

# STAFF REPORT

**TO:** Engineering Services Committee Members & Chairman  
**FROM:** Utilities Asset Engineer  
**REFERENCE:** S302  
**DATE:** 31 October 2005  
**SUBJECT:** Draft TDC Trade Waste Bylaw 2005

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The purpose of this report is to update the Engineering Services Committee on the progress of the Draft TDC Trade Waste Bylaw 2005.

## BACKGROUND/CONSULTATION

The draft bylaw was publicly advertised on 20 August 2005. It was distributed to all Council offices and district libraries for public consultation on 22 August 2005. It was advertised in the Nelson Mail, TDC Newsline 'The Mag' and notifications were mailed to potential significant trade waste producers, namely all property owners consuming on average greater than 5m<sup>3</sup> of water per day.

Public submissions on this document closed on 26 October 2005. There were only two formal submissions returned, and the submitters have declined the opportunity to speak to their submissions.

Following requests to review the document, comments were received from the Associate Minister of Health and also Fletcher Vautier Moore.

An open public forum was held on 30 September 2005 in the TDC Chambers to provide an opportunity to explain the intention of the bylaw, to describe any likely changes for users and to record any questions and concerns. In spite of advertising and individual invitations to potential significant trade wasters, the forum was poorly attended.

## SUBMISSIONS/COMMENTS

1. The submission received from Beechwoods Café, Murchison requests clarification of any upgrades to the existing Murchison sewerage system for any extra cost.

### *Comment*

It is unlikely that the proposed bylaw will cause any increase in sewerage rates for Beechwoods Café, as their pan charges currently exceed (and therefore nullify) its potential trade waste charge.

2. The submission received from Bay Nurseries explains that a substantial proportion of their water take is for irrigation purposes and that their current pan charges are likely to cover any potential trade waste charges.

*Comment*

The bylaw is designed to allow for businesses such as tree nurseries, where a significant proportion of water used does not enter the wastewater system. It is most likely the proposed bylaw will cause no increase in wastewater costs for Bay Nurseries.

3. Under section 148 of the Local Government Act, the Council is required to seek comment on its bylaw from the Minister of Health. The comments received from the Hon Pete Hodgson, commend Council for pursuing the proposed bylaw and under subsection 4, do not require consultation with anyone else.

*Comment*

Minister's comments require no further action.

4. Comments received from Fletcher Vautier Moore include four minor amendments:
  - the definition of sewage should state "means foul water and may include trade wastes"
  - bylaw 6.3.5 should refer to recovery costs "and damage"
  - the notation in paragraph 6.6.2 that "it should be verified that notice has been served on the correct person" should be deleted
  - schedule 1A.2 should be amended to remove some generic references

*Comment*

Recommend that the draft be amended to include these changes.

Two other written responses were received, querying the financial impact of the proposed bylaw on their specific operation. It is unlikely that the charges in the proposed bylaw will cause any increase in sewerage rates for either operation.

## **CONCLUSION**

The proposed changes to the Tasman District Council Trade Waste Bylaw have been extensively advertised during an extended consultation period. The responses to the proposal have been relatively few and minor in nature. For the submissions received, the submitters have declined the opportunity to speak to a hearing panel, discarding the requirement for a hearing.

Once minor amendments have been made to the draft bylaw to incorporate minor changes and the above comments, the final document is to be presented to council for adoption.

## **RECOMMENDATION**

**That the Engineering Services Committee resolve to recommend to Council that the reviewed TDC Trade Waste Bylaw 2005, as amended, be adopted.**

Kim Arnold  
Utilities Asset Engineer