-Pressure Pre-wash	0	30
Pass 3: SofTecs Brush Wash with under Chassis Wash	25	153
Pass 4: SofTecs Brush Wash with Wheel Wash (with rinse)		
Pass 5: Hi-Gloss Wax	20	5
Pass 6: Cold Wax	20	5
Total	85	196



Table 3: Z Max Wash

Wash Pass	Detergent Volume (ml)	Water Volume (L)
Pass 1: Active Pre-foam	20	3
Pass 2: Side Hi-Pressure	0	30
Pass 3: SofTecs Brush Wash with under Chassis Wash	25	153
Pass 4: SofTecs Brush Wash with Wheel Wash (with rinse)		
Pass 5: Max!Gloss Foam Polish	35	5
Pass 6: SofTecs Brush Buff with Cold Wax	20	5
Total	100	196



6.2: Typical Discharge Volumes

The annual wastewater discharge from carwash units varies significantly between sites as a result of the total number of carwash cycles and the wash options chosen by each customer. Z does maintain a record of water use on a site by site basis. In some cases carwash water use may be available separately but generally it is calculated from the overall carwash numbers and checked against total site water consumption.

Data provided from the 2018 financial year shows that carwash usage on Z service stations varied between a minimum of 3,976 washes to a maximum of 16,481 washes per year. On a daily basis, this translates to a range from approximately 11 washes per day to approximately 45 at a single site (refer to Table 4).

Table 4: Details of Z Carwash Data 2018

2018 Z Carwash Data		
	Annual Carwashes	Daily Carwashes
Minimum	3,976	10.89
Mean	8,627	23.63
Median	8,592	23.54
Maximum	16,481	45.15



6.3: Water Treatment

The construction of carwash units is consistent across all Z Energy service stations. All wastewater is collected and treated via the following hierarchy:

- All wash water is directed into slot drains which provide initial settlement for coarse sediment;
- Wash water is then directed into an oil/grit interceptor for the function of further settlement of solids (to reduce Total Suspended Solids (TSS)) and to capture and retain hydrocarbons and other floatables, and
- From the interceptor, wastewater is discharged into the municipal sewer.

The use of a triple interceptor is accepted as best practice for the treatment of wash water. Best practice for sizing a triple stage interceptor is to allow for a minimum of one hour retention time and a maximum influent rate of 0.5L/s. It is generally accepted that a triple stage interceptor has a treatment efficiency of up to 60% for TSS and hydrocarbons.

No discharges are permitted to trade waste without specific authorisation and approval from the relevant Authority, whether it is via consent, agreement, bylaw or a combination.



6.4: Maintenance and Cleaning Requirements:

All forecourt interceptors, single sumps, mud traps and slot drains are inspected to ensure contamination levels do not exceed the following criteria:

- For interceptors, sumps and mud traps – silt build up greater than 150 mm depth and/or product thickness greater than 3 mm;
- For slot drains – silt build up greater than 25% depth to invert and no hydrocarbons.

Where contamination levels exceed these criteria, all such units on the Site shall be cleaned as per the following specifications from the maintenance contract.

- All forecourt interceptors, single sumps, and mud traps, shall be cleaned of all hydrocarbons and silt / sediment and recharged with clean water on a biannual basis. Cleaning procedures and all waste removal/disposal shall comply with all statutory requirements.
- Where sites are cleaned outside of the biannual schedule, the schedule shall be adjusted accordingly for future cleans.
- All slot drains shall be cleaned only as and where required.
- All results and observations from inspections and cleaning records are held by Z Energy.
- In all instances where free product is encountered, the Z Environmental Manager shall be notified.



6.5: Expected Contaminants

Z Energy has complied laboratory analysis of contaminants in wash water discharged to the sewer from selected carwash units following treatment (slot drains and an interceptor) at a range of locations across New Zealand. Table 5 presents a selection of the analytical results. Z Energy expects well-maintained sites to achieve similar results to those represented in Table 5.

Contaminants generated from automated carwash units represent residues washed from cars, as well as a component of cleaning detergents used in the process. The range of contaminants typically expected includes TSS, detergents and surfactants such as oils, grease and other hydrocarbons. This was confirmed by independent research undertaken by Environment Canterbury (2011) who concluded that the most common contaminants in carwash water included heavy metals, polycyclic hydrocarbons (PAHs), detergents/surfactants, suspended solids, oil and grease, volatile organic compounds, phosphates and nitrates.



7: Monitoring of Trade Waste

Z Energy has monitored trade waste at a range of sites over the last twenty years and has found that discharges met typical trade waste bylaw limits.

Sampling of trade waste discharges will be undertaken as per specific consent conditions or if required by a trade waste bylaw. Any non-compliance will be discussed between Services Resources Ltd (Z's Maintenance Contractor – refer to Section 8) and Z Energy and appropriate measures (further maintenance and/or preventive action) will be undertaken to ensure compliance with the applicable consent, approval or bylaw.

Monitoring in 2018 as outlined in Table 5 indicate a comparable low contaminant load and limited variability. It is clear that monitoring has not resulted in any additional pre-treatment requirements and thus ongoing monitoring is considered redundant. This is because the systems and maintenance are consistent and the nature of the activity does not generate high loads that might inhibit trade waste treatment or damage infrastructure.

Z considers that the nature of service station trade waste discharges is sufficiently well known that monitoring should not be required.



Table 5: Analytical Results

Site	Date	pH	TSS	cBOD	Grease	C ₇ -C ₉	C ₁₀ -C ₁₄	Contaminants			
								C ₁₅ -C ₃₆	Total Hydrocarbons (C ₇ -C ₃₆)	Total Kjeldahl Nitrogen (TKN)	Total Phosphorus
Z Energy Pukete	09/07/18	7.5	86.5	48.6	-	< 0.06	1.7	8	10	1.8	0.9
Z Frankton	09/07/18	7.4	170	55	-	< 0.06	2.0	7	9	3	1.1
Z Energy Broadway	25/05/18	-	21	55	< 4	-	-	-	-	-	-
Z Energy Johnsonville	24/05/18	-	46	68	8	-	-	-	-	-	-
Z Andy Bay	30/07/18	7.2	52	21	14	-	-	-	-	-	-
Z Valley	02/08/18	7.2	280	63	34	-	-	-	-	-	-
Z Miramar	25/05/18	-	796	110	36	-	-	-	-	-	-
Z Harbour City	23/08/18	-	24	47	9	-	-	-	-	-	-



8: Facilities & Fuels Maintenance Structure

All carwash interceptors, single sumps, mud traps and slot drains on Z Energy service stations are inspected and cleaned by an independent contractor on a six monthly basis. Z Energy has contracted out all commercial facilities maintenance to Service Resources Ltd and all fuel maintenance to ECL Site Care.

As part of the commercial facilities maintenance, Service Resources Ltd are responsible for all maintenance & service contracts associated with day to day maintenance of Z Energy owned or operated buildings and equipment within the Retail Network of sites.

ECL Site Care is responsible for all maintenance and service contracts associated with the day to day maintenance of Z Energy owned or operated fuel systems including underground and above ground storage and dispensing equipment (e.g. tanks, pipework, dispensing equipment, site drainage equipment, forecourt controller interface).

Maintenance arrangements are structured around two main work categories:

- Contract Maintenance Services; and
- Planned Maintenance Services.

Contract Maintenance Services:

The scope of services for this category is the preventive and responsive maintenance (fix and breaks) on plant, buildings and equipment as required in the day to day operation of a retail service station.

Planned Maintenance Services:

This category covers all pre planned routine checks and inspections to ensure Z Energy meet its compliance obligations in respect to the operation of its facilities, which would include any maintenance required by specific trade waste consents, agreements or bylaws.

Results of scheduled maintenance activities are reviewed by the Environmental Manager and appropriate measures taken (if required) to ensure compliance.

Council Inspections:

Should regulatory agencies require access to any Z sites, such as to conduct inspections and audits, the following steps must be followed:

- All visitors must sign-in at the service station and complete a 'site visitors/contractors form';
- A Work Clearance Form should also be completed on all manned sites. This form will be
- Minimum PPE should include a high visibility vest and steel-capped shoes/boots.

A health and safety work method statement and/or Job Safety Analysis (JSA) should be available for review, upon request.

Any council enquiries regarding trade waste matters should be directed to Z's Environmental Manager.



9: Emergency Spill Response Procedure

With respect to trade waste systems there is limited potential for spillage to enter sewers. Site drainage design essentially precludes on-site spills from entering the trade waste system.

There is the potential of spillage and/or leakage of petroleum hydrocarbons on the forecourt from fuel dispensers, fuel delivery and from vehicles. In the event of a spill, Z workers and/or contractors shall take all immediate steps to contain the spill.

Spill kits are located at each service station and every staff member is trained in undertaking spill response measures (as outlined in Z Energy's Environmental Management Plan).



10: Notification Procedure

All maintenance records and sampling results are reviewed by Z Energy's Environmental Manager prior to further action being undertaken, if required.

If any free product is encountered during maintenance and/or cleaning, the Z Environmental Manager shall be notified immediately.

If required by the trade waste consent, agreement or bylaw; sampling results, maintenance records, updated management plans or remedial action plans will be submitted to the appropriate Councils within specified timeframes.

In a spill event, all staff are trained in undertaking the emergency spill response procedure; including whom to contact during an emergency.



11: Summary

All carwash units in use at Z service station sites include slot drains and triple interceptors for the treatment of wash water. This water treatment is considered to be the standard industry best practice and has been demonstrated by Z's analysis and independent research to be effective in managing potential contaminants. Wash water from the carwash units is therefore considered to have a relatively low contaminant loading and present a low risk to the public sewer system.

Z Energy is committed to the ongoing maintenance of wash water treatment devices to ensure their effective operation.

Cleaning of food cabinets and coffee machines generate only minor volumes of wastewater, and it is considered that the contaminant loading of this wastewater is very low.

The TWMP will be reviewed and updated as required. Any service station with a carwash will have access to a copy of the current TWMP.

Any council enquiries regarding trade waste matters should be directed to Z's Environmental Manager.

References

Auckland Regional Council prepared by Timperley, M. Williamson, B. Mills and G. Horne, B. June 2005. Sources and loads of metals in urban stormwater. Technical Publication No. ARC04104 AKL 2004-070

Auckland Regional Council, 2008 *Urban Sources of Copper, Lead and Zinc*, TR2008/023.

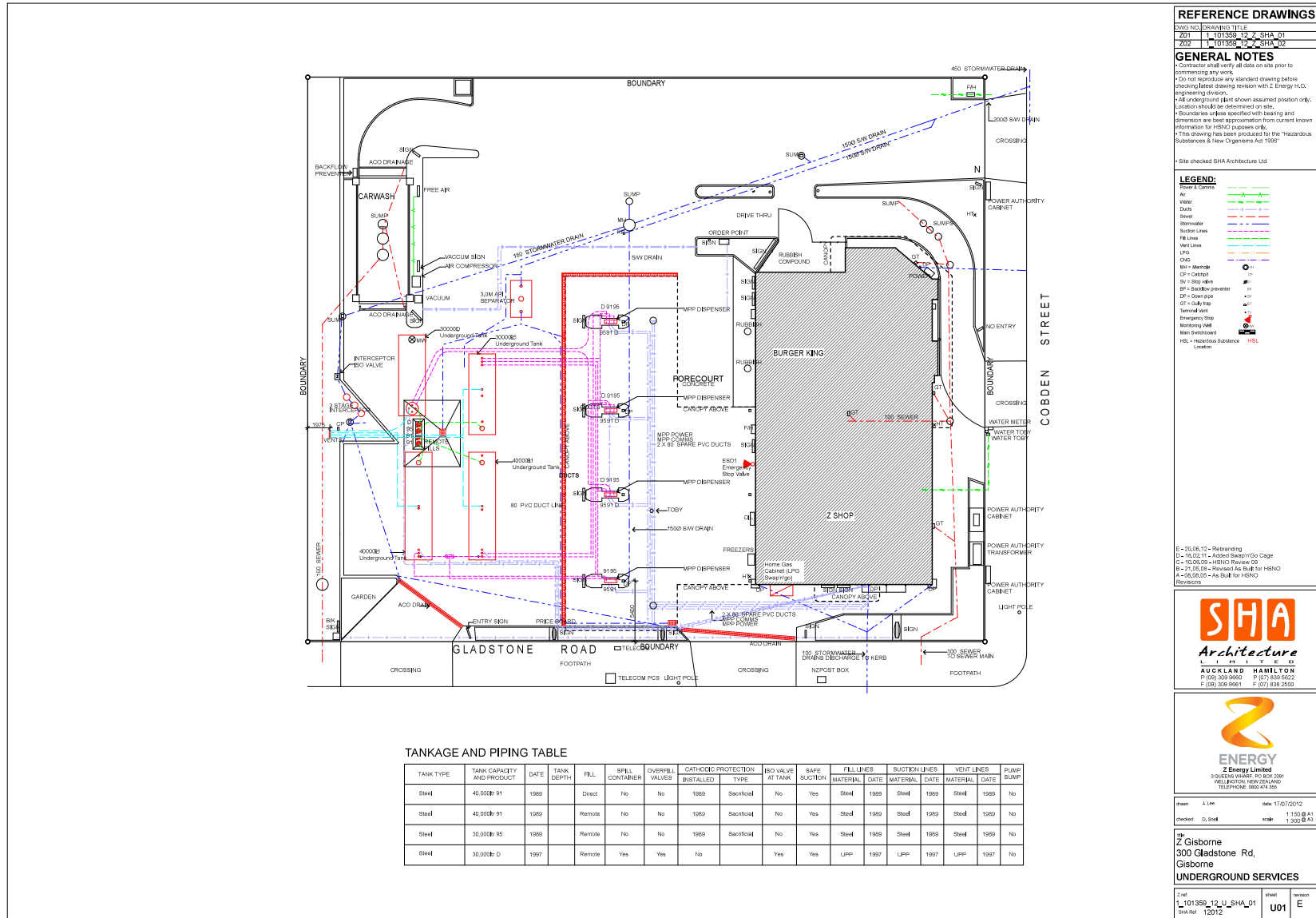
Environment Canterbury prepared by O'Sullivan, A., Smalley, D.S., Good, J. December 2011. Quantifying the impact of car washing on water quality and assessing simple treatment strategies. R11/115. Printed at the University of Canterbury, New Zealand.

Toronto and Region Conservation Authority prepared by Van Seters, T. July 2004. Performance Assessment of Two Types of Oil & Grit Separator for Stormwater Management in Parking Lot Applications - Markham & Toronto, Ontario.



Appendix A: Typical Service Station Underground Services Plan





Appendix B: Car Kleen Safety Data Sheets



SDS for Car Kleen COLD WAX	Page 1 of 2						
SAFETY DATA SHEET							
1 PRODUCT AND COMPANY IDENTIFICATION:							
<p>Car Kleen COLD WAX A water beading aid for automatic carwash systems.</p> <p>CAR KLEEN NEW ZEALAND LTD PO Box 112071, Penrose, Auckland, 1642, New Zealand.</p> <p>2 Te Apunga Place Phone: [REDACTED] Mt Wellington Fax: (64-9) 276-1962 Auckland 1060 E-mail: [REDACTED] New Zealand.</p> <p>EMERGENCY CONTACT: Phone [REDACTED] 8.0 to 5.0 Mon to Fri After Hours: National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)</p>							
2 HAZARD IDENTIFICATION:							
<p>Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration:</p> <p style="margin-left: 40px;">3.1D Combustible liquid. 6.3A Causes skin irritation. 6.4A Causes eye irritation. 9.1B Toxic to aquatic life with long lasting effects.</p> <p>Cleaning Products Combustible Group Standard: HSR No: 002525.</p>							
3 COMPOSITION & INFORMATION ON INGREDIENTS:							
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Proprietary mixture of nonionic and cationic surfactants</td> <td style="width: 40%;">10 – 20 %</td> </tr> <tr> <td>Mineral oil</td> <td>10 – 20 %</td> </tr> <tr> <td>Water, colouring, preservative</td> <td>> 50 %</td> </tr> </table>		Proprietary mixture of nonionic and cationic surfactants	10 – 20 %	Mineral oil	10 – 20 %	Water, colouring, preservative	> 50 %
Proprietary mixture of nonionic and cationic surfactants	10 – 20 %						
Mineral oil	10 – 20 %						
Water, colouring, preservative	> 50 %						
4 FIRST AID MEASURES:							
<p>Contact with eyes: Rinse eyes with running water holding back eyelids for 15 minutes. If irritation persists seek medical advice. Contact with skin: Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs seek medical advice. After inhalation: If the patient is subject to vapourisation, remove from exposure and seek medical advice. After ingestion: Do Not Induce Vomiting. Administer 2 glasses of water or milk, and if discomfort persists seek medical advice. Advice to Doctor: Treat patient for acute exposure to materials with toxic effects. Have this SDS or a product label on hand. After Hours: National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)</p>							
5 FIRE FIGHTING MEASURES:							
<p>This product is combustible. It will not ignite a fire but will burn if exposed to a fire source. Avoid electrical ignition sources. Containers subject to heat from a fire may explode scattering burning contents. Where possible remove containers from the path of the fire. Otherwise cool with water spray to avoid heating. Firefighters wear SCBA and chemical resistant suits. Foam, CO2, or chemical dry powder to extinguish a local fire. Water spray on large fires only.</p>							
6 ACCIDENTAL RELEASE MEASURES:							
<p>Spills on floors will produce a slippery surface. Shut off all possible sources of electrical ignition. Contain minor (less than 100 litres) from local drainage with any suitable bund or barrier. Where the product is water soluble, dilute with water, neutralise if necessary, and then clean up with mops or any suitable absorbant inert material such as Mineral Sponge, paper, rags, sand, or soil. Pack absorbed waste material into open-top drums, which can be closed, for waste disposal. Large spills from drums and IBC's should be contained from drains and diluted with water where possible. Alert the local Fire Brigade. Collect absorbed material in drums which can be closed and sent to landfill. If material does enter drains, alert the local drainage authorities.</p>							
7 HANDLING AND STORAGE:							
<p>Store containers, with secure closures, in sites where they can be kept cool and away from heat and ignition sources. Handle to prevent damage to containers. Should packaging be damaged, repack into clean and dry containers of the same type and mark the product name carefully on the container. Always replace lids and caps after using the product. Return all packages to safe storage as soon as possible after use.</p>							
<p><small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small></p>							

SDS for Car Kleen COLD WAX		Page 2 of 2
8 EXPOSURE CONTROLS & PERSONAL PROTECTION:		
Exposure controls:	No data is available for Cold Wax.	
Eye protection:	Safety glasses.	
Protective clothing:	Chemically impregnable gloves, work shoes, protective work clothes (an apron or overalls).	
Respiratory protection:	Not required for the regular use of this product. If the liquid is being sprayed or vaporised, a face shield and/or respirator must be worn. These operations should be carried out by trained personnel only.	
Ventilation:	Where spraying or vaporising is being carried out, ensure there is ready access to eyewash units and safety shower. Also adequate ventilation is provided in the work space.	
9 PHYSICAL AND CHEMICAL PROPERTIES:		
Appearance	Clear orange coloured liquid	
Odour	Characteristic	
pH	8.0 ± 0.5	
Flash Point	63°C	
Ignition Point	> 300°	
Specific Gravity	0.97 ± 0.01	
Refractive Index	1.362 ± 0.005	19 Bx
Viscosity	Not applicable	
Relative Foam	Low	
Solubility in water	Dispersible	
10 STABILITY AND REACTIVITY:		
Cold Wax is considered stable under normal storage conditions. Avoid contamination with oxidising substances. Hazardous polymerisation will not occur. Combustion will release mostly oxides of carbon and nitrogen.		
11 TOXICOLOGICAL INFORMATION:		
No data is available for Cold Wax		
12 ECOLOGICAL INFORMATION:		
No data is available for Cold Wax		
13 DISPOSAL CONSIDERATIONS:		
Dispose of in accordance with local regulations by recognised waste disposal experts. Incineration is the preferred method. Spilled liquids must be absorbed by neutral materials and packed in containers which can be sealed for removal. Large spills will require suctioning into suitable tanks, and if not recoverable, disposed of through recognised waste disposal experts. Used containers should be rinsed, not recycled, but disposed of in landfill or incinerated.		
14 TRANSPORT INFORMATION:		
NZ Land Transport Rule: Dangerous Goods Rule 2005		Not Hazardous for Land Transport in New Zealand
15 NZ REGULATORY INFORMATION:		
Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration: HSR No :002525. Cleaning Products Combustible Products Group Standard: HSNO Act Controls Regulations 2001 for Cold Wax: Limit and monitor exposure during the use of the product Wear suitable protective clothing while being used Limit exposure to the environment		
		Make use of suitable equipment for handling the product Do not expose product to any form of fire or ignition source Dispose of waste or spilt material only through a recognised expert company
16 OTHER INFORMATION:		
Formulation reference and Version number:		R9 – 15 Version 2.
This SDS was prepared from data available on 2 February 2016 This SDS was printed on 2 February 2016. This SDS will be reviewed no later than 2 February 2021		
END OF THIS SAFETY DATA SHEET		
<small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small>		

SDS for Car Kleen HOT WAX	Page 1 of 2												
<h1 style="margin: 0;">SAFETY DATA SHEET</h1>													
1 PRODUCT AND COMPANY IDENTIFICATION:													
<h2 style="margin: 0;">Car Kleen HOT WAX</h2> <p style="margin: 0;">An enhanced water beading aid for automatic carwash systems.</p>													
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<p>Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration:</p> <ul style="list-style-type: none"> 3.1D Combustible liquid. 6.3A Causes skin irritation. 6.4A Causes eye irritation. 9.1B Toxic to aquatic life with long lasting effects. <p>Cleaning Products Combustible Group Standard: HSR No: 2525.</p>													
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Water, colouring, preservative	> 50 %												
4 FIRST AID MEASURES:													
<table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Contact with eyes:</td> <td>Rinse eyes with running water holding back eyelids for 15 minutes. If irritation persists seek medical advice.</td> </tr> <tr> <td>Contact with skin:</td> <td>Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs seek medical advice.</td> </tr> <tr> <td>After inhalation:</td> <td>If the patient is subject to vapourisation, remove from exposure and seek medical advice.</td> </tr> <tr> <td>After ingestion:</td> <td>Do Not Induce Vomiting. Administer 2 glasses of water or milk, and if discomfort persists seek medical advice.</td> </tr> <tr> <td>Advice to Doctor:</td> <td>Treat patient for acute exposure to materials with toxic effects. Have this SDS or a product label on hand.</td> </tr> <tr> <td>After Hours:</td> <td>National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)</td> </tr> </table>		Contact with eyes:	Rinse eyes with running water holding back eyelids for 15 minutes. If irritation persists seek medical advice.	Contact with skin:	Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs seek medical advice.	After inhalation:	If the patient is subject to vapourisation, remove from exposure and seek medical advice.	After ingestion:	Do Not Induce Vomiting. Administer 2 glasses of water or milk, and if discomfort persists seek medical advice.	Advice to Doctor:	Treat patient for acute exposure to materials with toxic effects. Have this SDS or a product label on hand.	After Hours:	National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)
Contact with eyes:	Rinse eyes with running water holding back eyelids for 15 minutes. If irritation persists seek medical advice.												
Contact with skin:	Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs seek medical advice.												
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After Hours:	National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)												
5 FIRE FIGHTING MEASURES:													
<p>This product is combustible. It will not ignite a fire but will burn if exposed to a fire source. Avoid electrical ignition sources. Containers subject to heat from a fire may explode scattering burning contents. Where possible remove containers from the path of the fire. Otherwise cool with water spray to avoid heating. Firefighters wear SCBA and chemical resistant suits. Foam, CO2, or chemical dry powder to extinguish a local fire. Water spray on large fires only.</p>													
6 ACCIDENTAL RELEASE MEASURES:													
<p>Spills on floors will produce a slippery surface. Shut off all possible sources of electrical ignition. Contain minor (less than 100 litres) from local drainage with any suitable bund or barrier. Where the product is water soluble, dilute with water, neutralise if necessary, and then clean up with mops or any suitable absorbant inert material such as Mineral Sponge, paper, rags, sand, or soil. Pack absorbed waste material into open-top drums, which can be closed, for waste disposal. Large spills from drums and IBC's should be contained from drains and diluted with water where possible. Alert the local Fire Brigade. Collect absorbed material in drums which can be closed and sent to landfill. If material does enter drains, alert the local drainage authorities.</p>													
7 HANDLING AND STORAGE:													
<p>Store containers, with secure closures, in sites where they can be kept cool and away from heat and ignition sources. Handle to prevent damage to containers. Should packaging be damaged, repack into clean and dry containers of the same type and mark the product name carefully on the container. Always replace lids and caps after using the product. Return all packages to safe storage as soon as possible after use.</p>													
<p><small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small></p>													

SDS for Car Kleen HOT WAX		Page 2 of 2
8 EXPOSURE CONTROLS & PERSONAL PROTECTION:		
Exposure controls:	No data is available for Hot Wax.	
Eye protection:	Safety glasses.	
Protective clothing:	Chemically impregnable gloves, work shoes, protective work clothes (an apron or overalls).	
Respiratory protection:	Not required for the regular use of this product. If the liquid is being sprayed or vaporised, a face shield and/or respirator must be worn. These operations should be carried out by trained personnel only.	
Ventilation:	Where spraying or vaporising is being carried out, ensure there is ready access to eyewash units and safety shower. Also adequate ventilation is provided in the work space.	
9 PHYSICAL AND CHEMICAL PROPERTIES:		
Appearance	Clear Red coloured liquid	
Odour	Characteristic	
pH	8.0 ± 0.5	
Flash Point	65°C	
Ignition Point	> 300°	
Specific Gravity	0.97 ± 0.01	
Refractive Index	1.364 ± 0.005	20 Bx
Viscosity	Not applicable	
Relative Foam	Low	
Solubility in water	Dispersible	
10 STABILITY AND REACTIVITY:		
Hot Wax is considered stable under normal storage conditions. Avoid contamination with oxidising substances. Hazardous polymerisation will not occur. Combustion will release mostly oxides of carbon and nitrogen.		
11 TOXICOLOGICAL INFORMATION:		
No data is available for Hot Wax		
12 ECOLOGICAL INFORMATION:		
No data is available for Hot Wax		
13 DISPOSAL CONSIDERATIONS:		
Dispose of in accordance with local regulations by recognised waste disposal experts. Incineration is the preferred method. Spilled liquids must be absorbed by neutral materials and packed in containers which can be sealed for removal. Large spills will require suctioning into suitable tanks, and if not recoverable, disposed of through recognised waste disposal experts. Used containers should be rinsed, not recycled, but disposed of in landfill or incinerated.		
14 TRANSPORT INFORMATION:		
NZ Land Transport Rule: Dangerous Goods Rule 2005	Not Hazardous for Land Transport in New Zealand	
15 NZ REGULATORY INFORMATION:		
Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration: Cleaning Products Combustible Products Group Standard: HSR No: 002525. HSNO Act Controls Regulations 2001 for Hot Wax: Limit and monitor exposure during the use of the product Wear suitable protective clothing while being used Limit exposure to the environment		
	Make use of suitable equipment for handling the product Do not expose product to any form of fire or ignition source Dispose of waste or spilt material only through a recognised expert company	
16 OTHER INFORMATION:		
Formulation reference and Version number: R9 – 14 Version 2. This SDS was prepared from data available on 2 February 2016. This SDS was printed on 2 February 2016. This SDS will be reviewed no later than 2 February 2021		
END OF THIS SAFETY DATA SHEET		
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SDS for Car Kleen MAX!GLOSS	Page 1 of 2												
<h1 style="margin: 0;">SAFETY DATA SHEET</h1>													
1 PRODUCT AND COMPANY IDENTIFICATION:													
<h2 style="margin: 0;">Car Kleen MAX!GLOSS</h2> <p style="margin: 0;">Premium Foam Polish for use in automatic carwash systems.</p>													
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>CAR KLEEN NEW ZEALAND LTD 2 Te Apunga Place Mt Wellington Auckland 1060 New Zealand.</p> </td> <td style="width: 50%; vertical-align: top;"> <p>PO Box 112071, Penrose, Auckland, 1642, New Zealand. Phone: [REDACTED] Fax: (64-9) 276-1962 E-mail: [REDACTED]</p> </td> </tr> </table>		<p>CAR KLEEN NEW ZEALAND LTD 2 Te Apunga Place Mt Wellington Auckland 1060 New Zealand.</p>	<p>PO Box 112071, Penrose, Auckland, 1642, New Zealand. Phone: [REDACTED] Fax: (64-9) 276-1962 E-mail: [REDACTED]</p>										
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<p>EMERGENCY CONTACT: Phone [REDACTED] 8.0 to 5.0 Mon to Fri After Hours: National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)</p>													
2 HAZARD IDENTIFICATION:													
<p>Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration:</p> <ul style="list-style-type: none"> 6.3A Causes skin irritation. 6.4A Causes eye irritation. <p>Cleaning Products Subsidiary Group Standard: HSR No: 002530.</p>													
3 COMPOSITION & INFORMATION ON INGREDIENTS:													
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Nonionic surfactant</td> <td style="width: 40%;">10 – 20 %</td> </tr> <tr> <td>Amphoteric surfactants</td> <td>10 – 20 %</td> </tr> <tr> <td>Silicone fluid</td> <td>2 – 10 %</td> </tr> <tr> <td>Solvent</td> <td>2 – 10 %</td> </tr> <tr> <td>Acetic Acid (neutralised)</td> <td>< 2 %</td> </tr> <tr> <td>Water, colouring, preservative</td> <td>> 50 %</td> </tr> </table>		Nonionic surfactant	10 – 20 %	Amphoteric surfactants	10 – 20 %	Silicone fluid	2 – 10 %	Solvent	2 – 10 %	Acetic Acid (neutralised)	< 2 %	Water, colouring, preservative	> 50 %
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After Hours:	National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)												
5 FIRE FIGHTING MEASURES:													
<p>This product is neither flammable nor combustible. Drums subject to the heat of a prolonged fire may explode or erupt scattering contents with possibility of enhancing combustion. Where possible remove drums and containers from the path of a fire, or cool with water spray. Firefighters may use water spray, jet, fog, foam, CO2, or dry chemical powder to extinguish a fire in the vicinity.</p>													
6 ACCIDENTAL RELEASE MEASURES:													
<p>Spills on floors will produce a slippery surface. Signage preventing foot traffic should be erected where appropriate. Minor spills (less than 100 litres) should be contained from drainage, diluted with water, neutralised where appropriate, and removed with mops, or absorbed with Mineral Sponge, rags, paper, sand, or soil. It may be possible to drain small spills to town wastewater services where permitted by local authorities. Large spills (drums and IBC's) should be contained from local drainage with any suitable bund or barrier. Clean up with absorbant material such as Mineral Sponge, paper, rags, sand or soil. Where a liquid suction cleaning machine is available, it should be used only after neutralising the spilt product.</p>													
7 HANDLING AND STORAGE:													
<p>Store containers in sites where they can be kept cool and dry and away from heat sources. Liquid products in drums and carboys must have secure closures which fit. Handle to prevent damage to containers. Should packaging be damaged, repack into clean and dry containers of the same type and mark the product name carefully on an easily seen location on the container. After use, always replace lids and caps and return to safe storage as soon as possible. There are no specific transport restraints for this material in secure containers.</p>													
<p><small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small></p>													

SDS for Car Kleen MAX!GLOSS		Page 2 of 2
8 EXPOSURE CONTROLS & PERSONAL PROTECTION:		
Exposure controls:	No data is available for the product	
Eye protection:	Safety glasses.	
Protective clothing:	Chemically impregnable gloves, work shoes, protective work clothes (an apron or overalls).	
Respiratory protection:	Not required for the regular use of this product. If the liquid is being sprayed or vaporised, a face shield and/or respirator must be worn. These operations should be carried out by trained personnel only.	
Ventilation:	Where spraying or vaporising is being carried out, ensure there is ready access to eyewash units and safety shower. Also adequate ventilation is provided in the work space.	
9 PHYSICAL AND CHEMICAL PROPERTIES:		
Appearance	Clear yellow coloured liquid	
Odour	Characteristic	
pH	5.5	
Flash Point	Not applicable	
Ignition Point	Not applicable	
Specific Gravity	1.00	
Refractive Index	12.5 Bx	
Viscosity	Low	
Relative Foam	Low	
Solubility in water	Soluble	
10 STABILITY AND REACTIVITY:		
The product is considered stable under normal storage conditions. Avoid contamination with oxidising substances. Hazardous polymerisation will not occur. Combustion will release mostly oxides of carbon and nitrogen.		
11 TOXICOLOGICAL INFORMATION:		
No data is available for the product		
12 ECOLOGICAL INFORMATION:		
No data is available for the product		
13 DISPOSAL CONSIDERATIONS:		
Dispose of in accordance with local regulations by recognised waste disposal experts. Incineration is the preferred method. Spilled liquids must be absorbed by neutral materials and packed in containers which can be sealed for removal. Large spills will require suctioning into suitable tanks, and if not recoverable, disposed of through recognised waste disposal experts. Used containers should be rinsed before recycling.		
14 TRANSPORT INFORMATION:		
NZ Land Transport Rule: Dangerous Goods Rule 2005	Not Hazardous for Land Transport in New Zealand	
15 NZ REGULATORY INFORMATION:		
Hazardous Substances Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration: Cleaning Products Subsidiary Hazards Group Standard: HSR No: 002530.		
HSNO Act Controls Regulations 2001 for Limit and monitor exposure during the use of the product Wear suitable protective clothing while being used Limit exposure to the environment	Make use of suitable equipment for handling the product Dispose of waste or spilt material only through a recognised expert company	
16 OTHER INFORMATION:		
Formulation reference and Version number: Lab S1-100 Version 18. This SDS was prepared from data available on 2 February 2016 This SDS was printed on 2 February 2016. This SDS will be reviewed no later than 2 February 2021		
END OF THIS SAFETY DATA SHEET		
<small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small>		

SDS for Car Kleen SHAMPOO	Page 1 of 2
SAFETY DATA SHEET	
1 PRODUCT AND COMPANY IDENTIFICATION:	
Car Kleen SHAMPOO	A vehicle detergent for jet foaming applications.
CAR KLEEN NEW ZEALAND LTD	PO Box 112071, Penrose, Auckland, 1642, New Zealand.
2 Te Apunga Place Mt Wellington Auckland 1060 New Zealand.	Phone: [REDACTED] Fax: (64-9) 276-1962 E-mail: [REDACTED]
EMERGENCY CONTACT: Phone [REDACTED] 8.0 to 5.0 Mon to Fri After Hours: National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)	
2 HAZARD IDENTIFICATION:	
Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration: 6.3B Causes mild skin irritation. 6.4A Causes eye irritation. 9.1D May be harmful to aquatic life.	
Cleaning Products Subsidiary Hazards Group Standard: HSR No 002530	
3 COMPOSITION & INFORMATION ON INGREDIENTS:	
Proprietary blend of nonionic surfactants	2 – 10 %
Water, colouring, preservative	> 50 %
4 FIRST AID MEASURES:	
Contact with eyes:	Rinse eyes with running water holding back eyelids for 5 minutes. If irritation persists seek medical advice.
Contact with skin:	Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs, seek medical advice.
After inhalation:	A non-volatile compound in normal use. But if subject to vapourisation remove the patient from exposure to a restful location and seek medical advice if symptoms persist. If clothing is contaminated, remove and wash before reuse.
After ingestion:	Do Not Induce Vomiting. Administer 2 glasses of water or milk and seek medical advice if discomfort persist.
Advice to Doctor:	Treat the patient for exposure to material with mild toxic effects. Have this SDS or a product label on hand.
After Hours:	National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)
5 FIRE FIGHTING MEASURES:	
This product is neither flammable nor combustible. Drums subject to the heat of a prolonged fire may explode or erupt scattering contents with possibility of enhancing combustion. Where possible remove drums and containers from the path of a fire, or cool with water spray. Firefighters may use water spray, jet, fog, foam, CO2, or dry chemical powder to extinguish a fire in the vicinity.	
6 ACCIDENTAL RELEASE MEASURES:	
Spills on floors will produce a slippery surface. Signage preventing foot traffic should be erected where appropriate. Minor spills (less than 100 litres) should be contained from drainage, diluted with water, neutralised where appropriate, and removed with mops, or absorbed with Mineral Sponge, rags, paper, sand, or soil. It may be possible to drain small spills to town wastewater services where permitted by local authorities. Large spills (drums and IBC's) should be contained from local drainage with any suitable bund or barrier. Clean up with absorbent material such as Mineral Sponge, paper, rags, sand or soil. Where a liquid suction cleaning machine is available, it should be used only after neutralising the spilt product.	
7 HANDLING AND STORAGE:	
Store containers in sites where they can be kept cool and dry and away from heat sources. Liquid products in drums and carboys must have secure closures which fit. Handle to prevent damage to containers. Should packaging be damaged, repack into clean and dry containers of the same type and mark the product name carefully on an easily seen location on the container. After use, always replace lids and caps and return to safe storage as soon as possible. There are no specific transport restraints for this material in secure containers.	
<small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small>	

SDS for Car Kleen SHAMPOO		Page 2 of 2
8 EXPOSURE CONTROLS & PERSONAL PROTECTION:		
Exposure controls:	No data is available for the product.	
Eye protection:	Safety glasses.	
Protective clothing:	Chemically impregnable gloves, protective work clothes (a coat, apron or overalls).	
Respiratory protection:	Not required for the regular use of this product. If the liquid is being vaporised, a face shield and/or respirator may be required. These operations should be carried out by trained personnel only.	
Ventilation:	Where spraying or vaporising is being carried out, ensure there is ready access to eyewash units and safety shower. Also ensure adequate ventilation is provided in the work space.	
9 PHYSICAL AND CHEMICAL PROPERTIES:		
Appearance	Clear blue solution	
Odour	None	
pH	7.0	
Flash Point	Not applicable	
Ignition Point	Not applicable	
Specific Gravity	1.01	
Refractive Index	7 %Bx	
Viscosity	Not applicable	
Relative Foam	High	
Solubility in water	Complete	
10 STABILITY AND REACTIVITY:		
The product is considered stable under normal storage conditions.		
Avoid contamination with oxidising substances.		
Hazardous polymerisation will not occur.		
Combustion of this product will release oxides of carbon and nitrogen.		
11 TOXICOLOGICAL INFORMATION:		
No data is available for the product		
12 ECOLOGICAL INFORMATION:		
No data is available for the product		
13 DISPOSAL CONSIDERATIONS:		
Minor spilled liquids (after neutralisation) may be disposed of through town wastewater systems where these are authorised for industrial use.		
Major spills, which have been collected by machine or on absorbants, should be disposed of by waste disposal experts in accordance with local regulations.		
Used containers should be rinsed, not recycled, but disposed of in landfill or incinerated.		
14 TRANSPORT INFORMATION:		
NZ Land Transport Rule: Dangerous Goods Rule 2005	Classified as not dangerous for Land Transport in New Zealand	
15 NZ REGULATORY INFORMATION:		
Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration:		
Cleaning Products Subsidiary Hazards Group Standard:	HSR No: 002530.	
HSNO Act Controls Regulations 2001 for the product:		
Wear gloves and eye safety glasses handling this product	Use good well defined measures to make dilutions	
Label or mark containers used to hold this product	Keep unused product in secure containers to prevent mistaken use	
16 OTHER INFORMATION:		
Formulation reference and version number: R11-60		
This SDS was prepared from data available on 2 February 2016		
This SDS was printed on 2 February 2016.		
This SDS will be reviewed no later than 2 February 2021		
END OF THIS SAFETY DATA SHEET		
<p>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</p>		

SDS for Car Kleen TRIFOAM ORANGE	Page 1 of 2												
SAFETY DATA SHEET													
1 PRODUCT AND COMPANY IDENTIFICATION:													
<p>Car Kleen TRIFOAM ORANGE Coloured foaming detergent for jet carwash systems.</p>													
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>CAR KLEEN NEW ZEALAND LTD 2 Te Apunga Place Mt Wellington Auckland 1060 New Zealand.</p> </td> <td style="width: 50%; vertical-align: top;"> <p>PO Box 112071, Penrose, Auckland, 1642, New Zealand. Phone: [REDACTED] Fax: (64-9) 276-1962 E-mail: [REDACTED]</p> </td> </tr> </table>		<p>CAR KLEEN NEW ZEALAND LTD 2 Te Apunga Place Mt Wellington Auckland 1060 New Zealand.</p>	<p>PO Box 112071, Penrose, Auckland, 1642, New Zealand. Phone: [REDACTED] Fax: (64-9) 276-1962 E-mail: [REDACTED]</p>										
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3 COMPOSITION & INFORMATION ON INGREDIENTS:													
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Anionic Surfactants</td> <td style="width: 40%;">20 – 50 %</td> </tr> <tr> <td>Water, perfume, preservative, colour</td> <td>> 50%</td> </tr> </table>		Anionic Surfactants	20 – 50 %	Water, perfume, preservative, colour	> 50%								
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Water, perfume, preservative, colour	> 50%												
4 FIRST AID MEASURES:													
<table style="width: 100%; border: none;"> <tr> <td style="width: 20%;">Contact with eyes:</td> <td>Rinse eyes with running water holding back eyelids for 5 minutes. If irritation persists seek medical advice.</td> </tr> <tr> <td>Contact with skin:</td> <td>Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs, seek medical advice.</td> </tr> <tr> <td>After inhalation:</td> <td>A non- volatile compound in normal use. But if subject to vapourisation remove the patient from exposure to a restful location and seek medical advice if symptoms persist. If clothing is contaminated, remove and wash before reuse.</td> </tr> <tr> <td>After ingestion:</td> <td>Do Not Induce Vomiting. Administer 2 glasses of water or milk and seek medical advice if discomfort persist.</td> </tr> <tr> <td>Advice to Doctor:</td> <td>Treat the patient for exposure to material with mild toxic effects. Have this SDS or a product label on hand.</td> </tr> <tr> <td>After Hours:</td> <td>National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)</td> </tr> </table>		Contact with eyes:	Rinse eyes with running water holding back eyelids for 5 minutes. If irritation persists seek medical advice.	Contact with skin:	Wash affected area with copious volumes of water. If clothing is contaminated, remove and wash the affected skin area. If irritation or swelling occurs, seek medical advice.	After inhalation:	A non- volatile compound in normal use. But if subject to vapourisation remove the patient from exposure to a restful location and seek medical advice if symptoms persist. If clothing is contaminated, remove and wash before reuse.	After ingestion:	Do Not Induce Vomiting. Administer 2 glasses of water or milk and seek medical advice if discomfort persist.	Advice to Doctor:	Treat the patient for exposure to material with mild toxic effects. Have this SDS or a product label on hand.	After Hours:	National Poisons & Hazardous Chemical Information Centre: 0800-764-766 (0800-POISON)
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5 FIRE FIGHTING MEASURES:													
<p>This product is neither flammable nor combustible. Drums subject to the heat of a prolonged fire may explode or erupt scattering contents with possibility of enhancing combustion. Where possible remove drums and containers from the path of a fire, or cool with water spray. Firefighters may use water spray, jet, fog, foam, CO2, or dry chemical powder to extinguish a fire in the vicinity.</p>													
6 ACCIDENTAL RELEASE MEASURES:													
<p>Spills on floors will produce a slippery surface. Signage preventing foot traffic should be erected where appropriate. Minor spills (less than 100 litres) should be contained from drainage, diluted with water, neutralised where appropriate, and removed with mops, or absorbed with Mineral Sponge, rags, paper, sand, or soil. It may be possible to drain small spills to town wastewater services where permitted by local authorities. Large spills (drums and IBC's) should be contained from local drainage with any suitable bund or barrier. Clean up with absorbant material such as Mineral Sponge, paper, rags, sand or soil. Where a liquid suction cleaning machine is available, it should be used only after neutralising the spilt product.</p>													
7 HANDLING AND STORAGE:													
<p>Store containers in sites where they can be kept cool and dry and away from heat sources. Liquid products in drums and carboys must have secure closures which fit. Handle to prevent damage to containers. Should packaging be damaged, repack into clean and dry containers of the same type and mark the product name carefully on an easily seen location on the container. After use, always replace lids and caps and return to safe storage as soon as possible. There are no specific transport restraints for this material in secure containers.</p>													
<p><small>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</small></p>													

SDS for Car Kleen TRIFOAM ORANGE		Page 2 of 2
8 EXPOSURE CONTROLS & PERSONAL PROTECTION:		
Exposure controls:	No data is available for the product.	
Eye protection:	Safety glasses.	
Protective clothing:	Chemically impregnable gloves, protective work clothes (a coat, apron or overalls).	
Respiratory protection:	Not required for the regular use of this product. If the liquid is being vaporised, a face shield and/or respirator may be required. These operations should be carried out by trained personnel only.	
Ventilation:	Where spraying or vaporising is being carried out, ensure there is ready access to eyewash units and safety shower. Also ensure adequate ventilation is provided in the work space.	
9 PHYSICAL AND CHEMICAL PROPERTIES:		
Appearance	Clear orange liquid	
Odour	None	
pH	7.0	
Flash Point	Not applicable	
Ignition Point	Not applicable	
Specific Gravity	1.02	
Refractive Index	15 %Bx	
Viscosity	Not applicable	
Relative Foam	Not applicable	
Solubility in water	Complete	
10 STABILITY AND REACTIVITY:		
The product is considered stable under normal storage conditions.		
Avoid contamination with oxidising substances.		
Hazardous polymerisation will not occur.		
Combustion of this product will release oxides of carbon.		
11 TOXICOLOGICAL INFORMATION:		
No data is available for the product.		
12 ECOLOGICAL INFORMATION:		
No data is available for the product		
Surfactants and solvents used are classed Readily Biodegradable according to the European Union Detergents Regulations #907/2006.		
13 DISPOSAL CONSIDERATIONS:		
Minor spilled liquids (after neutralisation) may be disposed of through town wastewater systems where these are authorised for industrial use.		
Major spills, which have been collected by machine or on absorbants, should be disposed of by waste disposal experts in accordance with local regulations.		
Used containers should be rinsed, not recycled, but disposed of in landfill or incinerated.		
14 TRANSPORT INFORMATION:		
NZ Land Transport Rule: Dangerous Goods Rule 2005	Classified as not dangerous for Land Transport in New Zealand	
15 NZ REGULATORY INFORMATION:		
Hazardous Substances and New Organisms Act (HSNO) 1996 & Classification Regulations 2001 for the product of this concentration:		
Cleaning Products Subsidiary Hazards Group Standard:	HSR No: 002530.	
HSNO Act Controls Regulations 2001 for the product:		
Label or mark containers used to hold this product	Keep unused product in secure containers to prevent mistaken use	
16 OTHER INFORMATION:		
Formulation reference and version number: Lab S2-165.		
This SDS was prepared from data available on 2 February 2016.		
This SDS was printed on 2 February 2016.		
This SDS will be reviewed no later than 2 February 2021		
END OF THIS SAFETY DATA SHEET		
<p>The information contained in this Safety Data Sheet is provided in good faith and is believed to be correct as at the date hereof. However, it is expected that individuals receiving the information will exercise their independent judgement in determining its appropriateness for a particular purpose. The Proprietor makes no representation as to the accuracy or comprehensiveness of the information. Conditions of use and suitability of the product for particular uses are beyond our control; all risks of the use of the product are therefore assumed by the user and we expressly disclaim all warranties of any kind and nature, including warranties of merchantability and fitness for a particular purpose in respect to the use or suitability of the product. Appropriate warnings and safe handling procedures should be provided to handlers and users.</p>		



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5 June 2026

Tauranga City Council
Policy Team – Trade Waste Bylaw review
policy@tauranga.govt.nz

Name: Mayor James Denyer
Organisation: Western Bay of Plenty District Council
Postal Address: Private Bage 12803, Tauranga 3143
Daytime Phone: 0800 926 732
Email: [REDACTED]

Tēnā koe Sir/Madam,

Western Bay of Plenty District Council submission on Trade Waste Bylaw review

Western Bay of Plenty District Council (WBOPDC) welcomes the opportunity to provide feedback on Tauranga City Council's (TCC) consultation on TCC Trade Waste Bylaw.

WBOPDC do not wish to speak at hearings on this matter. However, we are happy to answer any questions or further discussion to clarify any of our submission points.

Following WBOPDC and TCC's formal decisions, a new water organisation will be established to deliver Water Services across the sub-region. A key element of this process will be a review of the existing water related bylaws with a view of introducing new ones by August 2030. WBOPDC would like to enable the most efficient approach with this regard and have considered TCC's proposed Trade Waste Bylaw with this in mind. Submission points are therefore aimed at moving towards a sub-regionally consistent approach.

Te Kaunihera a rohe mai i ngā Kuri-a-Whārei ki Ōtamarākau ki te Uru



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Our submission

Western Bay of Plenty District Council supports the intent of the proposed changes to the Trade Waste Bylaw to strengthen the management of trade waste discharges, protect wastewater infrastructure, and reduce risks to our environment and public health. Our submission highlights areas of support as well as matters where we consider further clarification or refinement is required to ensure the bylaw achieves its intended outcomes.

Areas of support

The proposed changes to the Trade Waste Bylaw largely improve the regulatory framework within which both environmental and community outcomes are achieved, enabling proactive management of risks, greater visibility of higher risk discharges and improving monitoring and compliance outcomes. The new provisions provide administrative clarity and support better long-term management of trade waste risks.

We particularly support the following areas:

- (a) the revised classification of trade waste discharges, particularly the introduction of a "Controlled" category requiring permits and pre-treatment systems.
- (b) the improved requirements for pre-treatment and monitoring, which will help ensure consistency and improve enforceability.
- (c) the strengthened provisions for cost recovery and enforcement, including the introduction of a clear processes to address non-compliance, and the ability for the Water Services Provider (WSP) to issue Compliance Orders.
- (d) automatic renewal of permits for Controlled Discharges, where appropriate, and the prohibition on a transfer of permits for Controlled Discharges.
- (e) inclusion of a summary of infringement offences and infringement fees which are aligned with section 269 of the Local Government (Water Services) Act 2025.
- (f) the enhanced protection of wastewater system from persistent organic pollutants (POPs) and other hazardous or prohibited discharges.

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Clarification or refinement opportunities in the draft Bylaw

In moving towards a sub-regional approach to the delivery of water, aligning the environmental and strategic outcomes alongside the purpose of our respective bylaws will ensure consistency for applicants and the community, and better infrastructure, public health and environmental outcomes across the broader network.

We suggest the following be considered:

- (a) We recommend that the bylaw includes a definition for a “Discharge flow meter”, to support consistent interpretation and implementation, particularly where monitoring and compliance rely on measured discharge volumes. Appropriate references should be made throughout the document.
- (b) There is currently no specific guidance on the requirement for grease interceptors, disposal of collected waste and monitoring and compliance requirements for mobile or home-based food businesses. We consider that the bylaw would benefit from express provisions on where and how such businesses can discharge waste, and how untreated or collected liquid waste is to be managed.
- (c) The bylaw does not appear to provide for emergency discharge situations, and we recommend including provisions in clause 13.4 that allow for managed emergency discharges of treated water where necessary.
- (d) Clause 13.2(a) should refer to the New Zealand Trade and Industrial **Waste** Forum. The word ‘Waste’ has been omitted in the draft document.
- (e) While the provision allowing discharge of pool water at an “allowed discharge rate” in clause 13.6 is reasonable, we recommend clarification on how compliance will be monitored in relation to private pools.
- (f) Clause 14.2(c) indicates that typical pre-treatment requirements will be outlined in Part Three of Schedule 3. On reading this part of the Schedule, the requirement is for grease traps to be ‘sized according to the greatest volume as specified in Table 1 contained in Schedule One’, however it is not clear how a grease trap is to be sized from this table. The inclusion of

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appropriate guidance and accurate reference to its location, with final sizing to be approved by the Water Services Provider, is required to give guidance to applicants to support correct sizing not found in the building code. The draft bylaw also refers to grease interceptors. Consistent language is recommended.

- (g) Public dump stations have not been specifically mentioned in the bylaw. Whilst the challenges in monitoring are acknowledged, it is suggested that the bylaw include provisions for infringement where non-domestic wastewater is discharged into a public dump station from a source other than a campervan.
- (h) We recommend strengthening the wording of Clause 14.2(a) as follows:

“Fit grease interceptors, and **shall** be required by the Water Service Provider to fit permanent **non-removable commercial** sink screens in all food premises or any premises where any fat, grease, oil **or solids are likely to be discharged or** could be present in the Trade Waste discharge.
- (i) We recommend further clarification and refinement of the fees regime by:
 - (i) clarifying whether there is an ability to reissue the infringement fee outlined in clause 18.3 for repeated or ongoing breaches; and
 - (ii) considering an additional fee category for small businesses which is fair and reasonable and does not result in excessive financial burden where the size of the business or the risk is low.
- (j) The bylaw does not specify how the reticulation treatment charge will be calculated. Is it intended that the same calculation would be applied to all Permit holders or will each Permit be assessed on its merits?
- (k) It is recommended that clause 15.1 specify that the WSP may require that a Discharger use a nominated independent agent to ensure quality and integrity of data obtained.
- (l) In clause 15.2(c) should the standard be to the satisfaction of the Compliance Officer, or the WSP? Satisfaction may be subjective and changes in staff may result in unsatisfactory assessments. Alternatively, can a minimum standard be specified?

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- (m) Clause 15.6 should be amended to ensure that the same standards apply to the Discharger and/or their nominated independent agents.
- (n) Clause 17.2(e) refers to an Authorised Officer. This term has otherwise been removed from the bylaw, and we suggest this should be Compliance Officer.
- (o) In Schedule One, paragraph 1.4 we believe reference to the suspended solids concentration rate at 2000g/m³ is too high and should state 1000g/m³ which is consistent with other bylaws across the country.
- (p) We recommend that Schedule 2, clause 2.2 be amended to include cBOD₅ with the same limits. Having a cBOD₅ to COD ratio gives greater visibility on how treatable waste is and is consistent with other bylaws across the country.

Overall, we support the direction of the proposed Trade Waste Bylaw and its focus on improving monitoring, compliance, and environmental protection outcomes. We consider that the proposed framework provides a stronger regulatory foundation, and with the refinements outlined above, will further improve clarity, fairness, and effectiveness in implementation.

We welcome ongoing engagement on the development of the bylaw and its practical application.

Nāku noa, nā

A handwritten signature in black ink that reads "James Denyer".

James Denyer

Mayor – Western Bay of Plenty District Council

Te Kaunihera a rohe mai i ngā Kuri-a-Whārei ki Ōtamarākau ki te Uru



File Note – Telephone Call

Date of call: Tuesday 2 June 2026

Time: 3.41pm

Attendees: Jenn Ross (TCC), Andrew (stakeholder, hospitality business owner)

Summary of discussion

- Andrew had started to do the online survey but was uncomfortable providing the contact details requested.
- Andrew provided general feedback on the draft Trade Waste Bylaw and outlined initial impressions of the proposed approach to controlled permits. Noted that Wellington council seem to be looking to do something similar with their permits.
- Key areas of interest included how the controlled permits would be implemented in practice, clarity of obligations on restaurants, and how compliance would be monitored/enforced as it would be difficult for some to be immediately compliant.
- Concerns were raised about potential cost and administrative impacts on restaurants, particularly smaller operators.
- Andrew acknowledged the intent of the bylaw to protect council infrastructure and the environment, and supported the overall objectives but wants them balanced with the reality facing hospitality operators. He supports controls on PFAS and the likes.
- Also questions if there could be a smarter way to monitor compliance with trade waste when doing food control plan work (though acknowledged collaboration required between MPI and council for that).
- Would prefer less rules and regulations but understands the need for balance and costs may not be unreasonable in themselves, but once added to other food business compliance costs and fees to council and MPI it could easily add to \$30k p/a for a medium hospitality business. That's not including the cost of internal or external grease traps if don't have compliant existing ones.
- Noted that if these waste products are not being discharged as trade waste they will need to be dealt with by the businesses some other way, which may just make more landfill.

Responses provided

- Explained the policy intent behind the draft bylaw.
- Noted Fees and Charges being decided on the day by Council. Annual permit fee in the vicinity of \$250.
- Advised that feedback received during consultation will inform refinements to wording and guidance material.
- Confirmed that further information on implementation and compliance processes will be developed.

Next steps

- Capture Andrew's feedback as part of the consultation record.
- Contact Andrew on XXX if there will be a public hearing as he may wish to speak if others are.
- No immediate actions agreed, unless otherwise noted above.

1





Tauranga City

DRAFT TRADE WASTE BYLAW 2026

First adopted	22 November 2004	Minute reference	M04/105.3
Revisions/amendments	31 July 2008	Minute reference	M08/76.5
	7 May 2019		M19/25.8
	[TBC] 2026	<i>Change to Local Government (Water Services) Act 2025</i>	
Review date	This bylaw is to be reviewed 10 years after date of last review		
Relevant legislation	This bylaw was made under section 258(1)(b) of the Local Government (Water Services) Act 2025		

1. TITLE

1.1 This bylaw is the Tauranga City Council Trade Waste Bylaw 2026.

2. COMMENCEMENT

2.1 This bylaw comes into force on [TBC]

3. APPLICATION AND INTERPRETATION

3.1 Unless otherwise stated, this Bylaw shall apply to the whole of the city.

3.2 This Bylaw applies to all Trade Premises within Tauranga City where Trade Wastes are discharged or sourced or are likely to be discharged to the Wastewater System, including Tankered Waste intended for discharge to the Wastewater System.

3.3 Words which refer to the singular include the plural and the plural includes the singular.

3.4 Reference to any act, regulation or plan or provision of any act, regulation or plan includes any amendment to that act, regulation or plan or any act, regulation or plan passed in substitution for it.

3.5 Notes in italics are explanatory or for information only and are not part of this Bylaw. These notes may be added, amended or deleted at any time without amending this Bylaw.

4. PURPOSE

4.1 The purpose of this Bylaw is to control and monitor Trade Waste discharges in a way that supports the operation and maintenance of a wastewater system that:

- (a) aligns with Tauranga Taurikura, a city that values, protects and enhances our environment;

- (b) aligns with Tauranga Matarauui, a city where people feel safe, connected and healthy;
- (c) complies with the Resource Management Act 1991 particularly in respect to Tauranga City Council's or the Water Service Provider's resource consents relating to the disposal of treated Wastewater, biosolids and discharges to air.

4.2 This Bylaw supports this purpose through:

- (a) classifying Trade Waste to manage different Trade Waste characteristics;
- (b) setting load and flow requirements to manage long-term, intermittent, or temporary discharges of Trade Waste to the Wastewater System at levels that enable compliance with Tauranga City Council's or the Water Service Provider's wastewater discharge resource consents;
- (c) establishing requirements for pre-treatment of Trade Waste prior to discharge into the Wastewater System;
- (d) providing for the sampling and monitoring of Trade Waste discharges;
- (e) providing a basis for permitting discharges from Trade Premises;
- (f) recovering costs associated with Trade Waste conveyance, treatment and disposal;
- (g) protecting the wastewater system from damage, misuse and interference;
- (h) encouraging correct storage of materials in order to protect the wastewater system from contamination; and
- (i) promoting Trade Waste minimisation, the use of cleaner production processes, and waste management (including sludges).

Term	Definition
Allowed Discharges	means Trade Waste discharges that: <ul style="list-style-type: none"> (j) comply with all the physical and chemical characteristics set out in Schedule One and does not exceed a maximum volume of Trade Waste of 1m³/day; and (k) are deemed by the Water Service Provider to be low risk and a pre-treatment device is not required.
Approved	approved in writing by the Water Service Provider, either by resolution of the governing body of the Water Service Provider or by any Compliance Officer of the Water Service Provider.
Bylaw	refers to the Tauranga City Council Trade Waste Bylaw 2026.
Compliance Officer	any person appointed by the Water Service Provider to administer and enforce this Bylaw in accordance with section 278 of the Local Government (Water Services) Act 2025.

Term	Definition
Condensing Water or Cooling Water	means any water used in any trade, industry or commercial process or operation in such a manner that it does not take up matter into a solution or suspension.
Conditional Discharges	means Trade Waste discharges that: <ul style="list-style-type: none"> (a) are Temporary Discharges and are not Allowed Discharges or Controlled Discharges; or (b) do not comply with one or more of the physical and chemical characteristics set out in Schedule One; or (c) exceed a maximum volume of Trade Waste of 3m³/day; or (d) are deemed by the Water Service Provider to be high risk and a pre-treatment device or system is required; or (e) are Tankered Waste; or (f) contain POPs.
Controlled Discharges	means Trade Waste discharges that: <ul style="list-style-type: none"> (a) comply with all the physical and chemical characteristics set out in Schedule One; and (b) do not exceed a maximum volume of 3m³/day; and (c) are deemed by the Water Service Provider to be medium risk and a pre-treatment device is required.
Discharger	any Person, including a Permit holder, who discharges Trade Waste into the Wastewater System.
Domestic Wastewater	Wastewater (with or without matter in solution or suspension therein) of a domestic nature lawfully discharged from premises used solely for residential purposes.
Maximum Concentration	means the instantaneous peak concentration that may be discharged at any instant in time.
Permit	means a permit issued by the Water Service Provider in accordance with this Bylaw.
Person	means a Person or body of Persons whether corporate or unincorporated, and includes the Crown and any successor of a Person.
POPs	persistent organic pollutants, including polyfluoroalkyl and perfluoroalkyl substances (PFAS), perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA)
Prohibited Discharge	means Trade Waste discharges that that has, or is likely to have, any of the physical or chemical characteristics set out in Schedule Two.
Stormwater	surface water run-off resulting from rainfall.

Term	Definition
Tankered Waste	means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, but does not include Domestic Wastewater that is discharged directly from houses, caravans, buses or similar vehicles.
Temporary Discharge	means any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from Trade Premises subject to an existing Permit.
Trade Premises	means any land or premises used, or intended to be used, for an industrial, commercial, or trade purpose, or for storing, transferring, treating, or discharging Trade Waste.
Trade Waste	means any waste that is discharged in the course of an industrial, commercial, or trade process or operation, or a related process or operation and is discharged in a Wastewater System but does not include any class of waste or material that has been specified to not be trade waste by a Trade Waste Discharge Plan.
Trade Waste Discharge Plan	Means a plan made by a Water Service Provider under section 185 of the Local Government (Water Services) Act 2025 (if any).
Wastewater	means Domestic Wastewater and Trade Waste.
Wastewater System	means the system for collection, treatment and disposal of Wastewater including all sewers, pumping stations, storage tanks, Wastewater treatment plants, outfalls and other related structures operated by the Water Service Provider.
Water Service Provider	is as defined in the Local Government (Water Services) Act 2025. At the date of this Bylaw, this includes a territorial authority that has not transferred to a water organisation all of the authority's responsibility for providing water services, in relation to the water services for which the authority continues to have responsibility; or a water organisation to which a territorial authority or a regional council has transferred responsibility for providing water services, in relation to the responsibility transferred.

These definitions apply unless the context requires otherwise.

5. CLASSIFICATION AND RESTRICTION OF DISCHARGES

5.1 Trade Waste discharges shall be classified as:

- (a) Allowed Discharges; or
- (b) Controlled Discharges; or
- (c) Conditional discharges; or
- (d) Prohibited Discharges.

- 5.2 No Person may make a Controlled discharge, or a Conditional discharge to the Wastewater System without a Permit. A Permit is not required to make an Allowed discharge.
- 5.3 No Person shall, except in accordance with the provisions of this Bylaw and any Permit:
- (a) discharge or allow to be discharged, any Trade Waste to the Wastewater System;
 - (b) discharge, or allow to be discharged, any Prohibited Discharge into the Wastewater System;
 - (c) add or permit the addition of potable, non-potable, Condensing Water or Cooling Water to any Trade Waste which discharges into the Wastewater System unless specific approval is given in a Permit;
 - (d) discharge, or allow to be discharged, waste matter in solution or suspension, which is conveyed by vehicle for disposal, including septic tank wastes, directly into the Wastewater System;
 - (e) add or permit the addition of Stormwater to any Trade Waste which discharges into the Wastewater System unless specific approval is given in a Permit; or
 - (f) dispose of solid waste which has been processed through a refuse or garbage grinder or macerator into the Wastewater System unless specific approval is given in a Permit.
- 5.4 The occupier of Trade Premises is responsible for the discharge of any Trade Waste from those Trade Premises (whether or not the occupier is the Discharger) and for compliance with this Bylaw in respect to those Trade Premises.
- 5.5 The nature and level of any allowed discharge characteristic set out in Schedule One may be added, removed or varied by publicly notified Water Service Provider resolution.
- 5.6 The Water Service Provider will give at least 20 working days' notice prior to any amendments to Schedules One or Two. Where possible, this notice will be given in writing to Dischargers.
- 5.7 Obtaining a Permit for any Trade Waste discharge under this Bylaw does not relieve the Person discharging or allowing the discharge, from any obligations to:
- (a) obtain any other permit, consent or permission for the discharge under any other statutory requirements; or
 - (b) comply with other legislation, such as the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991.
- 6. APPLICATIONS FOR TRADE WASTE PERMITS**
- 6.1 Any Person may apply to the Water Service Provider to:
- (a) grant a Permit for (either continuously, intermittently, or temporarily) Controlled Discharges or Conditional Discharges into the Wastewater System; or
 - (b) transfer a Permit for Conditional Discharges in accordance with clause 11.2; or

- (c) vary the characteristics specified by a Permit; or
 - (d) vary the conditions of a Permit; or
 - (e) vary the method or means of pre-treatment for discharge under a Permit; or
 - (f) waive compliance in accordance with clause 6.4 or 21.1.
- 6.2 Applications under clause 6.1 must be in the form, and contain the information, required by the Water Service Provider and accompanied by the prescribed fee for the category of Permit applied for.
- 6.3 Where the Trade Premises produce Trade Waste from more than one area, separate descriptions of the Trade Waste and the areas concerned shall be included in any application and the Water Service Provider may require separate applications for each point of Trade Waste discharge according to the different categories or conditions for the characteristics of the discharges. This applies whether or not the separate areas of the Trade Premises are part of a single or separate trade process.
- 6.4 A Person may apply to the Water Service Provider to waive compliance with the requirement to obtain a Permit under this Bylaw on the basis that due to the nature, volume or other circumstances, it would needlessly affect the operation of a business or cause inconvenience to a Person, without any corresponding reduction of impact on the operation of the Wastewater System. Any waiver of the requirement to obtain a Permit is at the absolute discretion of the Water Service Provider in accordance with clause 21.1.
- 6.5 In any application process for a Permit, the Water Service Provider reserves the right to deal with the owner, as well as the occupier of the relevant Trade Premises.
- 7. CONSIDERATION OF APPLICATIONS, GRANTS OF PERMITS AND REVIEWS**
- 7.1 Within 20 working days (or as extended if warranted by exceptional circumstances by the Water Service Provider) of receipt of a complete application complying with this Bylaw the Water Service Provider shall, after considering the matters in Part One of Schedule Three do any one or more of the following:
- (a) advise the applicant on the classification of the proposed discharge and request for any additional information to process the application;
 - (b) grant the applicant a Permit, or a variation of a Permit, and inform the applicant of the decision and the conditions imposed on the discharge;
 - (c) approve the transfer of a Permit for Conditional Discharges;
 - (d) decline the application and notify the applicant of the decision giving a statement of the reasons for refusal;
 - (e) waive compliance and inform the applicant of the decision and any conditions imposed.
- 7.2 Where the Water Service Provider:
- (a) notifies an applicant that an application is incomplete, or
 - (b) requests additional information from the applicant,

the 20 working day period in clause 7.1 will be paused until the additional information or complete application is received by the Water Service Provider.

7.3 Permits may specify different requirements and conditions for different classifications of Trade Waste discharges and for different Trade Premises. A Permit may be granted subject to any requirements, conditions and limits that the Water Service Provider deems necessary to protect the Wastewater System or enable them to meet reporting obligations, including (without limitation) the conditions in Part Two of Schedule Three.

7.4 A Person whose application for a Permit is declined may apply to the Water Service Provider for an internal review of that decision. The Person applying for review and the Water Service Provider must follow the review process in accordance with the requirements of sections 191 to 194 of the Local Government (Water Services) Act 2025.

8. DURATION AND RENEWAL OF PERMITS

8.1 Permits for Controlled Discharges will be:

- (a) issued for a period of one year; and
- (b) subject to compliance with the terms of the Permit, including payment of fees, automatically renewed for one year at a time.

8.2 Permits for Conditional Discharges may be issued for a period of one or three years, as determined by the Water Service Provider.

8.3 The holder of a Conditional Discharge Permit may apply to renew a Permit.

8.4 An application for renewal of a Conditional Discharge Permit must be submitted to the Water Service Provider at least eight weeks before the expiry of the existing Permit.

8.5 Subject to clauses 10 and 11, a Permit holder, who has submitted an application for renewal in accordance with clause 8.4, may continue to discharge Trade Waste in accordance with the conditions of their existing Permit until:

- (a) The Water Service Provider issues a renewed Permit; or
- (b) The Water Service Provider declines to renew the Permit.

8.6 Where an application for a renewed Permit has not been made in accordance with clause 8.4, the Water Service Provider may require the Discharger to cease discharging Trade Waste at the expiry of the existing Permit until any new Permit is issued.

9. TECHNICAL REVIEW AND VARIATION OF PERMIT

9.1 At any time during the term of a Permit, the Water Service Provider may, after consultation with the Permit holder, by written notice reclassify the discharge and/or vary any condition of a Permit, having regard to issues such as:

- (a) changes in the quantity, nature and characteristics of the discharges;
- (b) changes in the Wastewater System;
- (c) changes in circumstances that result in condition(s) becoming inappropriate or unnecessary;

- (d) any apparent or actual breach of Permit conditions or any breach of this Bylaw;
 - (e) changes in the Water Service Provider's environmental policies or outcomes;
 - (f) changes in resource consents for the Wastewater System;
 - (g) changes in the legal requirements imposed on the Water Service Provider under any contract, statute or otherwise;
 - (h) changes to the Trade Waste Discharge Plan;
 - (i) new information becomes available.
- 9.2 A Permit holder may apply to vary any condition of a Permit at any time during the term of the Permit by submitting an application to the Water Service Provider in accordance with clause 7.1(c).
- 10. SUSPENSION OF DISCHARGES OR CANCELLATION OF PERMITS ON NOTICE**
- 10.1 A Permit holder and a Discharger must:
- (a) comply with all conditions of any relevant Permit; and
 - (b) to the extent that the discharge is authorised as an Allowed Discharge, ensure that the characteristics of the Allowed Discharge are satisfied; and
 - (c) promptly pay all fees or charges under this Bylaw which they are liable to pay.
- 10.2 If a Permit holder or Discharger fails to comply with clause 10.1(a), (b) or (c), the Water Service Provider may serve notice on that Person requiring them to comply within 20 working days or such longer period as the Water Service Provider in its discretion considers appropriate.
- 10.3 If a Permit holder or Discharger served with a notice under clause 10.2 does not comply within the time specified in the notice, then the Water Service Provider may suspend or cancel the Permit and/or right to discharge either wholly or in part. For the avoidance of doubt, this includes suspension or cancellation of the right to make what would otherwise be an Allowed Discharge.
- 10.4 The Water Service Provider may suspend or cancel any Permit or right to discharge either wholly or in part, on 20 working days' notice, if any other circumstances arise which, in the opinion of the Water Service Provider, render it necessary in the public interest to suspend or cancel the Permit or right to discharge.
- 10.5 The Water Service Provider may immediately suspend or cancel any Permit or right to discharge, either wholly or in part, by giving to the Permit holder or Discharger written notice of that suspension or cancellation, if:
- (a) the Permit holder or Discharger fails to maintain effective control of their discharges or makes a Prohibited Discharge other than in accordance with a Permit; or
 - (b) the continuance of the discharge is, in the opinion of the Water Service Provider, endangering, or is likely to endanger, the health or safety of any person, damages or is likely to cause damage to the Wastewater System, causes, or is likely to cause, adverse effects on the environment; or

- (c) the continuance of the discharge may, in the opinion of the Water Service Provider, result in a breach of a Wastewater System resource consent; or
 - (d) in the opinion of the Water Service Provider the continuance of the discharge puts at risk the ability of the Wastewater System to comply with any resource consent conditions and/or requires additional treatment measures to be taken or costs to be incurred in order to avoid a breach of any such resource consent; or
 - (e) the Water Service Provider is lawfully directed to cancel or otherwise terminate the Permit.
- 10.6 If the Water Service Provider has the power under this clause to cancel or suspend a Permit or right to discharge either on notice or immediately then it may exercise whichever option it considers appropriate in the circumstances of the case.
- 10.7 The Water Service Provider may elect to follow the notice process set out in clauses 10.2-10.5, and/or to serve a compliance order in accordance with section 297 of the Local Government (Water Services) Act 2025, whichever option is available or it considers appropriate in the circumstances of the case.
- 10.8 Following an application for the variation of a Permit in accordance with clause 6.1, the Water Service Provider may in its discretion reinstate any right to discharge or grant a further Permit to any Person whose Permit or right has been suspended or cancelled under clauses 10.3, 10.4 or 10.5, and with or without such conditions as it considers appropriate. In deciding whether to act under this clause the Water Service Provider may take into account any relevant matters including the steps taken by the Person to ensure that the circumstances giving rise to the suspension or cancellation will not be continued or repeated.
- 10.9 Nothing in this clause:
- (a) limits the power of the chief executive of the Water Service Provider to serve a compliance order, in accordance with section 297 of the Local Government (Water Services) Act 2025; or
 - (b) relieves a Person of liability for any breach of this Bylaw which they may have apart from this clause.
- 11. TRANSFER OR TERMINATION OF RIGHTS AND RESPONSIBILITIES**
- 11.1 Permits for Controlled Discharges are not transferable. Where the Person who is the Discharger from Trade Premises changes, the new Discharger must apply for a new Permit for Controlled Discharges.
- 11.2 A Permit holder or Discharger must obtain approval from the Water Service Provider prior to:
- (a) transferring their rights and responsibilities provided for under this Bylaw, and under a Permit for Conditional Discharges, to any other Person;
 - (b) allowing a point of discharge to serve another Trade Premises, or the private drain to that point to extend by pipe or any other means to serve another Trade Premises; or
 - (c) in particular, and not in limitation of the above, allow Wastewater from any other Person to be discharged at their point of discharge.

- 11.3 Water service provider will not unreasonably withhold approval to the renewal or transfer of a Permit for Conditional Discharges on change of ownership or occupation of the relevant Trade Premises if the characteristics of the Trade Waste remain unchanged.
- 11.4 A Discharger shall give at least 48 hours' notice in writing to Water Service Provider of any requirement for disconnection of the discharge connection and/or termination of the Permit, except where demolition or relaying of the discharge drain is required, in which case the notice shall be at least seven working days. The Discharger shall notify Water Service Provider of the new address details for final invoicing.
- 11.5 On permanent disconnection and/or termination the Discharger may at Water Service Provider's discretion be liable for Trade Waste charges to the end of the current charging period.
- 11.6 When a Permit holder ceases to occupy Trade Premises from which Trade Wastes are discharged, any Permit granted to that Permit holder in respect of those Trade Premises shall terminate but without relieving the Person discharging from any obligations existing at the date of termination.

12. MANAGEMENT OF HAZARDOUS MATERIALS

- 12.1 No Person shall store, transport, handle or use, or cause to be stored, transported, handled or used any of the materials described in clause 12.3 in a manner that may cause the material to enter the Wastewater System.
- 12.2 All Persons on Trade Premises must take all reasonable steps to prevent the entry of any of the materials described in 12.3 into the Wastewater System, including accidental entry as a result of leakage, spillage or other mishap.
- 12.3 The materials referred to in clauses 12.1 and 12.2 are products or wastes that:
- (a) contain corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
 - (b) are likely to generate toxic, flammable, explosive or corrosive materials in quantities that are likely to be hazardous when mixed with the wastewater stream; or
 - (c) are likely to endanger the health and safety of any Person or be harmful to the Wastewater System or the environment.

13. TANKERED AND OTHER DISCHARGES

- 13.1 No Tankered Waste may be discharged directly into the Wastewater System.
- 13.2 Any Person transporting Tankered Waste must:
- (a) comply with this Bylaw and the current New Zealand Trade and Industrial Forum's Liquid and Hazardous Wastes Code of Practice;
 - (b) ensure the tanker is thoroughly washed between tanker loads of varying waste categories to prevent cross-contamination;
 - (c) where the Tankered Waste is discharged in Tauranga, ensure the Tankered Waste is discharged at a commercial waste treatment facility approved for Tankered Waste disposal by the Water Service Provider.

- 13.3 Any treatment facility receiving Tankered Waste and discharging into the Wastewater System must have a current Permit for Conditional Discharges.
- 13.4 No water used during the repair or construction of water mains maybe discharged into the Wastewater System, or adjacent water course without prior written approval from the Water Service Provider.
- 13.5 Any water used during the repair or construction of water mains shall be de-chlorinated to the level of being an Allowed Discharge prior to being discharged into the Wastewater System, if approved under clause 13.4.
- 13.6 Owners and operators of swimming pools may discharge pool water into the Wastewater System at the rate of an Allowed Discharge, once it is de-chlorinated to the level of being an Allowed Discharge. Otherwise a Permit or the prior written approval of the Water Service Provider is required for the discharge.
- 14. TREATMENT OF TRADE WASTE AND MASS LIMITS**
- 14.1 The Water Service Provider may grant a Permit subject to the provision of appropriate pre-treatment systems. Such pre-treatment systems must be provided, operated and maintained by the Discharger at their expense.
- 14.2 Dischargers must:
- (a) fit grease interceptors, and may be required by the Water Service Provider to fit permanent sink screens, in all food premises or any premises where any fat, grease or oil could be present in the Trade Waste discharge and comply with the provisions of their Permit in respect of the sizing, cleaning and maintenance of the interceptors.
 - (b) fit inceptor traps to Wastewater discharges from Trade Premises where oils, grit or other pollutants are likely to be present.
 - (c) refer to Part Three of Schedule Three for details of typical pre-treatment requirements for Trade Premises.
- 14.3 All dental premises must install suitable amalgam traps on all spittoons and on sink wastes used for washing dentistry equipment.
- 14.4 A Permit may impose controls on Trade Waste discharges by specifying mass limits for any characteristic of the Trade Waste. Any characteristic of a discharge with a mass limit imposed must also have a daily Maximum Concentration not exceeding the value tabled in Schedule One, unless the Water Service Provider has approved otherwise.
- 14.5 When setting mass limit allocations for a particular characteristic the Water Service Provider will consider:
- (a) the operational requirements of and risk to the Wastewater System, 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 potential, planned or actual beneficial reuse of Biosolids or sewage sludge;
 - (c) conditions in the Wastewater System near the Trade Waste discharge point and elsewhere in the Wastewater System;

- (d) the extent to which the available wastewater treatment plant capacity was used in the last year and is expected to be used in the forthcoming year;
- (e) whether or not the applicant uses cleaner production techniques within a period satisfactory to the Water Service Provider;
- (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 wastewater treatment plant capacity;
- (g) any requirements on the Water Service Provider to reduce the pollutant discharge of the Wastewater System;
- (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 System;
- (i) the total mass of the characteristic allowable in the Wastewater System, 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 the sewer reticulation, treatment process, or receiving water (or land).

15. SAMPLING, TESTING AND MONITORING

- 15.1 The Water Service Provider may sample, analyse and monitor Trade Waste discharges, and/or may require that discharges be sampled, analysed and monitored by the Discharger to determine:
- (a) if discharges comply with the provisions of this Bylaw, or any conditions of a Permit; and/or
 - (b) if discharges are classified as Allowed Discharges, Controlled Discharges, Conditional Discharges, or Prohibited Discharges; and/or
 - (c) what fees or charges are applicable, if any.
- 15.2 Where the Water Service Provider requires metering to measure the flow rate and volume of Trade Waste discharges, the Discharger will:
- (a) be responsible for the supply, installation, maintenance and reading of a meter with specifications that are approved by the Water Service Provider for the measurement of the rate or quantity of discharge of Trade Waste from its premises. These meters shall be approved by the Water Service Provider but shall remain the property of the Discharger;
 - (b) make records of flow and/or volume available at any time reasonably requested by the Water Service Provider and shall submit the records to the Water Service Provider at prescribed intervals, in a format and by the method approved by the Water Service Provider; and
 - (c) install the meters in accordance with the manufacturer's instructions, in a location that is readily accessible for reading and maintenance, to the satisfaction of a Compliance Officer.
- 15.3 Where no Trade Waste meter or similar apparatus is warranted, or a meter is out of repair or ceases to register, or where in the opinion of the Water Service Provider the

meter has been tampered with, the Water Service Provider may require that a percentage of the water supplied to the Trade Premises, or other such basis as seems reasonable, be used for estimating the rate or quantity of flow of Trade Waste discharges.

- 15.4 Wastewater quality shall be determined by either:
- (a) Measuring the concentration of its characteristics alone; or
 - (b) Measuring both the mass and the concentration of its characteristics.
- 15.5 A Compliance Officer may enter any premises believed to be discharging Trade Waste, as provided in section 282 of the Local Government (Water Services) Act 2025, in order to determine any characteristics of any actual or potential discharge by:
- (a) Taking readings and measurements;
 - (b) Carrying out an inspection;
 - (c) Observing any occurrence of accidental discharge and clean-up; and/or
 - (d) Taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.
- 15.6 Sampling, testing and monitoring will be undertaken by the Water Service Provider or Discharger in accordance with standard industry practice, including using an IANZ accredited laboratory for any testing and analysis.

16. TRANSITIONAL PROVISIONS

- 16.1 Every existing Trade Waste consent, permission, agreement granted under the Tauranga City Council Trade Waste Bylaw 2019 shall continue in force as if it were made or a Permit under this Bylaw until it reaches the expiry date specified in that consent, permission or agreement, provided that no consent shall run beyond three years of when this Bylaw comes into effect.
- 16.2 This Bylaw is implied into and forms any part of any permission, consent or agreement continued by clause 16.1. Where there are inconsistencies between the terms of any permission, consent or agreement and the terms implied by this Bylaw, this Bylaw will prevail.
- 16.3 Any application for a consent to discharge Trade Waste made under the Tauranga City Council Trade Waste Bylaw 2019 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 6.1 of this Bylaw.

17. ACCIDENTS, OFFENCES AND BREACHES

- 17.1 In the event of any accident occurring that may alter the discharges into the Wastewater System from a Trade Premises:
- (a) the Discharger must inform the Water Service Provider immediately on discovery of that accident, including spills or process mishaps, where it may cause breach of this Bylaw, even if the breach will be temporary;
 - (b) where a Permit for Controlled Discharges or Conditional Discharges applies, the Water Service Provider may initiate a review or cancellation of the Permit;

- (c) where the Trade Premises usually produces Allowed Discharges, the Water Service Provider may require that the Discharger apply for a Permit.

17.2 Every Person breaches this Bylaw and commits an offence who:

- (a) does, or allows anything to be done, which is contrary to this Bylaw or any part of it; or
- (b) fails to do, or allows anything to remain undone, which ought to be done by that Person within the time and in the manner required by this Bylaw or any part of it; or
- (c) does anything which this Bylaw prohibits; or
- (d) fails to comply with any notice given to that Person under this Bylaw or any part of it or any condition of a Permit granted by the Water Service Provider; or
- (e) obstructs or hinders any Authorised Officer or other Water Service Provider appointed Person in performing any duty or in exercising any power under this Bylaw.

17.3 The chief executive of the Water Service Provider may:

- (a) serve a compliance order on any Person to ensure compliance with this Bylaw or prevent, reduce or eliminate serious risks in accordance with section 297 of the Local Government (Water Services) Act 2025; and
- (b) take remedial action in accordance with sections 302 and 303 of the the Local Government (Water Services) Act 2025.

17.4 For the purposes of section 269 of the Local Government (Water Services) Act 2025, the following offences are identified as infringement offences:

- (a) Negligently disposing of or discharging materials or substances into wastewater network (s313).
- (b) Connecting to or disconnecting from or discharging into the wastewater network without authorisation (s314).
- (c) Discharging Trade Waste without a Permit (s317).
- (d) Breach of Trade Waste Permit (s318).
- (e) Failure to comply with water services bylaw relating to equipment or device causing specified serious risk (s327).
- (f) Failure to comply with direction given by compliance officer (s331).
- (g) Failure to comply with compliance order or court order (s332).
- (h) Tampering with a water meter (s333).

18. FEES AND CHARGES

18.1 The Water Service Provider may, in accordance with sections 187, 190 or 258 of the Local Government (Water Services) Act 2025, prescribe fees or charges payable for any service, certificate, authority, licence, approval, permit or consent from or inspection made by the Water Service Provider under this Bylaw.

18.2 In accordance with section 304 of the Local Government (Water Services) Act 2025, the Water Service Provider may recover the reasonable costs of any remedial action taken under clause 17.3(b).

18.3 The fee for each infringement offence listed in clause 17.4 is \$1000 for an individual and \$3000 for a body corporate.

19. NOTICES AND ORDERS

19.1 A Compliance Officer may give notice to any Person in breach of this Bylaw to carry out any remedial action in order to comply with the Bylaw and every such notice shall state the time within which the remedial action is to be carried out, and may be extended from time to time.

19.2 The Water Service Provider will issue any compliance orders and infringement notices in accordance with the requirements of the Local Government (Water Services) Act 2025.

20. PENALTIES

20.1 Subject to anything to the contrary, every Person who commits an offence against this Bylaw shall be subject to the penalties set out in Part 5 of the Local Government (Water Services) Act 2025.

20.2 The Water Service Provider or an authorised agent appointed by it, may remove or alter any work or thing that is or has been constructed in breach of this Bylaw.

20.3 The Water Service Provider may recover the costs of removing or altering the work or thing that is in breach of this Bylaw from the Person who committed the breach. This does not relieve that Person of liability for the breach.

21. DISPENSING POWERS

21.1 The Water Service Provider may waive full compliance with any provision of this Bylaw in a case where the Water Service Provider is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any Person or business without any corresponding benefit to the community. The Water Service Provider may in its discretion impose conditions of any such waiver.

SCHEDULE ONE – CHARACTERISTICS OF ACCEPTABLE TRADE WASTE DISCHARGES**1. PHYSICAL CHARACTERISTICS OF ACCEPTABLE TRADE WASTE DISCHARGES**

- 1.1 Volume and flow rate:
- (a) the volume discharged in any 24 hour period shall not exceed:
 - (i) 1m³ for Allowed Discharges; or
 - (ii) 3m³ for Controlled Discharges;
 - (b) the maximum instantaneous flow rate shall not exceed 2.0 litres per second;
 - (c) the maximum flow rate over any 15 minute period shall not exceed 0.3 litres per second.
- 1.2 In accordance with clause 5.3(e), the discharge of Stormwater from any source into the Wastewater System is prohibited unless specific approval is given in a Permit.
- 1.3 The temperature shall not exceed 40⁰c.
- 1.4 Solids
- (a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm;
 - (b) The suspended solids concentration shall not exceed 2000g/m³ at any time;
 - (c) The settleable solids content shall not exceed 50ml/l;
 - (d) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the wastewater system shall not be present.
- 1.5 Oil and grease
- (a) There shall be no free or floating layer of fat, oil or grease;
 - (b) There must be no discharge of fats, oils or greases containing substances that will become viscose between 0⁰c and 65⁰c;
 - (c) A Trade Waste discharge containing fats, oils or greases must not exceed 200g/m³.
- 1.6 There shall be no free layer (whether floating or settled) of solvents or organic liquids.
- 1.7 Radioactivity levels shall not exceed guidelines by the office of radiation safety code of practice csp1: use of unsealed radioactive material.
- 1.8 No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated wastewater consent to discharge held by the Water Service Provider.

2. CHEMICAL CHARACTERISTICS AND MASS LIMITS OF ACCEPTABLE TRADE WASTE DISCHARGES

- 2.1 The ph shall be between 6.0 and 10.0 at all times unless otherwise approved in writing by Water Service Provider.
- 2.2 The chemical oxygen demand shall not exceed a total mass of 7.5kg/day.

Acceptable Discharge Characteristics Table 1 – General chemical characteristics		
Characteristic	Maximum concentration (g/m³)	Mass limit (kg/day)
MBAS (Methylene blue active substances)	500	0.5
Ammonia (measured as N)		
– free ammonia	50	0.25
– ammonium salts	200	0.6
Kjeldahl nitrogen	150	1.0
Total phosphorus (as P)	50	0.25
Sulphate (measured as SO ₄)	500	2.5
Sulphite (measured as SO ₂)	15	0.075
Sulphide – as H ₂ S on acidification	5	0.025
Chlorine (measured as Cl ₂)		
– free chlorine	3	0.015
– hypochlorite	30	0.15
Dissolved aluminium	100	0.5
Dissolved iron	100	0.5
Boron (as B)	25	0.125
Bromine (as Br ₂)	5	0.025
Fluoride (as F)	30	0.03
Cyanide – weak acid dissociable (as CN)	1	0.005

Acceptable Discharge Characteristics Table 2 – Heavy metals		
Metal	Maximum concentration (g/m3)	Mass limit (kg/day)
Antimony	5	0.025
Arsenic	5	0.005
Barium	5	0.025
Beryllium	0.005	0.000025
Cadmium	0.5	0.0025
Chromium	5	0.025
Cobalt	5	0.025
Copper	5	0.025
Lead	5	0.025
Manganese	5	0.025
Mercury	0.005	0.000025
Molybdenum	5	0.025
Nickel	5	0.025
Selenium	5	0.025
Silver	2	0.01
Thallium	5	0.025
Tin	5	0.025
Zinc	5	0.025

Acceptable Discharge Characteristics		
Table 3 – Organic compounds and pesticides		
Compound	Maximum concentration (g/m3)	Mass limit (kg/day)
Formaldehyde (as HCHO)	50	0.05
Phenolic compounds (as phenols) excluding chlorinated phenols	50	0.05
Chlorinated phenols	0.02	0.00002
Petroleum hydrocarbons	30	0.15
Halogenated aliphatic compounds	1	0.001
Monocyclic aromatic hydrocarbons	5	0.005
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05	0.00005
Halogenated aromatic hydrocarbons (HAHs)	0.002	0.000002
Polychlorinated biphenyls (PCBs)	0.002	0.000002
Polybrominated biphenyls (PBBs)	0.002 each	0.000002
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total	0.0002 total
Organophosphate pesticides	0.1	0.0001

Acceptable Liquid Pharmaceutical Waste	
Table 4 – Monthly liquid pharmaceutical waste discharge must not exceed the following volumes and concentrations of active ingredients	
Volume Limit	Active Concentration
10 litres	125mg / 5ml
5 litres	250mg / 5 ml
3 litres	Above 250mg / 5ml

If any of the limits in Tables 1 - 3 are different to the active concentration limits in Table 4, the lower limit becomes the allowed discharge.

SCHEDULE TWO – CHARACTERISTICS OF PROHIBITED DISCHARGES**1. PROHIBITED DISCHARGES**

- 1.1 Any discharge has prohibited characteristics if it has any solid, liquid or gaseous matter or any combination or mixture of such matters which by itself or themselves or in combination with any other matter will immediately or in the course of time:
- (a) interfere with the free flow of Wastewater in the Wastewater System;
 - (b) damage any part of the Wastewater System;
 - (c) in any way, directly or indirectly, cause the quality of the treated Wastewater or residual biosolids to be such that there is a breach of the conditions of a Permit issued under the Resource Management Act 1991, or water right, permit or other governing legislation, or commercial arrangement;
 - (d) prejudice the occupational health and safety risks faced by Wastewater workers;
 - (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.
- 1.2 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 One), 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) waste that contains or is likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act 1996. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
 - (g) any health care waste prohibited for discharge to a Wastewater system by New Zealand Standard (NZS) 4304 including cytotoxic waste, or any pathological or histological waste; or
 - (h) radioactivity levels in excess of the guidelines set by the Office of Radiation Safety.

SCHEDULE THREE – PERMIT CONSIDERATION CRITERIA AND CONDITIONS**1. PART ONE - Consideration Criteria**

In considering any application under clause 6.1 and in imposing any conditions in a Permit, the Water Service Provider shall take into consideration the quality, volume, and rate of discharge of the Trade Waste from the Trade Premises or tanker and may take into consideration:

- (a) the health and safety of Water Service Provider staff, agents and the public;
- (b) the limits and/or maximum values for characteristics of Trade Waste as specified in Schedule One of this Bylaw;
- (c) the extent to which the Trade Wastes may react with other Trade Wastes or Domestic Wastewater discharges to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system etc.;
- (d) the flows and velocities in the Wastewater System and the material or construction of the Wastewater System;
- (e) the capacity of the Wastewater System, or the part of the Wastewater System that will receive the discharges;
- (f) the nature of any Wastewater treatment process, the degree to which the Trade Wastes are capable of being treated in the Wastewater System and any impacts on the Wastewater System;
- (g) the timing and balancing of flows into the Wastewater System;
- (h) any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of sewage 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 Wastes discharge on the ultimate receiving environment;
- (j) the conditions on resource consents for the Wastewater System 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 System and the environment;
- (l) consideration for other existing or future discharges;
- (m) amenability of the Trade Waste to pre-treatment;
- (n) the provision of suitable pre-treatment facilities on the premises and the potential for its future use;
- (o) cleaner production techniques and waste minimisation practices;
- (p) requirements and limitations related to sewage sludge disposal and reuse;
- (q) control of Stormwater;

- (r) the applicant's discharge management plan;
- (s) Tankered Waste being discharged at an approved location;
- (t) where POPs are present, the quantity in relation to the levels recommended by the Environmental Protection Authority, or the Ministry for the Environment, and the guidance available (Explanatory Note - *Current guidance on levels of PFAS is outlined in PFAS Disposal to Trade Waste (Environmental Protection Authority, 2018) and Advice for Councils – PFAS (Ministry for the Environment, 2018)*).
- (u) the availability of alternative collection and disposal systems for putrescible wastes;
- (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 identified through consultation or engagement.

2. PART TWO - Conditions of Permits

Any Permit to discharge Trade Waste may be granted subject to any conditions the Water Service Provider considers appropriate, including but not limited to:

- (a) the Wastewater System, or part of the Wastewater System, to which the discharge will be made;
- (b) the maximum daily volume of the discharge, 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 14;
- (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 and maintenance by, or for the Permit holder (at the Permit holder's expense) of screens, grease traps, silt traps or other pre-treatment works to control Trade Waste discharge characteristics to the permitted levels;
- (h) the provision and maintenance (at the Permit holder's expense) of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (i) the provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements (at the Permit holder's expense);
- (j) the method or methods to be used for the measuring of flow rates and/or volume and taking samples of the discharge for use in determining the amount of any Trade Waste charges applicable to that discharge;

- (k) the provision and maintenance (at the Permit holder's expense) 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 testing and certification of such meters;
- (l) the provision and maintenance (at the Permit 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;
- (m) the provision of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. sewage sludge disposal) by the Permit holder to the Water Service Provider, at the times and in a manner and format approved by the Water Service Provider;
- (n) the provision and implementation of a Trade Waste discharge management plan by the Permit holder;
- (o) risk assessment of damage to the environment due to an accidental discharge of a chemical or other contaminant;
- (p) appropriate systems for waste minimisation and management;
- (q) provision for cleaner production techniques;
- (r) provision for third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including sewage sludge disposal);
- (s) where the discharges includes Tankered Waste:
- compliance with the current New Zealand Trade and Industrial Forum's Liquid and Hazardous Wastes Code of Practice
 - documentation of tracking of Tankered Waste from source to disposal
 - non-contamination protocols where a tanker may transport either Domestic Wastewater or Trade Waste
 - pre-testing of Tankered Waste to determine its character
 - specialist advice on pre-treatment or acceptance may be required
 - whether or not the facility may accept Tankered Waste containing hydro excavation wastewater.
- (t) where the discharges include POPs, a plan agreed with the Water Service Provider to remove and/or reduce the discharge of POPs;
- (u) requirement to provide a bond or insurance in favour of the Water Service Provider where failure to comply with the Permit could result in damage to the Wastewater System, its treatment plants, or could result in the Water Service Provider being in breach of any statutory obligation;
- (v) provision for remote monitoring and/or control of discharges; and
- (w) provision for Water Service Provider's monitoring costs to be recovered.

3. PART THREE – Typical Pre-Treatment

Grease Traps

1. Grease traps must:
 - a) have a functional capacity of no less than 750 litres;
 - b) be sized according to the greatest volume as specified in Table 1 contained in Schedule One;
 - c) be cleaned out at least once every six months or more frequently as specified in Permit conditions. The frequency with which Grease Traps are required to be cleaned out may be determined through a visual inspection and/or sample testing from the device outlet by the Water Service Provider.
2. Shared Grease Traps, such as those operated by a body corporate or food court, must be sized appropriate to the total inputs. This must be no less than a functional capacity of 750 litres for each connected Premises.
3. A Permit holder whose Trade Premises has existing Grease Traps with a functional capacity of less than 750 litres must apply for a Conditional Permit unless they can demonstrate compliance with the physical and chemical characteristics set out in Schedule One to the Water Service Provider's satisfaction.

Alternative Grease Removal Systems

4. Alternative grease removal systems must be:
 - (a) operated in accordance with the manufacturer's instructions;
 - (b) serviced and/or cleaned out by a contractor approved by Water Service Provider as specified in Permit conditions;
 - (c) sized according to manufacturer's recommendation; and
 - (d) may only be used with Water Service Provider's approval.
5. The frequency with which alternative grease removal systems are required to be serviced and/or cleaned out may vary. This will be determined by the Water Service Provider after a visual inspection and/or sample testing from the device outlet.
6. Alternative grease removal systems which do not meet the requirements contained in this Bylaw must be replaced at the Permit holder's expense.

Lint Traps

7. Lint traps may be required for discharges from Trade Premises where lint is likely to be present, for example, laundromats.

12 DISCUSSION OF LATE ITEMS

13 PUBLIC EXCLUDED SESSION

Nil

14 CLOSING KARAKIA