



1. NEW TRADE WASTES BYLAW

Officer responsible Waste Manager	Author Walter Lewthwaite
Corporate Plan Output: Liquid Wastes	

The purpose of this report is to seek the Council's approval to take the final steps required under the Local Government Act 1974 before adopting a new Trade Wastes Bylaw. The following associated documents refer:

- The new Trade Wastes Bylaw (separately circulated with this agenda)
- The new Trade Wastes Charging Policy (attached)
- The new Schedule of Trade Waste Fees and Charges (attached to clause 3 of Notices of Motion)

BACKGROUND

A new Trade Wastes Bylaw has been in preparation since August 1997. In December 1999 the Council approved a version of the Bylaw as a draft for seeking submissions and for starting the formal process of approval required by the Local Government Act (LGA).

That version had been prepared by a working group consisting of a subcommittee of Councillors (Councillors Evans and Howell) with Council staff and representatives of the Canterbury Manufacturers' Association. Changes were required from the old 1967 bylaw to fit the Resource Management Act (1991), with its emphasis on reducing effects of pollution, and the LGA Amendment Act (1996) with its encouragement towards a user-pays regime and an incentives (or disincentives) charging system.

SUBMISSIONS

In December 1999 the Council resolved to start the formal process of consultation required by the LGA and also resolved to invite submissions more widely than the Act required. The Canterbury Manufacturers' Association hosted a meeting of its members to hear Council staff give explanations of the proposed changes. The Council received seven submissions and three submitters asked to be heard by the hearings subcommittee (Councillors O'Rourke, Evans and Howell). Also further changes had been suggested by legal advisers and specialist staff.

The circulated version of the bylaw is the result, together with a revised draft Trade Wastes Charging Policy and Schedule of Charges.

The majority of requests of the submitters were able to be included in the revised bylaw and policy. The bylaw allows scope to deal with any remaining serious concerns on an individual basis. There has been good agreement with industry representatives and with Environment Canterbury, representing environmental interests.

VALUE OF THE NEW BYLAW

The new bylaw (and the associated Council policy) is a significant step forward in management of trade wastes. Its main achievements are that it gives a tool for:

- Reducing substantially the amount of trace elements discharged into the environment by industry expanding opportunities for re-use of the 18,000 tonnes of biosolids produced each year by the city's wastewater treatment plant;
- Encouraging larger industry to move their discharges to off-peak times, as part of a strategy for reducing sewage overflows and evening outflows and contaminant loads at the treatment plant ensuring domestic and industrial dischargers of wastewater all pay their fair share of the costs of wastewater collection, treatment, disposal and reuse.
- Bringing equity between small scale and large scale dischargers of trade wastes, providing small dischargers with a new financial incentive for reducing their waste.

It is important to note that the bylaw has been developed in a spirit of co-operation between all parties and this continues the good relationships the Council has had for years with most trade waste dischargers. This gives confidence that Christchurch will continue to be a city that encourages business development and employment, while making real progress with environmental values.

LEVEL OF CHARGES

The net financial impact of the new bylaw on the Council's budgets will be small.

However the impacts on individual dischargers will vary as anomalies in the old bylaw are removed: most large industries will see a reduction in charges, a few large companies will face a substantial increase, and many small businesses will face a small increase. Staff have informed all trade waste dischargers of the proposed changes and have discussed increases with businesses that might face large increases. For those who do face large increases the Bylaw allows a phase-in period, and most businesses will also have opportunities to reduce charges by reducing their total discharge or rescheduling their discharge times.

The Council should note that trade waste costs for industry in Christchurch compare favourably with many other centres in New Zealand. In particular, Christchurch charges will be much less than in Auckland and other North Island centres where major upgrades in treatment plants have been required.

STEPS TO THE FINAL ADOPTION OF BYLAW

The following steps are dictated by the LGA:

Council publicly notifies Bylaw and charges (1 st time)	May 2000
Minister of Health comments on final draft Bylaw	June 2000
Council publicly notifies Bylaw and charges (2 nd time)	June 2000
Council gives final approval to Bylaw, plus policy and charges	22 June 2000
Council delegates hearing of objections to a subcommittee	22 June 2000
Bylaw comes into operation	1 July 2000

- Recommendation:**
1. That the Council adopt the circulated Trade Wastes Bylaw 2000 as the final draft for public notification and for comment from the Minister of Health as required by the Local Government Act 1974.
 2. That the Council note the circulated Trade Wastes Bylaw Charging Policy and Schedule of Fees and Charges as drafts for adoption in June.
 3. That pursuant to section 114Q of the Local Government Act 1974, the Council delegate to the Council Hearings Panel the powers of the Council in paragraph 8.5 of the bylaw to hear and determine objections.
 4. That as far as practicable, Councillors Evans, Howell and O'Rourke comprise the Council Hearings Panel for the purpose of hearing and determining objections under paragraph 8.5 of the bylaw.
 5. That the Council commence Special Order procedures in relation to both the Bylaw and the Schedule of Fees and Charges as required by the Local Government Act.