



# **Water Services Bylaw 2010**

<b>Created:</b>	1 March 2010
<b>Review Date:</b>	December 2014
<b>Adopted:</b>	10 February 2015
<b>Next Review Date:</b>	February 2025

# CONTENTS

<b>PART A: GENERAL .....</b>	<b>1</b>
<b>1.0 SCOPE .....</b>	<b>1</b>
<b>2.0 INTERPRETATION.....</b>	<b>1</b>
<b>3.0 OFFENCES AND PENALTIES .....</b>	<b>5</b>
3.1 OFFENCES.....	5
3.2 PENALTIES .....	6
<b>4.0 FEES AND CHARGES.....</b>	<b>6</b>
<b>5.0 OTHER REQUIREMENTS .....</b>	<b>6</b>
<b>PART B: WATER SUPPLY.....</b>	<b>7</b>
<b>6.0 ORDINARY AND EXTRAORDINARY SUPPLY.....</b>	<b>7</b>
6.1 ORDINARY SUPPLY .....	7
6.2 EXTRAORDINARY WATER SUPPLY .....	7
6.3 NO OBLIGATION TO GIVE EXTRAORDINARY SUPPLY.....	7
6.4 USE OF ORDINARY SUPPLY.....	7
6.5 USE OF EXTRAORDINARY SUPPLY.....	8
6.6 SUPPLY BY METER .....	8
6.7 RESTRICTED FLOW SUPPLY .....	8
6.8 CUSTOMER'S RESPONSIBILITY .....	8
6.9 LIST OF BREACHES .....	8
<b>7.0 CONTINUITY OF SUPPLY AND PRESSURE .....</b>	<b>9</b>
7.1 CONTINUITY OF SUPPLY .....	9
7.2 PRESSURE.....	9
7.3 PROHIBITION OR RESTRICTION OF SUPPLY.....	9
7.4 WATER SUPPLY BEFORE OCCUPATION OF DWELLING .....	9
7.5 APPLICATION FOR SUPPLY .....	10
7.6 SUPPLIES FROM STANDPIPES ON HYDRANTS .....	10
7.7 DETERMINATION OF SIZE OF SERVICE .....	10
7.8 ISSUE OF PERMIT .....	10
7.9 WORK NOT TO BE COMMENCED WITHOUT A PERMIT .....	10
7.10 NO DEVIATION FROM PERMIT .....	10
<b>8.0 CONNECTIONS, DISCONNECTIONS AND INSPECTIONS .....</b>	<b>10</b>
8.1 NO PERSON TO CONNECT SYSTEM .....	10
8.2 DISCONNECTIONS REQUIRED .....	11
8.3 NOTICE WHEN SUPPLY NOT REQUIRED.....	11
8.4 INSPECTION OF INSTALLATIONS.....	11
8.5 POINT OF SUPPLY .....	11
8.6 STOPTAPS TO BE PROVIDED .....	11
8.7 ONLY ONE POINT OF SUPPLY .....	11
8.8 ONE PIPE NOT TO SERVE MORE THAN ONE RATEABLE UNIT .....	12
8.9 RESPONSIBILITY FOR MAINTENANCE.....	12
8.10 RIGHTS OF ACCESS TO POINT OF SUPPLY .....	12
8.11 UNMANAGED RISK.....	12
8.12 INSPECTION.....	12
<b>9.0 FITTINGS AND MATERIALS, AND INSTALLATIONS .....</b>	<b>12</b>

9.1	WORK IN STREETS AND PUBLIC PLACES .....	12
9.2	GENERAL .....	12
9.3	PIPES .....	13
9.4	PIPES AND FITTINGS TO BE ACCESSIBLE .....	13
9.5	PIPE CARRIED THROUGH BRICK OR CONCRETE .....	13
9.6	PIPES ABOVE GROUND LEVEL .....	13
9.7	DEPTH OF BURIAL OF PIPES.....	13
9.8	PIPES FOR FIRE FIGHTING PURPOSES.....	13
9.9	QUICK CLOSING VALVES NOT TO BE USED.....	13
9.10	FLOAT VALVE INSTALLATION .....	13
9.11	STORAGE TANKS .....	14
9.12	FLUSHING CISTERNS.....	14
9.13	FLUSH VALVES.....	14
9.14	SUPPLY TO WATER HEATERS.....	14
9.15	MIXING VALVES .....	15
9.16	PROTECTION OF BALLCOCKS .....	15
9.17	WATER TROUGHS .....	15
<b>10.0</b>	<b>PREVENTION OF CONTAMINATION .....</b>	<b>15</b>
10.1	NO CONNECTION TO OTHER SUPPLIES.....	15
10.2	BACKFLOW PREVENTION .....	15
10.3	OVERFLOW PIPES .....	15
10.4	FITTINGS TO BE IN GOOD REPAIR .....	16
10.5	DEFICIENT PIPES .....	16
10.6	EXISTING PIPES AND FITTINGS .....	16
10.7	WATER USED FOR COOLING .....	16
<b>11.0</b>	<b>METERS .....</b>	<b>16</b>
11.1	INSTALLATION OF METERS .....	16
11.2	PROTECTION OF METERS .....	16
11.3	TESTING OF METERS .....	17
11.4	METHOD OF TESTING METER .....	17
11.5	COSTS OF TESTING .....	17
11.6	METER ACCOUNTS ADJUSTED.....	17
11.7	METER TAMPERED WITH .....	17
11.8	ESTIMATING CONSUMPTION WHEN METER OUT OF REPAIR.....	17
<b>12.0</b>	<b>CHARGES.....</b>	<b>17</b>
12.1	CHARGES FOR SERVICE PIPES, ETC .....	17
12.2	CHARGES FOR ORDINARY SUPPLY .....	17
12.3	CHARGES FOR EXTRAORDINARY SUPPLY .....	18
12.4	READING OF METERS AND ACCOUNTS .....	18
12.5	WATER SUPPLIED BY STANDPIPE .....	18
12.6	METER SUPPLY TO NON-RATEABLE PROPERTIES.....	18
12.7	WATER CHARGED AT ANNUAL CHARGE .....	18
12.8	SUPPLIES TO LOCAL AUTHORITIES .....	18
12.9	WATER FOR EXTINGUISHING FIRES .....	18
12.10	INCORRECT ACCOUNTS .....	19
12.11	CHANGE OF OWNERSHIP .....	19
<b>13.0</b>	<b>SUPPLY OUTSIDE DISTRICTS .....</b>	<b>19</b>
13.1	APPLICATION OF BYLAW .....	19
<b>14.0</b>	<b>FIRE PROTECTION .....</b>	<b>19</b>
14.1	FIRE HYDRANTS.....	19
14.2	APPROVED USERS OF FIRE HYDRANTS .....	19
14.3	FIRE PROTECTION CONNECTION METERING .....	19
14.4	FIRE HOSE REELS .....	20
14.5	CHARGES.....	20
14.6	ONGOING TESTING AND MONITORING .....	20
<b>15.0</b>	<b>PROTECTION OF WATER SUPPLY .....</b>	<b>20</b>

15.1	WATER SUPPLY SYSTEM .....	20
15.2	SPILLAGES AND ADVERSE EVENTS .....	20
15.3	NOTIFICATION OF SPILLAGE OR ADVERSE EVENT IN WATER SUPPLY .....	20
15.4	WORKING AROUND BURIED SERVICES.....	20
15.5	STANDARD OF EXCAVATION WORK.....	21
15.6	REPORTING AND ANY DAMAGE TO SERVICES.....	21
<b>16.0</b>	<b>PROTECTION OF CATCHMENT AREAS.....</b>	<b>21</b>
16.1	PROHIBITIONS .....	21
16.2	CARCASSES TO BE REMOVED.....	21
16.3	PERMITS TO BE PRESENTED .....	21
16.4	AGAINST INTERFERENCE AND OBSTRUCTION.....	22

**PART C: STORMWATER..... 23**

<b>17.0</b>	<b>GENERAL PROTECTION OF PUBLIC STORMWATER DRAINAGE NETWORKS .....</b>	<b>23</b>
17.1	NUISANCES/DAMAGE .....	23
17.2	PROHIBITED DISCHARGES.....	23
17.3	CONTAMINATED STORMWATER.....	23
17.4	OBSTRUCTIONS TO STORMWATER DRAINAGE NETWORKS, WATERCOURSES OR FLOOD PLAINS .....	24
17.5	ACCESS TO STORMWATER SYSTEMS .....	24
<b>18.0</b>	<b>APPROVAL TO CONNECT TO, OR DISCONNECT FROM A PUBLIC STORMWATER DRAINAGE NETWORK.....</b>	<b>24</b>
<b>19.0</b>	<b>POINT OF DISCHARGE.....</b>	<b>24</b>
19.1	GENERAL .....	24
19.2	DISCHARGING INTO NEIGHBOURING PROPERTIES .....	25
<b>20.0</b>	<b>WORK AFFECTING PUBLIC STORMWATER DRAINAGE NETWORKS.....</b>	<b>25</b>
20.1	GENERAL .....	25
20.2	SITE DEVELOPMENT AND MANAGEMENT .....	26
20.3	HOME IMPROVEMENTS .....	26
20.4	OPEN WATERCOURSES .....	26
<b>21.0</b>	<b>STORAGE OF HAZARDOUS MATERIALS .....</b>	<b>28</b>
<b>22.0</b>	<b>BREACHES .....</b>	<b>28</b>
22.1	LIST OF BREACHES .....	28
22.2	DEFECT NOTICES.....	28

**PART D: WASTEWATER ..... 29**

<b>23.0</b>	<b>INTRODUCTION.....</b>	<b>29</b>
<b>24.0</b>	<b>COUNCIL OPERATING PROCEDURES.....</b>	<b>29</b>
<b>25.0</b>	<b>WORK AFFECTING PUBLIC WASTEWATER DRAINAGE NETWORKS.....</b>	<b>29</b>
<b>26.0</b>	<b>CONNECTIONS AND MAINTENANCE.....</b>	<b>30</b>
<b>27.0</b>	<b>ACCEPTANCE OF DISCHARGE.....</b>	<b>30</b>
27.1	APPROVAL TO CONNECT .....	30
27.2	ACCEPTABLE DISCHARGE CHARACTERISTICS .....	30
27.3	DOMESTIC WASTEWATER .....	30
<b>28.0</b>	<b>DISCHARGES .....</b>	<b>31</b>

28.1 FLOW RATE ..... 31

28.2 PROHIBITED CHARACTERISTICS ..... 31

28.3 PREVENTION OF INFLOW AND INFILTRATION ..... 31

**29.0 BREACHES AND REMEDIES ..... 31**

29.1 DEFECT NOTICES ..... 31

29.2 REMEDIAL WORK ..... 31

29.3 REMEDIES ..... 31

**SCHEDULES – GOVERNING LAND DEVELOPMENT ..... 34**

**SCHEDULE 1 ..... 34**

POINTS OF DISCHARGE ..... 34

**SCHEDULE 2: ..... 35**

REAR LOTS ON JOINT OWNED ACCESSWAYS (FOR TWO OR MORE DWELLING UNITS) ..... 35

**SCHEDULE 3 ..... 36**

SINGLE REAR LOT – TYPICAL ONE LOT INTO TWO IN-FILL DEVELOPMENT ..... 36

**SCHEDULE 4 ..... 37**

PRIVATE EASEMENTS ..... 37

# PART A: GENERAL

## 1.0 SCOPE

1.1 The Local Government Act 2002 confers general bylaw making powers on Council and Part 26 of the Local Government Act 1974 confers specific powers on Council relating to issues addressed in this bylaw.

1.2 This bylaw:

- protects public health and the security of the public water supply;
- details the responsibilities of both the Council and the consumers with respect to the public water supply and other water related services;
- ensures the safe and efficient creation, operation, maintenance and renewal of all public water services, sewerage and stormwater drainage networks;
- ensures proper hazard management to prevent or minimise flooding and erosion;
- minimises adverse effects on the local environment particularly freshwater ecological systems and beach water quality, and assists in maintaining receiving water quality;
- ensures that watercourses are properly maintained;
- ensures protection of Council's water services, sewerage and stormwater drainage assets and the health and safety of employees;
- sets out acceptable types of connection to public water services, sewerage and stormwater networks.

1.3 This Bylaw applies over the Waitomo District.

1.4 Nothing in this Bylaw shall derogate from the requirements of the Waitomo District Plan.

## 2.0 INTERPRETATION

2.1 In this Bylaw unless the context otherwise requires:

**ACCEPTABLE DISCHARGE** means a stormwater discharge with physical and chemical characteristics which either:

- (a) comply with the requirements of Council's consent to discharge, or;
- (b) make the discharge a permitted activity under the Waikato Regional Council's Regional Plan.

**AIR GAP SEPARATION** means a minimum vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.

**APPROVED** or **APPROVAL** means approved in writing by Council, the Principal Administrative Officer or other authorised officer of Council.

**AUTHORISED OFFICER** means any officer appointed by Council to act on its behalf and includes an enforcement officer appointed under Section 177 of the Local Government Act 2002 with powers of entry as prescribed by Sections 171-174 of that Act.

**BACKFLOW** means the unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.

**BURIED SERVICES** means all public mains, public sewers, rising mains, trunk valves, pump stations and other underground utilities under the responsibility of Council.

**COMPETENT PERSON** is a person regarded as competent if he or she has had sufficient training and experience or knowledge and other qualities relevant to his or her responsibilities under this Bylaw

**CONTAMINANT** means 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:

- (a) when discharged into water, changes, or is likely to change the physical, chemical, or biological condition of the water into which it is discharged; or
- (b) when discharged on to or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air on to or into which it is discharged.

**COUNCIL** means the Waitomo District Council (WDC).

**CUSTOMER/CONSUMER** means a person who uses, or has obtained the right to use or direct the manner of use of, water supplied by Council, or a person who either discharges, or has obtained a consent to discharge or direct the manner of discharge of stormwater, from any premises to the public stormwater services of the Council.

**DETECTOR CHECK VALVE** means a check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply.

**DIRECT CONNECTION** includes any underwater outlet or arrangement of pipes, hoses or fittings temporary or otherwise which renders possible back flow into Council's waterworks system.

**DISTRIBUTING PIPE** means any pipe conveying water supplied by Council from a storage tank or from a hot-water apparatus supplied from such tank and under pressure therefrom.

**DISTRICT** means the District of the Council.

**DEVELOPMENT** Means any lawful subdivision, building work, or stormwater drainage works.

**DISCONNECTION** means the physical cutting and sealing off of any of the Council water services, utilities, drains or sewer from use by any person.

**DOMESTIC STORMWATER** means either that stormwater which is discharged from premises used solely for residential activities, or stormwater of the same character discharged from other premises, provided that the contents of the stormwater are free from contaminants.

**DOMESTIC WASTEWATER AND DOMESTIC SEWAGE** means either wastewater, which is discharged from premises, used solely for residential activities, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge. Wastewater or sewage is used interchangeably throughout this document.

**EXTRAORDINARY SUPPLY** means a category of on demand supply including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations.

**FEES AND CHARGES MANUAL** means the list of items, terms, and prices for services as approved by the Council.

**FIRE SPRINKLER SYSTEM** means the system of pipes fitted with sprinkler nozzles which open by extraordinary rise in temperature to automatically drench an area for the purpose of extinguishing fire and is maintained with a superimposed pressure so that an alarm is actuated when a nozzle opens allowing the pressure to fall to mains pressure.

**FLOOD PLAIN** Means a low lying area, normally adjacent to a catchment's main watercourses, which is expected or predicted to flood in a storm event usually described as a frequency or probability.(e.g. 1:10 years) also called Annual Exceedance Period (AEP).

**INFERIOR QUALITY** means the quality of work or materials is less than the recognised industry standards for construction or manufacturing relevant to the particular work or material.

**LEVEL OF SERVICE** means the performance standards for the supply of water as Council may determine from time to time.

**LIFESTYLE BLOCK** means a property, generally located in the rural area, where the predominant land-use is residential and the land area of the property is between 2,500m<sup>2</sup> and 20ha and or associated with agriculture, horticulture and / or commercial use.

**MECHANICAL SPRINKLER** or **SPRINKLER** means a revolving spray, sprinkler pipe, or contrivance to distribute water for garden or lawn watering, but does not include a hand-held hose, or a contrivance installed exclusively for the purpose of extinguishing fire.

**OCCUPIER** means any person who occupies any building or land and if the building or land is not occupied, means the owner.

**ON DEMAND SUPPLY** means a supply which is available on demand directly from the point of supply subject to the agreed level of service.

**ORDINARY SUPPLY** means a category of on demand supply used solely for domestic purposes.

**OVERLAND FLOW PATH** means the natural path followed by surface water when rainfall exceeds the capacity of ground soakage and the capacity of the storm water system consisting of open drains and piped reticulation.

**PERSON** means a natural person, corporation sole or a body of persons whether corporate or otherwise.

**POINT OF DISCHARGE** means the point where the customer's wastewater or stormwater drain connects to the Council's wastewater or stormwater reticulation system.

**POINT OF SUPPLY** means the point where the water pipe leading from the water main to the premises ends at a toby, or the meter or outlet of the backflow prevention device if installed and owned by the WDC which marks the boundary of responsibility between the customer and Council and for water.

**POTABLE WATER** means water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values specified in drinking water standards issued under the Health Act 1956.

**PREMISES** means premises including the following:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or
- (b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or
- (c) Land held in public ownership (eg reserve) for a particular purpose

**PRINCIPAL ADMINISTRATIVE OFFICER** means, in relation to a local authority, the principal administrative officer of the local authority irrespective of the designation given to that officer; and includes any person for the time being appointed by the local authority to perform the duties or a particular duty of the principal administrative officer.

**PRIVATE DRAIN** means that section of drain between the customer's premises and the point of discharge through which wastewater is conveyed from the premises. This section of drain is owned and maintained by the customer or a group of customers.

**PRIVATE PIPELINE** means the pipe provided by a consumer to connect the public stormwater pipe or sewer to that consumer's premises.

**PROHIBITED CHARACTERISTICS** means wastewater, which is not acceptable for discharge into the sewer system.

**PUBLIC DRAINAGE NETWORK** Includes:

- (a) any pipe, drain, drainage channel, land drainage work or treatment facility, vested in or under the control of Council, which serves more than one freehold lot;
- (b) all drains, drainage channels, land drainage works or treatment facilities within legal road reserve or other public places;
- (c) any drain, drainage channel, land drainage work or treatment facility over which Council has exercised control for a period of not less than 20 years; and
- (d) any drain, drainage channel, land drainage work or treatment facility declared to be a public drain under section 462 of the Act.

**PUSH-THROUGH WATER HEATER** means a water heater with a stop-tap on the cold water inlet so designed that the hot water is discharged through an open outlet.

**REGISTERED DRAINLAYER** Means a tradesperson registered by the Plumbers, Gasfitters, and Drainlayer's Board under the Plumbers, Gasfitters, and Drainlayer's Act 2006 and regulations and holding such other certifications as Council may require from time to time.

**RESTRICTED FLOW SUPPLY** means a type of water supply connection where a small flow is supplied through a flow control device, and storage is provided by the customer to cater for the customer's demand fluctuations.

**RESTRICTOR** means a flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises.

**RISING MAIN** means a pipeline through which water or wastewater is pumped.

**SERVICE OPENING** means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a public sewer.

**SERVICE PIPE** means that section of the pipe conveying water from the street main to the consumer's premises, which lies between the main and a point 250mm distant from the consumer's property and includes:

- a) The ferrule or stoptap at the junction of the service pipe with the main;
- b) Any stoptap fitted at the end of the service pipe; and
- c) Any stoptap fitted on the service pipe between the end thereof and the main.

**SERVICE VALVE (TOBY)** means the valve at the customer end of the service pipe.

**SEWER** means the main public sewer and lateral connections that carry away wastewater from the point of discharge where the public sewer is owned and maintained by Council.

**SEWERAGE SYSTEM** means the physical components of collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, Sewage treatment plants, outfalls, and other related structures operated by Council and used for the reception, treatment and disposal of wastewater.

**SEWER NETWORK** means the pipework drainage system that conveys sewage.

**STOP TAP** includes stopcock, stopvalve, and any other device for stopping at will the flow of water in a line of pipes.

**STORAGE TANK** means any tank other than a flushing cistern having a free water surface under atmospheric pressure from which water supplied by Council is delivered for use.

**STORMWATER DETENTION DEVICE** Means any device to address stormwater quality, quantity, or volume including wetlands, ponds, sand filters, and catchpits.

**STORMWATER DRAINAGE NETWORK** Means a set of facilities and devices, either natural or man-made, which are used to convey run off, reduce the risk of flooding and to improve water quality.

**STORMWATER POND** See **STORMWATER DETENTION DEVICE**

**SUPPLY PIPE** means the pipe provided by the consumer to connect the service pipe to his premises.

**TREATMENT PLANT** means any plant or equipment not being a septic tank used for the breakdown of wastewater using mechanical, bio-chemical and/or hydraulic processes.

**TRUNK SEWER** means a sewer, generally 150mm or greater in diameter, which forms a part of the principal drainage network of Council's sewerage system.

**UNCONTROLLED CATCHMENT AREA** means an area to which the public and domestic animals are not prohibited from entry and from which waters are drawn or likely to be drawn for public consumption.

**WATER SUPPLY AREA** means an area specified by Council as an area serviced by a reticulated water supply system that is intended to supply potable water to customers via on demand or restricted supplies.

**WATERCOURSE** Has the meaning given in Section 2 of the Land Drainage Act 1908, which includes all rivers, streams, and channels through which water flows.

**Note:** For the avoidance of doubt, a watercourse includes any watercourse or drainage network over private or public land.

**WATER SUPPLY SYSTEM** means all those components of the network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.

**WATER CLOSET** means a toilet bowl fitted with water flushing system.

**WATER UNIT** means the basis of measurement for a restricted flow supply where one unit is 1 cubic metre

**WDC** means Waitomo District Council

**WET RISER MAIN** means a vertical water main installed in a multi-storey building with outlets on each floor to which the fire brigade can connect a hose for firefighting purposes and connected to a water supply.

**100-YEAR FLOOD PLAIN** Means the area that can be expected to be flooded in the event of a 100 year storm. The area can be determined using the calculations for a 100-year design storm. The 100-year design storm flows are assessed on the basis that the catchment is fully developed and that the existing drainage system is operating efficiently and is clear of all obstructions.

## **3.0 OFFENCES AND PENALTIES**

### **3.1 Offences**

- 3.1.1 No person shall do anything or cause any condition to exist for which a licence or approval from Council is required under this Bylaw without first obtaining that licence or approval and the failure to do so shall constitute a breach of this Bylaw.
- 3.1.2 No application for a licence or authority from Council and no payment of or receipt for any fee paid in connection with such application, licence or authority, shall confer any right, authority or immunity on the person making such application or payment.

3.1.3 Everyone commits an offence against this Bylaw who:

- (a) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw; or
- (b) Omits, or neglects to do, or permits, or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done at the time and in the manner therein provided; or
- (c) Does not refrain from doing anything which under this Bylaw he or she is required to refrain from doing; or
- (d) Permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw; or
- (e) Refuses or neglects to comply with any notice duly given under this Bylaw; or
- (f) Obstructs or hinders any officer of Council in the performance of any duty to be discharged by such officer under or in the exercise of any power, conferred by this Bylaw: or
- (g) Fails to comply with any notice or direction given in this Bylaw.

### **3.2 Penalties**

- 3.2.1 Every person convicted of an offence against this Bylaw shall be liable to the penalties as set out in Section 242 (4) of the Local Government Act 2002 and further if the offence is one to which Section 243 of the Local Government Act 2002 applies (and is therefore an infringement offence) shall be liable to infringement fees as prescribed by Regulations made under Section 259 (b) of the Local Government Act 2002, or where any person is alleged to have committed an offence against this Bylaw; be proceeded against pursuant to any other enactment so empowering Council.
- 3.2.2 The continued existence of any work, building, land, premises or thing in such a state or form as to be in contravention of any provision of this Bylaw, shall be deemed to be a continuing offence under this Bylaw.

## **4.0 FEES AND CHARGES**

- 4.1 The fees for any certificate, authority, approval, consent given, inspection made or service given by Council and any other matter described in this Bylaw shall be as set out in Council's Fees and Charges Manual from time to time.
- 4.2 Every application for approval shall include any fees required and no approval shall be issued until all required fees have been paid.

## **5.0 OTHER REQUIREMENTS**

- 5.1 The provisions of this Bylaw do not remove the need for any resource consent or other consent required under the Resource Management Act 1991 or Building Act 2004. Where consents are required under this Bylaw and other acts or regulations, all shall be lodged with Council at the same time.

# PART B: WATER SUPPLY

## 6.0 ORDINARY AND EXTRAORDINARY SUPPLY

### 6.1 Ordinary Supply

- 6.1.1 Any water supplied from the waterworks to properties situated within the District and used for any of the following strictly domestic purposes shall be deemed to be an "ordinary supply" for the purposes of this Part of this bylaw - that is to say, water for the use of the consumer and his or her partner and children and up to 4 other persons all of whom constitute and conduct themselves as one household, for drinking, for ordinary personal ablution, for cooking, washing linen or clothes, for washing or cleansing floors, windows, domestic or other furniture or utensils or any part of the consumer's dwelling house or premises, and for water closets, domestic garden hoses, washing of private vehicles, baths and urinals except automatic flushing water closets and urinals.
- 6.1.2 Where the health of a customer is dependent on an uninterrupted water supply e.g. for use of a Dialysis machine it is required that the customer install a water tank at his or her own expense to provide for continuity of supply during interruptions caused by reticulation breakages or similar. When informed of the address of such a customer WDC will ensure a backflow preventer is in place to protect the network from contamination.

### 6.2 Extraordinary Water Supply

- 6.2.1 Any water supplied from the waterworks and not used for the purpose of an ordinary supply as hereinbefore defined shall be deemed to be an "extraordinary supply" for the purposes of this Part of this bylaw. "Extraordinary supply" shall include water used for the following purposes:
- (a) Domestic - spa or swimming pool in excess of 10 m<sup>3</sup> (10,000L) capacity;
  - (b) fixed garden irrigation systems;
  - (c) Commercial and business;
  - (d) Industrial;
  - (e) Agricultural;
  - (f) Horticultural;
  - (g) Viticultural;
  - (h) Lifestyle blocks (peri-urban or small rural residential);
  - (i) Fire protection systems other than sprinkler systems installed to comply with NZS 4517:2010;
  - (j) Temporary supply
- 6.2.2 Hoses - Council may by resolution restrict the use of water from the Council supply to be used through a hose unless such person shall be actually holding such hose in the hand during the time the water is flowing through it.
- 6.2.3 Sprinklers - Council may by resolution prohibit the use of sprinklers or determine the periods when sprinklers can be used and subject such sprinklers to be under the immediate personal care of a competent person at all times when in operation.

### 6.3 No obligation to give extraordinary supply

- 6.3.1 Council shall be under no obligation to give or continue any extraordinary supply of water.

### 6.4 Use of ordinary supply

- 6.4.1 No consumer or other person shall use or permit or allow to be used in, upon or in connection with any premises for any of the purposes defined in this Part of this bylaw as extraordinary supply, any water supplied from the waterworks as and for ordinary supply.

## **6.5 Use of extraordinary supply**

- 6.5.1 No consumer or other person receiving an extraordinary supply for one purpose shall use or permit or allow to be used any part of such supply for any purpose other than the particular purpose for which he receives it.

## **6.6 Supply by meter**

- 6.6.1 An extraordinary supply of water to any property will normally be metered except where, otherwise provided for herein and where the supply of water to any premises consists of both ordinary and extraordinary supply the Principal Administrative Officer may require that the whole of such supply be metered as an extraordinary supply, and in any case of doubt or dispute regarding the use of an ordinary supply such supply shall be metered as an extraordinary supply.

## **6.7 Restricted flow supply**

- 6.7.1 Where restricted supply areas are established the water supply shall be restricted so as to deliver the determined number of water units at a steady flow rate.
- 6.7.2 A storage tank(s) of at least 10m<sup>3</sup> (10,000L) capacity must be installed for each new development where a restricted supply is provided to ensure adequate back-up and firefighting capability. The tank must be fitted with a fire hose connection.
- 6.7.3 The Council shall charge for the restricted flow supply by either:
- (a) The volume passing through a meter; or
  - (b) The determined number of water units.

## **6.8 Customer's responsibility**

- 6.8.1 The customer shall not intentionally allow water to run to waste from any pipe, tap, or other fitting, nor allow the condition of the plumbing within the property to deteriorate to the point where leakage or wastage occurs.

## **6.9 List of breaches**

- 6.9.1 The following are deemed breaches of the conditions to supply water:
- (a) An incorrect application for supply which fundamentally affects the conditions of a supply;
  - (b) Failure by the customer to meet and comply with the conditions of supply;
  - (c) Failure to meet any obligation placed on the customer under all current Acts and Regulations; or
  - (d) An act or omission including but not limited to any of the following:
    - (i) Failure to pay the appropriate charges by the due date.
    - (ii) Failure to repair a leak, or in any way wilfully allowing water to run to waste, or to be misused.
    - (iii) The fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of Council to maintain its stated levels of service).
    - (iv) Failure to prevent backflow.
    - (v) Failure to comply with water use restrictions or prohibitions introduced by Council for any specified purpose.
    - (vi) Using water or water pressure directly from the supply for driving lifts, machinery, generators, or any other similar device, unless specifically approved by Council.
    - (vii) Using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved.
    - (viii) Extending by hose or any other pipe a private water supply beyond that customer's property.

- (ix) Providing water drawn from the Council supply to any other party without approval of Council.
  - (x) Consuming water from a dedicated fire supply for any other purpose than to fight fires.
- (e) Failure to pay water supply charges.
- a. Where a customer is in arrears in paying a water supply charge for two or more consecutive billing periods, a flow restrictor may be installed by WDC, at the discretion of the Principal Administrative Officer, to limit supply to a maximum of 10 litres per hour until such time full payment has been received.
  - b. Where a customer is in arrears with water bill payment and make an arrangement to pay which is less than 20% of the bill a flow restrictor may be installed by WDC, at the discretion of the Principal Administrative Officer, to limit flow to a maximum of 25 litres per hour.

## **7.0 CONTINUITY OF SUPPLY AND PRESSURE**

### **7.1 Continuity of supply**

- 7.1.1 Council does not guarantee the uninterrupted supply of water, whether in cases of ordinary or extraordinary supply and no allowance or compensation will be made or allowed on account of water being shut off, whether for the purpose of laying mains, effecting repairs, attaching new services, or for any other purpose or reason whatsoever.
- 7.1.2 All hospitals, schools, factories, office blocks, theatres, restaurants, hairdressing salons, hotels, motels, boarding houses, blocks of flats and all consumers who, for the purpose of continuing a business or process, or for any other reason are dependant upon a constant supply of water, shall provide such storage tanks as are necessary to give effective continuity for their particular purpose.

### **7.2 Pressure**

- 7.2.1 Council does not guarantee any specified maximum or minimum pressure in its distribution system and no allowance or compensation will be made or allowed on account of change of pressure in the supply.

### **7.3 Prohibition or restriction of supply**

- 7.3.1 Council may at any time, by resolution publicly notified and until a further public notice of the rescission of such resolution has been given, restrict or prohibit the use of water for any one or more of the purposes covered in the definition of extraordinary supply, and thereupon it shall be an offence against this Part of this bylaw for any person to use water in the manner so restricted or prohibited.
- 7.3.2 If at any time the Principal Administrative Officer considers that because of drought or for any other reason the available water supply is not sufficient to allow the unrestricted consumption of water and that extraordinary measures are necessary in order to conserve such available water supply, the Principal Administrative Officer may restrict or prohibit the use of water whether an ordinary or extraordinary supply for any specified purpose or for any specified period or may restrict the quantity which may be used. Any such restriction or prohibition may apply to the whole of the district or if the circumstances so require to a portion only of the district.
- 7.3.3 No consumer shall in case of any such restriction or prohibition be entitled to any payment or compensation whatsoever.
- 7.3.4 Any person offending against or failing to observe or comply with any of the provisions of any such resolution commits an offence against this Part of this bylaw.

### **7.4 Water supply before occupation of dwelling**

- 7.4.1 No person shall occupy or permit the occupation of a building for residential purposes or human habitation unless such building shall be provided with an adequate and convenient supply of potable water for domestic purposes with approved pipes and fittings.

## **7.5 Application for supply**

7.5.1 Any person who:

- a) is desirous of obtaining a supply of water either ordinary or extraordinary in respect of any premises, or
- b) is receiving a supply to his premises and wishes a change of his premises;

shall submit an application to Council for the same on an application form obtained at the office of the Council.

7.5.2 Every application shall state thereon the purpose for which the supply is required, and any other relevant information as may be required by Council, and shall be signed by the owner or lessee of the premises for which water is required.

7.5.3 Every application shall, if required by the Principal Administrative Officer, be accompanied by a satisfactory plan showing the work proposed to be carried out.

7.5.4 The applicant shall enter into such agreement as Council may require in relation to such supply and the Principal Administrative Officer may determine the method of supply by meter or otherwise.

## **7.6 Supplies from standpipes on hydrants**

7.6.1 For approved purposes and subject to such conditions as the Principal Administrative Officer may prescribe, an extraordinary supply of water may be given by means of a standpipe to be placed upon a specified fire hydrant.

7.6.2 Application to the office of the Principal Administrative Officer shall be made for such supply and for the hire of a standpipe if supplied by Council.

7.6.3 Any standpipe used shall be fitted with a backflow preventer and a flow meter.

## **7.7 Determination of size of service**

7.7.1 The Principal Administrative Officer shall have the right to estimate the proposed consumption and to determine the size of main tapping, the size of meter, and the size of service pipe required for the supply.

## **7.8 Issue of permit**

7.8.1 Upon receipt of any such application in proper form the Principal Administrative Officer may, if he is satisfied that a permit should be issued, issue a permit.

## **7.9 Work not to be commenced without a permit**

7.9.1 No person shall attach or connect or permit to be attached or connected with the water supply, any pipe, stoptap, or other apparatus, nor alter or repair any existing pipe or fitting connected with the water supply other than the rewashing of taps, unless this person is Registered in terms of the Plumbers, Gasfitters and Drainlayers Act 2006.

## **7.10 No deviation from permit**

7.10.1 No person, without the prior consent of the Principal Administrative Officer, shall carry out any work otherwise than in accordance with the permit granted to him. All work shall be carried out in accordance with and subject to the provisions of the Plumbers, Gasfitters and Drainlayers Act 2006 and the provisions of this Part of the bylaw.

# **8.0 CONNECTIONS, DISCONNECTIONS AND INSPECTIONS**

## **8.1 No person to connect system**

8.1.1 No person, other than an officer or an employee of Council shall, without express written authority signed by the Principal Administrative Officer, make any connection with or otherwise interfere with, any part of the water supply system.

## **8.2 Disconnections required**

- 8.2.1 Where any water fitting is to be permanently disconnected, the portion of pipe that supplies water to that fitting only, and is not required to supply water to any other fitting, shall also be disconnected in an approved manner.

## **8.3 Notice when supply not required**

- 8.3.1 When any building or property supplied with water by Council becomes unoccupied or for any other reason a supply of water is no longer required, the owner or occupier as is appropriate shall give notice thereof in writing to the local authority.

## **8.4 Inspection of installations**

- 8.4.1 It shall be lawful for the Principal Administrative Officer or other duly appointed officer of Council at any time of the day or night to enter upon any land, and at any time between the hour of 8 a.m. and 6 p.m. of any day, to enter into any building for the purposes of inspecting all or any of the fittings and other apparatus therein connected directly or indirectly with the water supply.
- 8.4.2 Where practicable, the Principal Administrative Officer will give the owner or occupier advance notice of the date and time of the planned time of inspection. Failure to give notice does not remove the Principal Administrative Officer's right of entry to inspect fittings or other apparatus directly or indirectly connected to WDC's water supply.
- 8.4.3 Any person resisting or refusing to allow any such entry or inspection commits an offence against this Part of this bylaw.

## **8.5 Point of supply**

- 8.5.1 The point of supply to the consumer shall normally be a point 250mm distant from the street boundary but in places where such alignment is inconvenient for making a connection by reason of fences, walls or other causes, it shall be sufficient if the service pipe is laid by Council to a point as close as reasonably possible to such street boundary.
- 8.5.2 The extension to the boundary from the termination of the service pipe, and the supply pipe within the premises shall be provided by the owner or occupier at his own cost and expense, to the satisfaction and approval in all things of the Principal Administrative Officer.
- 8.5.3 In the case of an extraordinary supply requiring metering, the meter will be installed on the supply pipe between Council and the consumer.

## **8.6 Stoptaps to be provided**

- 8.6.1 In addition to any stoptap fitted by Council on the service pipe, the consumer shall, except in the case of a fire sprinkler system, fit stoptaps as follows to the satisfaction of the Principal Administrative Officer:
- a) Where a building is set back from the street boundary, a stoptap shall be fitted on the supply pipe to control all outlets on the premises.
  - b) Where a building is on the property boundary a stoptap shall be provided inside the building as close as possible to the point of pipe entry to control all the outlets on the property.
  - c) In every building of more than 1 floor, at every floor level including sub-floor or basement level, one or more stoptaps to control the supply to all outlets on such floor.
- 8.6.2 All stoptaps shall be kept readily accessible at all times and exterior stoptaps shall be protected by strong durable boxes of earthenware, concrete, cast iron, or other approved material with metal lids as may be approved by the Principal Administrative Officer.

## **8.7 Only One Point Of Supply**

- 8.7.1 Except with the written consent of the Principal Administrative Officer, no premises shall be supplied with more than 1 service pipe and where this consent is given, only under such conditions as the Principal Administrative Officer prescribes.

## **8.8 One Pipe Not To Serve More than One Rateable Unit**

8.8.1 Except with the written consent of the Principal Administrative Officer no water shall be supplied to any building or premises from any pipe or water supply fitting or appliance laid or installed on or in connection with any other building or premises. Consent will only be given when multiple premises are located on one rating unit.

## **8.9 Responsibility for maintenance**

8.9.1 Council shall own and maintain the service pipe and fittings up to the point of supply.

8.9.2 The customer shall own and maintain the supply pipe beyond the point of supply.

## **8.10 Rights of access to point of supply**

8.10.1 Where the point of supply is on private property the customer shall allow Council access to, and about the point of supply between 7.30 am and 6.00 pm on any day without notice for:

- (a) Meter reading; or
- (b) Checking, testing and maintenance work with notice being given whenever possible;
- (c) Installation or replacement of water meters.

8.10.2 For access outside the specified hours (such as for night time leak detection) Council shall give reasonable notice to the customer.

8.10.3 Where access is not made available for any of the above times and a return visit is required by Council, an appropriate charge may be made.

8.10.4 In an emergency the customer shall allow Council free access to, and about, the point of supply at any hour without notice.

## **8.11 Unmanaged risk**

8.11.1 Council may fit a backflow prevention device on the Council side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed. The installation of a backflow prevention device will be at the customer's cost.

## **8.12 Inspection**

8.12.1 Subject to the provisions of the Local Government Act 2002, the customer shall allow Council with or without equipment, access to any area of the premises for the purposes of determining compliance with the requirement for backflow prevention.

# **9.0 FITTINGS AND MATERIALS, AND INSTALLATIONS**

## **9.1 Work in Streets and Public Places**

9.1.1 Except with the written consent of the Principal Administrative Officer, no person shall carry out work in any street, private street or public place. Any person having obtained such consent shall carry out and complete the same in accordance with the conditions as may be prescribed by the Principal Administrative Officer and without unnecessary delay, and shall well and properly refill all trenches and shall remove all waste materials from each street, private street or public place as soon as possible. The Principal Administrative Officer may specify the hours in which work in such street, private street or public place may be undertaken.

## **9.2 General**

9.2.1 All materials, fittings and appliances used for the supply and distribution in any premises of water supplied by Council shall be of such design and quality as to prevent waste, undue consumption, misuse, or contamination of water, or the setting up of water hammer in any part of the system. They shall in every case be of approved design and materials for durability and ready maintenance. All such fittings shall be capable of standing a test pressure of 180m head of water (1.8 MPa) and suitable for a working pressure equivalent to 90m head of water (0.9 MPa), or such other pressures as the Principal Administrative Officer shall prescribe.

### **9.3 Pipes**

- 9.3.1 Pipes used for water supply and distribution in any premises shall be those approved by the Principal Administrative Officer, and shall in every case be capable of standing a test pressure equivalent to 180m head of water (1.8 MPa) and be suitable for a working pressure equivalent to that of 90m head of water (0.9 MPa) or such other pressures as the Principal Administrative Officer shall prescribe. Where such pipes are made of corrodible material they shall be efficiently protected against external corrosion and, unless they form part of a closed circuit from which water is not drawn, against internal corrosion.
- 9.3.2 Every pipe shall be adequately supported and shall be so aligned as to avoid air locks.

### **9.4 Pipes and Fittings to Be Accessible**

- 9.4.1 Every pipe and fitting within a building shall, so far as is reasonably practicable, be so placed as to be readily accessible for examination, repair or replacement, provided that this shall not prohibit the enclosing of any pipe in a properly designed chase or duct so constructed that the pipe is reasonably accessible for examination, repair or replacement.

### **9.5 Pipe Carried Through Brick or Concrete**

- 9.5.1 Where in the opinion of the Principal Administrative Officer it is necessary that a supply pipe be laid under or carried through any brick or concrete work or laid in any other inaccessible position, such supply pipe shall be carried through an exterior sleeve pipe of approved material and of sufficient length to bring any leakage or waste within easy observation in such manner as to facilitate the carrying out of any necessary repairs to such supply pipe. Where a supply pipe enters a building or basement from the service connection through a sleeve pipe or clearance hole, such supply pipe shall be effectively sealed into the opening with an approved caulking compound and so maintained as to prevent the entry of surface or seepage water.

### **9.6 Pipes above Ground Level**

- 9.6.1 Every external service pipe fixed above the level of the ground shall be properly protected by the owner of the premises as and when required by the Principal Administrative Officer.

### **9.7 Depth of Burial of Pipes**

- 9.7.1 Unless otherwise approved in special cases the minimum cover from the surface to the top of the pipe shall be as follows:-

All pipes over 50mm : 750mm in all locations

All pipes under 50mm: 500mm within public and private street boundaries plastics or other metal pipes up to 50mm:- 500mm within public and private street boundaries

### **9.8 Pipes for Fire Fighting Purposes**

- 9.8.1 Pipes of material known generally as plastic, and including PVC, polythene, rigid PVC and all others which are mechanically affected by the action of heat shall not be fitted for use on any supply which is or may be required for firefighting purposes in any premises.

### **9.9 Quick Closing Valves Not To Be Used**

- 9.9.1 Quick-closing valves of any kind shall not be used on any piping directly connected to the service pipe, that is, in any position where they are required to close against mains pressure. In circumstances specially approved they may be used, provided a suitable air chamber is fitted in the supply pipe at the stoptap or next to the fitting as may be required in the particular case. In special circumstances non-concussive types of valve may be used as approved by the Principal Administrative Officer.

### **9.10 Float Valve Installation**

- 9.10.1 Every ballcock or float-operated valve fitted to a storage tank shall be securely and rigidly fixed thereto above the top water line, and shall be supported independently of the inlet pipe (unless such inlet pipe is itself rigid and rigidly fixed to the tank) in such a position that no part of the body of the valve would be submerged if the tank were charged to an amount above its overflowing level of twice the diameter of supply pipe and in no case less than 25mm.

9.10.2 Where a ballcock is permitted to be provided with a pipe so arranged as to discharge water into a tank below its overflowing level, effective means such as an air hole shall be provided in the outlet chamber of the ballcock above such level to prevent siphonage of water back through the ballcock. Silencing pipes will be permitted only in break pressure tanks such as flushing cisterns and supply tanks for hot water systems.

9.10.3 No ballcock shall be fitted directly to any thermal storage electric water-heater.

### **9.11 Storage Tanks**

9.11.1 Every tank used for the storage of water, other than a flushing unit shall be made of materials approved by the Principal Administrative Officer and every such tank shall be made and shall at all times be maintained in an efficient and watertight condition.

9.11.2 If placed inside any building every such tank shall have fixed there-under, to the satisfaction of the Principal Administrative Officer, a tray fabricated of suitable material with an overflow pipe of the same material not less than 40mm nominal diameter discharging in a conspicuous position clear of the building and within the boundary of the premises. If the tray is of metal dissimilar to that of the tank or piping, to avoid corrosion it shall not be in direct contact with the tank or piping, but shall be separated by suitable material which is not an electrical conductor. The overflow pipe shall be of the same material as the tray.

9.11.3 Every such tank shall be enclosed and ventilated so that the water therein may not be liable to contamination from any cause whatsoever and shall be placed in such a position that easy access may be had thereto for the purposes of inspection and cleansing. Adequate scour valves shall be fitted to permit periodic cleansing.

9.11.4 No such tank shall be buried in, or placed below the ground except with the prior written consent of the Principal Administrative Officer, and then only provided that the supply is metered and in accordance with any conditions prescribed by the Principal Administrative Officer.

9.11.5 Every such tank shall be provided with an efficient and approved overflow pipe not less than 40mm nominal diameter, so as to discharge in a conspicuous position outside the building and within the boundary of the premises together with the drain from the tray where fitted.

### **9.12 Flushing Cisterns**

9.12.1 Flushing cisterns shall comply with the Compliance Document for New Zealand Building Code Clause G1 Personal Hygiene – Second Edition Prepared by the Department of Building and Housing Section 2.2

### **9.13 Flush Valves**

9.13.1 Flush valves shall be installed only by special permit from the Principal Administrative Officer; they shall be of approved waste-preventing type discharging not more than 13.5 litres per flush and supplied by a separate storage tank. They shall be incapable of delivering more than 13.5 litres per flush regardless of any manipulation of the operating lever. The flushvalve shall be so constructed as to seal automatically upon the termination of the prescribed flush, irrespective of the position of the starting lever.

### **9.14 Supply to Water Heaters**

9.14.1 The supply of cold water to water heaters other than push-through heaters or approved valve type of gas water-heater, or heat exchanger or other type under mains pressure, shall be by one of the following means:

- a) Through a supply tank which shall comply with Part of this bylaw covering tanks and float valves.
- b) Through a pressure-reducing valve and separate non-return valve. The pressure-reducing valve and checkvalve and strainer shall be fitted between two isolating stopvalves. The whole arrangement is to be the approval of the Principal Administrative Officer.
- c) A mains pressure water-heater shall be supplied through a checkvalve installed between 2 isolating stopvalves and with such safeguards as shall be determined by the Principal Administrative Officer.

### **9.15 Mixing Valves**

- 9.15.1 No mixing valve in which hot water and cold water are mixed shall be supplied with cold water directly from a supply pipe at mains pressure unless:
- a) Such valve forms part of an electric or gas water-heater which is not subjected to a working pressure higher than that for which it was designed.
  - b) The draw-off point is not controlled by a separate stoptap or the cold supply is used in conjunction with a mains pressure hot-water cylinder in which case a checkvalve shall be placed on the cold supply.

### **9.16 Protection of Ballcocks**

- 9.16.1 Every stoptap, ballcock or other fitting installed in an exposed position shall be protected against damage by an approved guard, and if considered necessary by the Principal Administrative Officer shall be fitted in a separate compartment protected by a securely fixed cover.

### **9.17 Water Troughs**

- 9.17.1 Every pipe supplying water to a watering trough for animals shall be fitted with a ballcock or some other effective means of controlling the inflow of water so designed as to prevent overflow and having an air gap as required and specified in this Part of this bylaw and fixed in a separate compartment and protected by a securely fixed cover.
- 9.17.2 Properties where the water supply is connected to water troughs are regarded as receiving extraordinary supplies and backflow prevention devices shall be fitted to the point of supply.

## **10.0 PREVENTION OF CONTAMINATION**

### **10.1 No Connection to Other Supplies**

- 10.1.1 In any system of piping supplied with water by Council no direct connection with any other sources of supply of water shall be made.
- 10.1.2 No direct connection shall be made or maintained to any drainage system, drainage or sanitary fitting, or to any fittings or apparatus including steam boilers used for the reception or conveyance of any liquid, gas, or drawn water.

### **10.2 Backflow prevention**

- 10.2.1 It is the customer's responsibility to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from Council's water supply from returning to that supply.
- 10.2.2 These include:
- (a) Backflow prevention either by providing an adequate air gap, or by the use of an approved backflow prevention device;
  - (b) The prohibition of any cross-connection between the Council water supply and
    - (i) Any other water supply (potable or non-potable)
    - (ii) Any other water source
    - (iii) Any storage tank
    - (iv) Any other pipe fixture or equipment containing chemicals, liquids, gases or other non-potable substances.

### **10.3 Overflow Pipes**

- 10.3.1 Overflow pipes, if fitted to baths and water-using fittings or apparatus other than a washhand basin, shall be arranged to discharge in the open air in an approved conspicuous position, and they shall not be led into waste pipes or drains.

#### **10.4 Fittings to Be In Good Repair**

10.4.1 No person shall allow any pipe, tap, or other fitting on his premises connected with the water supply to be out of repair or in any way defective so that water is wasted, misused, or contaminated, or water hammer is caused.

#### **10.5 Deficient Pipes**

10.5.1 Where, in the opinion of the Principal Administrative Officer, any pipe, cock, appliance, or fitting in connection with any water service of any premises has deteriorated, or is of inferior quality or workmanship, or is causing or is likely to cause waste of water, or is insufficient for the proper supply of water, it shall be lawful for the Principal Administrative Officer to give to the owner or occupier of such premises notice in writing requiring him to carry out such works as shall be specified in that behalf in such notice, and failure by such owner or occupier to comply with the requirements of such notice within the time specified therein shall be an offence against this Part of this bylaw.

#### **10.6 Existing Pipes and Fittings**

10.6.1 Any existing pipes or fittings in any premises connected to Council 's water supply at the date of this is Part of this bylaw or in any property which may subsequently be connected to the water supply may remain in use provided that upon inspection by the Principal Administrative Officer they are found to be satisfactory.

#### **10.7 Water Used For Cooling**

10.7.1 Air conditioning or industrial plant using an extraordinary supply for cooling purposes shall be provided with water conservation equipment at the Owner's expense so that the consumption is limited to that required to make up reasonable losses due to evaporation, wind, flushing, and similar effects. The use of water once through a cooling system that is without the use of recirculation equipment is prohibited without the written permission of the Principal Administrative Officer.

### **11.0 METERS**

#### **11.1 Installation of Meters**

11.1.1 Where supplies are universally metered meters for supplies, and restrictors for restricted flow supplies, shall be supplied, installed and maintained by Council, and shall remain the property of WDC.

11.1.2 Where supplies are not universally metered, WDC may where it considers water use to be unusually high or for monitoring purposes, fit a meter. If consumption proves to be consistently unusually high (twice or more than the allowed limit) water will be charged by volume at the reigning rate.

11.1.3 Without the prior written authority of the Principal Administrative Officer no branch fitting whatsoever shall be connected to the service pipe between the main and the meter.

11.1.4 Approved high pressure isolating valves shall be fixed on either side of the meter as well as a backflow prevention device on the supply side of the meter.

#### **11.2 Protection of Meters**

11.2.1 Where required by the Principal Administrative Officer the consumer shall:

- a) Provide an approved site within the premises for the meter;
- b) Take sufficient precaution to protect the meter from damage at all times;
- c) Enclose the meter in a suitable box or other enclosure and shall in cases where natural support is absent provide suitable wall brackets or other support; and
- d) Ensure that the meter shall be readily accessible at all times.

### **11.3 Testing Of Meters**

- 11.3.1 Should a consumer dispute the accuracy of a meter he may apply to the Principal Administrative Officer to have the meter tested after paying the meter testing fee as listed in the prevailing Fees and Charges. If the meter is found to be over-reading ~~there will be no charge~~ the consumer will be reimbursed for the test.
- 11.3.2 Should any meter which is owned by the consumer be out of repair or cease to register, or register inaccurately, the consumer, on receiving written notice to that effect, shall forthwith have the meter removed, put in order, have it tested, and shall obtain a certificate from the supplier of its accuracy before reinstalling the same. All costs incurred in removal, repairs, and re-installation shall be borne by the consumer.

### **11.4 Method of Testing Meter**

- 11.4.1 The testing of disputed meters shall be undertaken by an accredited testing facility and the results shall be binding. The meter shall be deemed accurate when the test results fall within the specifications from the manufacture for that meter at time of manufacturing.

### **11.5 Costs of Testing**

- 11.5.1 The consumer shall bear the costs for testing meters owned by that consumer.

### **11.6 Meter Accounts Adjusted**

- 11.6.1 Should any meter after being tested be found to be reading incorrectly the Principal Administrative Officer shall make an adjustment in accordance with the results of such test after due allowance for permissible tolerances, and the consumer shall pay or receive credit according to such adjustment.

### **11.7 Meter Tampered With**

- 11.7.1 Should any meter have its seal or dial broken or appear to the Principal Administrative Officer to have been tampered with, the Principal Administrative Officer may declare the reading void and estimate the consumption in any manner he thinks fit, and the consumer shall pay according to such estimate, and may be required also to pay for the repair to the meter and for all attendant charges.

### **11.8 Estimating Consumption When Meter Out Of Repair**

- 11.8.1 Should any meter be out of repair or cease to register (except as in clause 12.1 hereof) the Principal Administrative Officer shall estimate the consumption for the period since the previous reading of such meter (based on the average of the previous four periods charged to the consumer), which decision shall be final, and such consumer shall pay according to such decision:
- 11.8.2 Notwithstanding subclause 11.8.1, when by reason of a large variation of consumption due to seasonable or other causes, the average of the previous four periods would be an unreasonable estimate of the consumption, the Principal Administrative Officer shall be entitled to adjust the calculation of average consumption for the purpose of arrival at a reasonable estimate, and such decision shall be final, and the consumer shall pay according to such decision.

## **12.0 CHARGES**

### **12.1 Charges for Service Pipes, etc**

- 12.1.1 The charges payable by the consumer for tapping the main pipe and for laying the service pipe, installing a meter, testing a meter where required, keeping such service pipe and meter in repair and renewing when necessary, disconnection and reconnection where required, and road restoration shall be of such amount as may from time to time be determined in the fees and charges manual or as may be agreed on with any person receiving that supply.

### **12.2 Charges for Ordinary Supply**

- 12.2.1 Charges for an ordinary supply of water shall be either by water rates, or uniform annual charges, or a charge fixed in accordance with the quantity of water consumed.

### **12.3 Charges for Extraordinary Supply**

12.3.1 Charges for an extraordinary supply of water (whether according to the quantity consumed or otherwise) shall be of such amount as may from time to time be fixed in Council's fees and charges manual, or may be agreed on with any person receiving that supply; minimum charges for such extraordinary supply may likewise be specified in the said fees and charges manual or agreement.

### **12.4 Reading of Meters and Accounts**

12.4.1 Meters will be read and accounts rendered at such intervals as Council may from time to time decide.

### **12.5 Water Supplied by Standpipe**

12.5.1 Where a supply of water is given by means of a standpipe, the applicant will be responsible for the full cost of any subsequent repairs found necessary following the use of such standpipe. Water used shall be paid for at normal rate for extraordinary supply or as determined by prior agreement. The consumer shall also pay such hire charges as required by Council in the event of using a local authority standpipe.

12.5.2 Only standpipes fitted with a suitable backflow prevention device and flow meter shall be used.

### **12.6 Meter Supply to Non-Rateable Properties**

12.6.1 The charges for water supplied to a non-rateable property in the District shall be by meter of such amounts as may from time to time be fixed by resolution of Council, or as may be agreed on with any person receiving that supply; minimum charges for such extraordinary supply may likewise be specified in the said resolution or agreement.

### **12.7 Water Charged at Annual Charge**

12.7.1 When an extraordinary supply of water is granted to a consumer for any purpose at an annual charge, it shall be lawful for Council if it thinks fit, to affix a meter to such supply, and the charge shall be determined by the provisions of this Part of this bylaw relating to the purpose for which the water is being used.

### **12.8 Supplies to Local Authorities**

12.8.1 The charges to be made for water supplied to other local authorities shall be of such amounts as may from time to time be fixed by resolution of Council or as may be agreed on with any local body receiving that supply.

### **12.9 Water for Extinguishing Fires**

12.9.1 Unmetered connections which may be provided for fire protection systems shall be used for no other purpose and shall be independent of any other service connection to the property.

12.9.2 In any case in which, in the opinion of the Principal Administrative Officer, a fire connection is so constructed or so located that it is likely that water will be drawn from it or from any part of it by any person for purposes other than firefighting, the Principal Administrative Officer may cause a water meter to be installed on such fire service or on such part. In every such case, whenever water has been used for firefighting purposes, the Principal Administrative Officer shall estimate the quantity of water so used and a sum based on such estimate at the appropriate charge rate, shall be allowed against the cost of such amount of water charged to the owner's account.

12.9.3 A fire sprinkler system shall be constructed and installed and thereafter maintained in good order to the satisfaction of the Principal Administrative Officer, and shall be so designed and fixed so that water cannot be drawn from there for any other purpose.

12.9.4 In the case of premises outside the District, a connection for a sprinkler system may be provided from a Council main, with the prior consent of Council.

12.9.5 Hose reels used solely for fire protection purposes may be installed only under conditions prescribed by the Principal Administrative Officer.

12.9.6 The cost of making, repairing, and renewing the connection from the main to the consumer's premises shall be paid and borne by the consumer.

12.9.7 An annual license fee of such amount fixed by resolution of Council shall be paid by the consumer to the local authority in respect of such installation.

12.9.8 Water used for the purpose of extinguishing fires will not be charged for.

#### **12.10 Incorrect Accounts**

12.10.1 Where a situation occurs, other than as provided for in Clause 11.8, where the recorded consumption does not accurately represent the actual consumption on a property, the account shall be adjusted using the best information available to Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.

12.10.2 Where an adjustment is required, in favour of Council or the customer, this shall not be backdated more than 12 months from the date the error was detected.

#### **12.11 Change of ownership**

12.11.1 In the event of premises changing ownership Council shall record the new owner as being the customer at that premises. Where premises are metered the outgoing customer shall give Council ten working days notice to arrange a final meter reading.

## **13.0 SUPPLY OUTSIDE DISTRICTS**

### **13.1 Application of Bylaw**

13.1.1 Where Council supplies water outside the District and in the area of another local authority, then for that supply all of the provisions of the empowering Act relating to water supply shall apply and all the provisions of this Part of this bylaw shall apply equally to all place, persons and things outside the District as they apply to the same within the District.

## **14.0 FIRE PROTECTION**

### **14.1 Fire hydrants**

14.1.1 New Zealand Fire Service personnel may connect to, and draw water from fire hydrants for the purpose of fighting fires, training, and hydrant testing.

14.1.2 Only fittings with a suitable backflow device attached shall be used to withdraw water.

### **14.2 Approved users of fire hydrants**

14.2.1 Except as provided in 14.1.1 only persons who have approval to draw water from fire hydrants may connect to, and draw water from fire hydrants and shall comply with all conditions of that approval. Council may cancel any approval without notice for any breach of the conditions of approval or to implement water restrictions.

14.2.2 Council may without prejudice to other remedies available and subject to the provisions of sections 164-168 and 172 of the LGA 2002 remove and hold any equipment used to connect to, and/or draw water from any fire hydrant without approval, or in breach of the conditions of any approval, and assess the value of water so drawn and any other associated costs and recover it as a debt.

### **14.3 Fire protection connection metering**

14.3.1 Where the supply of water to any premises is metered, the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the meter provided that:

- (a) The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
- (b) A Council approved detector check valve has been fitted on the meter bypass.

14.3.2 Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS 4517:2010.

14.3.3 Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, Council may require the supply to be metered.

#### **14.4 Fire hose reels**

14.4.1 Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503:2005.

#### **14.5 Charges**

14.5.1 Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered and water has been used for firefighting purposes, Council shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.

#### **14.6 Ongoing testing and monitoring**

14.6.1 Customers intending to test fire protection systems in a manner that requires a draw-off of water shall obtain the approval of Council beforehand. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by Council.

## **15.0 PROTECTION OF WATER SUPPLY**

### **15.1 Water Supply System**

15.1.1 Except as set out elsewhere in this Part or to operate the service valve no person shall make any connection to, or otherwise interfere with, any part of the water supply system without prior approval of Council.

15.1.2 Unless the prior approval of Council has been obtained no person may install any pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of Council to maintain its stated levels of service on any piping beyond the point of supply.

### **15.2 Spillages and adverse events**

15.2.1 The occupier of any property shall take all reasonable steps to prevent entry into the water supply of any substance that may compromise the water supply services or be hazardous to the health and safety of Council staff, customers and the public.

### **15.3 Notification of spillage or adverse event in water supply**

15.3.1 The occupier shall notify the Council immediately in the event of leakage, spillage or other mishap described in Clause 15.2.1.

### **15.4 Working around buried services**

15.4.1 Any person proposing to carry out excavation work shall view any as-built information available to establish whether or not any part of a water supply system is located in the vicinity.

15.4.2 At least five working days notice in writing on the prescribed WDC application form shall be given to District Council of an intention to excavate in the vicinity of any part of a water supply system. Where appropriate the Council may mark out to within  $\pm 1\text{m}$  on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary. The Council may charge for this service.

## **15.5 Standard of excavation work**

15.5.1 When excavating and working around buried services due care shall be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate Council specifications.

## **15.6 Reporting and any damage to services**

15.6.1 Any damage which occurs to a Council service shall be reported to Council immediately.

15.6.2 The person causing the damage shall reimburse Council with all costs associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

# **16.0 PROTECTION OF CATCHMENT AREAS**

## **16.1 Prohibitions**

16.1.1 No person shall pollute or cause to be polluted any water that is part of the water supply in any controlled catchment area, or in any part of the water supply prior to the withdrawal of water therefrom by some pipe lawfully connected therewith.

16.1.2 In any controlled catchment area, or any part of the waterworks prior to the withdrawal of any water by some pipe lawfully connected therewith, no person shall:

- a) Camp;
- b) Take, depasture, or allow to stray any livestock including horses, cattle, sheep or goats;
- c) Bathe or wash any linen or other thing; or
- d) Deposit any dirt, rubbish, foul liquid, or matter of any kind.

16.1.3 In any controlled catchment area or land held by Council as a water reserve, no person shall without first obtaining a permit in writing from Council:

- a) Enter;
- b) Hunt, trap, shoot or fish;
- c) Light or maintain any fire;
- d) Take any dog;
- e) Damage or destroy any trees, shrubs, or other existing cover, or interfere with any property;
- f) Take any firearm or weapon of any kind which may be used for the destruction of birds and animals; or
- g) Use any pesticide or toxic substances for any purpose whatsoever.

16.1.4 In granting any such permit Council may impose such conditions as it shall consider necessary or advisable, and every person to whom, any such permit shall have been issued who shall fail to comply with every condition thereof commits an offence against this Part of this bylaw.

16.1.5 No person shall burn, bury or otherwise dispose of any refuse or other matter except to the satisfaction of the Principal Administrative Officer.

## **16.2 Carcasses to be Removed**

16.2.1 Any person who kills any animal on any controlled catchment area or land held by Council as a water reserve shall remove the carcass thereof from such area, or shall dispose of the carcass as directed by and to the satisfaction of the Principal Administrative Officer.

## **16.3 Permits to be Presented**

16.3.1 No person to whom any permit shall have been issued as aforesaid shall enter or leave any controlled catchment area or land held by Council as a water reserve without presenting such permit for inspection by the custodian and notifying the custodian of his intention of entering or leaving such area as the case may be.

16.3.2 Every person on any controlled catchment area or land held by Council as a water reserve shall upon demand forthwith produce any such permit as aforesaid for inspection by the custodian.

16.3.3 No permit issued as aforesaid shall be capable of being transferred.

16.3.4 It shall be lawful for Council at any time by notice in writing delivered to the holder to revoke or suspend such permit for such time as shall be stated in such notice.

#### **16.4 Against Interference and Obstruction**

16.4.1 In any controlled catchment area or any land held by the local authority as a water reserve:

- a) No person whether he is a holder of any permit issued under the provisions of this Part of this bylaw or not (other than a duly appointed officer of the local authority), shall commit or cause or permit to be committed any act which may interfere with or be likely to interfere with the free and lawful exercise of any rights vested in any other person in any such area.
- b) Every person shall upon the request of the custodian or other officer of the local authority immediately leave the controlled catchment area or land held by the local authority as a water reserve, but shall nevertheless be liable also to be prosecuted for the breach of any of the provisions of this Part of the bylaw, and the failure so to leave shall constitute a further offence.
- c) No person shall obstruct or hinder any duly appointed officer of the local authority in the exercise of any powers vested in him under the provisions of this Part of this bylaw.

# PART C: STORMWATER

## **Explanatory note**

*This note is intended to indicate the general effect of this bylaw relating to stormwater management.*

*The broad objective of the council's stormwater system is to regulate natural runoff to minimise the adverse effects of stormwater on people, property and the environment.*

*Stormwater is disposed of within Waitomo District by public and private stormwater drains (e.g. open watercourses and pipes) and Overland flow paths that become effective / operational in very high rainfall events. This bylaw controls the management aspects of these systems.*

*Watercourses passing through or serving private land are generally considered private. Private drains are the responsibility of the owner of the land they serve, and each section of a private watercourse (including a privately piped watercourse) is generally the responsibility of the owner of the land it passes beside or through.*

*The intentions of this part of the bylaw are to achieve the above objective by:*

- *Ensuring the safe and efficient management, operation, maintenance and modification of stormwater systems;*
- *Ensuring development proposals take account of stormwater and stormwater hazard management;*
- *Controlling erosion;*
- *Maintaining and where possible enhancing freshwater biodiversity;*
- *Maintaining and where possible enhancing riparian vegetation.*

## **17.0 GENERAL PROTECTION OF PUBLIC STORMWATER DRAINAGE NETWORKS**

### **17.1 Nuisances/Damage**

17.1.1 No person shall:

- (a) Allow any material, chemical or other substance that causes or is likely to cause a nuisance directly or indirectly into the public stormwater drainage network; or
- (b) permit any material, chemical or other substance, likely to cause a nuisance on entering the public stormwater drainage network, to be located so that it is likely to enter the public stormwater drainage network (directly or indirectly) in any storm event up to and including the 100 year event or other natural action; or
- (c) Do anything that damages or is likely to cause damage to any public stormwater drainage network.

### **17.2 Prohibited Discharges**

17.2.1 No person shall discharge wastewater and trade wastes to the public stormwater system.

### **17.3 Contaminated Stormwater**

17.3.1 No person shall discharge contaminants or contaminated run off to the stormwater services.

17.3.2 No person shall discharge stormwater to the wastewater system unless such discharge is authorised by a bylaw or by Council.

## **17.4 Obstructions to stormwater drainage networks, watercourses or flood plains**

17.4.1 No person shall:

- (a) Obstruct any watercourse in a manner that adversely affects or may affect the efficiency and safety of a public stormwater drainage network; or
- (b) Erect any structure or deposit anything (materials, rubbish or other debris) in a place or manner in a 100 year flood plain, that is likely to cause a nuisance.

## **17.5 Access to Stormwater Systems**

17.5.1 A land owner/occupier shall allow the Council access to and about all facets of all public and private stormwater systems for the purposes of monitoring, testing and maintenance work between 7.30am and 6pm on any day. The Council shall give a minimum of 24 hours notice to any land owner/occupier of an intended entry.

17.5.2 In an emergency the customer shall allow Council free access to, and about, the point of supply at any hour without notice.

# **18.0 APPROVAL TO CONNECT TO, OR DISCONNECT FROM A PUBLIC STORMWATER DRAINAGE NETWORK**

18.1 No person may make a connection to, or otherwise interfere with the public stormwater drainage network without prior approval of Council and:

- (a) Council will consider whether to approve a connection or other work on the public stormwater drainage network following receipt of a properly completed standard Council application form;
- (b) Council may refuse connection to, or other work on the public stormwater drainage network;
- (c) If approval is given, this will be subject to any terms and conditions, including payment of any fees or charges, attached to the approval;
- (d) Failure to comply with any of the terms and conditions constitutes interference with the public stormwater drainage network without prior approval and is a breach of this bylaw; and
- (e) Any such connection or interference shall be carried out by a registered drainlayer in accordance with best practice, relevant specifications and shall be inspected by Council.

18.2 Approval may be given subject to any conditions and requirements that Council or any authorised officer may think appropriate and to be complied with, to their satisfaction.

18.3 Any new connection shall be dimensioned from the immediate downstream manhole to the centre of the newly installed connection, and an electronic as-built plan showing the connection shall be provided to Council within 10 working days of installation and acceptance by Council.

# **19.0 POINT OF DISCHARGE**

## **19.1 General**

19.1.1 The point of discharge from a premise shall be the point on the public stormwater drainage network which marks the boundary of responsibility between the owner and Council. Unless otherwise approved there shall be one point of discharge only for each premise.

19.1.2 Where a private stormwater pipeline discharges into a public stormwater network on that same private property, the point of discharge shall be the upstream end of the pipe fitting which forms the junction with the public stormwater pipe.

19.1.3 For single dwelling units the point of discharge shall be located 1 metre inside the boundary or as close to this point as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. The approval of other positions must be by Council and recorded on the drainage plan.

19.1.4 The typical layouts at a point of discharge are as shown in the attached Schedules 1 to 4 and figure 3.

## **19.2 Discharging into Neighbouring Properties**

19.2.1 No person shall allow concentrated stormwater from the person's property to discharge onto a neighbouring property via surface flow, other than what would naturally occur from pervious areas and from designated overland flow paths. Water from impervious areas (roof, paving etc) required approved, managed discharge.

19.2.2 No person shall obstruct the stormwater flow from a neighbouring property that would occur naturally from pervious areas and overland flow paths.

# **20.0 WORK AFFECTING PUBLIC STORMWATER DRAINAGE NETWORKS**

## **20.1 General**

20.1.1 No person shall carry out any excavation or other work on or in the vicinity of a public stormwater drainage network so as to damage or be likely to damage the infrastructure or adversely affect its operation

20.1.2 No building may be constructed over an existing public stormwater pipeline or a connection to a public stormwater pipeline. Any such connection must be capped off. The new connection must be sited a minimum horizontal distance equivalent to twice the depth of invert to the stormwater pipeline outside the footprint (including decks) of the proposed building.

20.1.3 Any damage or blockage to any private or public stormwater pipeline affecting or likely to affect the efficient operation of the stormwater drainage network shall be reported to Council immediately.

20.1.4 With respect to building or loading over buried services, or excavation near public stormwater pipelines, the restrictions described in 20.1.6 to 20.1.8 of this section shall apply.

20.1.5 Other restrictions may be applied by Council for the protection of the public stormwater drainage network after consideration of proposed work methods, depth of excavation, soil physical properties, and other site specific factors.

20.1.6 No building shall be built over a public stormwater pipeline without prior approval of Council, and no work shall be carried out on or around any pipeline except as set out in the HCC Standards for Engineering Design and Construction.

20.1.7 No person shall, without the prior written approval from Council:

- (a) cause the crushing load imposed on a public stormwater drainage pipeline to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by Transit New Zealand Bridge Manual); or
- (b) remove any existing cover material or place any additional material over or near a public stormwater drainage pipeline; or
- (c) cover any service opening such as manholes, catchpits or other surface infrastructure in any way.

**Note:** Where approved removal of any covering material or adjustment of the opening shall be at the property owner's expense.

20.1.8 No person shall without obtaining prior approval from Council excavate, or carry out piling or similar work closer than:

- (a) 5 metres from the centre line of any main or trunk stormwater drainage pipeline; or
- (b) 2.5 metres from the centre line of any public stormwater drainage pipeline.

## 20.2 Site development and management

- 20.2.1 All new site developments must comply with WDC's adopted development and connection standards, for connection to the town's stormwater assets. This includes identification of over land flow paths for a 1:100 year rainfall event.
- 20.2.2 It is the responsibility of the owner or occupier to properly maintain in good working order at all times, the private stormwater on its site and any privately owned pipe within the road reserve that connects to a public storm water pipe.
- 20.2.3 Each property must have either a drainage system that collects storm water from its property and feeds it into an approved discharge point that feeds into the public storm water network or other means are provided such as a rain tank for on site re-use of the stormwater and where approved a soakage pit for on-site disposal. It is the owner responsibility to provide information that proves on site soakage will be effective. Approval will be at the discretion of the Principal Administrative Officer.
- 20.2.4 The property owner or occupier is responsible for maintaining the following systems:
- (a) **Piped connections** from property to connection point at the stormwater main or kerb discharge or open channel discharge
  - (b) **Soakage systems.** It is the owner or occupier's responsibility keep approved on-site ground soakage systems clear of litter, silt and other contaminants
  - (c) **Streams.** Owners and occupiers are responsible for the maintenance of any streams or water courses that pass through their property
  - (d) **Overland flow paths.** Owners/occupiers shall keep natural overland flow paths free of obstruction, in order to prevent flooding of their buildings and other upstream property.

## 20.3 Home improvements

- 20.3.1 All stormwater from new buildings, building extensions or paved areas must be discharged in a way that avoids creating problems for the existing site disposal system or piped network, or for any downhill or adjacent neighbours.
- 20.3.2 Council or an authorised officer may require the installation or construction of private storm water detention tanks or other devices to retard the flow of storm water or for other purposes together with an approved maintenance plan, to its satisfaction during the development of a property.
- 20.3.3 It is the responsibility of the owner to properly maintain in good working order at all times, the private storm water drainage network on the property. This includes all pipes, gutters, storm water detention devices or other components as well as the drainage network itself.
- 20.3.4 Where a building is at an elevation below the carriageway of the adjacent road or access way, the vehicle crossing to the site shall be constructed with an over vertical curve to ensure that run-off from the carriageway does not enter the property via the vehicle crossing. The internal vehicle drive and parking areas shall be designed and constructed to direct run-off away from the buildings.
- 20.3.5 No person shall commence any development work until such time as adequate silt control measures to prevent the discharge of silt laden water directly or indirectly to any watercourse to the satisfaction of the Council or any authorised officer have been installed using best practice,. These control measures shall be maintained and regularly cleaned out until ground cover has been reinstated on the site.

## 20.4 Open Watercourses

- 20.4.1 All open watercourses (and any sections piped by the owner) in the district are the responsibility of the owner of the property through which they flow, except for the particular sections of

watercourses where Council has agreed with the property owner to remove obstructions, but the control of erosion will remain the responsibility of such property owner.

- 20.4.2 All privately owned open watercourses, stopbanks and other defences against storm water are to be maintained by or at the expense of the owner to ensure free flow of water.
- 20.4.3 Except where specifically provided for in easement documents, all material resulting from the cleaning of a public watercourse shall be the responsibility of the property owner to remove or otherwise dispose of.
- 20.4.4 No person shall without the prior written consent of an authorised officer:
- 1 Erect any barrier within a stormwater drain; or
  - 2 Stop, obstruct, alter, interfere with or divert any stormwater drain, or any part of the council's drainage system; or
  - 3 Erect any defence against water in any stormwater drain, flood plain or overland flow path; or
  - 4 Carry out any of the above so as to adversely affect land or buildings (including other land and buildings on other land) in the obstruction design storm for that land or buildings.
- 20.4.5 The owner or occupier of a property shall ensure that all open stormwater drains on its property are kept clear of any obstruction that impedes or could impede the free flow of water, for a distance of at least 3 metres from the nearest margin of the stormwater drain(s).
- 20.4.6 Notwithstanding the above clause, no person shall destroy vegetation from such an area without prior approval from the Principal Administrative Officer, if that clearing may cause or worsen erosion or sedimentation of the drain.

## **20.5 Piping of open watercourses**

- 20.5.1 The piping of open watercourses limits the flow during high intensity rainfall events. For a piped storm water system to work effectively overland flow paths is a requirement. Therefore the piping of open watercourses is discouraged. In a situation where a property owner wishes to pipe a watercourse that crosses a private property the following shall apply.
- 20.5.2 No person shall carry out storm water drainage works without:
- (a) prior written approval from Council, and
  - (b) a building consent or resource consent if required.
- 20.5.3 Every application to carry out storm water drainage works shall include drawings and specifications for the proposed works. The drawings shall show, to the satisfaction of Council, the proposed works and their effects on the subject site and surrounding land.
- 20.5.4 All proposed storm water drainage works shall be designed, constructed and operated:
- (a) in compliance with any relevant Catchment Management Plan or discharge consent including its recommendations or conditions for the area concerned; and
  - (b) to Council's standards for corresponding public drainage works where they serve or may serve land or buildings in different ownership; and
  - (c) to Council's Storm water Drainage Policies; and
  - (d) to minimise sediment discharge to any storm water drain; and
  - (e) in compliance with any written conditions imposed by Council when approving the works, and with any relevant building or resource consent; and
  - (f) to be consistent with foreseeable catchment-wide works (for example, extending a pipe upstream or downstream) so as to give a benefit to the catchment as a whole.
- 20.5.5 Such storm water drainage works shall remain the responsibility of the owner of the land on which the works occur unless and until they are taken over and vested in Council. The cost of all

work involved will be the owner's cost unless specific agreement for alternative cost sharing is approved in writing by Council.

## **21.0 STORAGE OF HAZARDOUS MATERIALS**

- 21.1 The occupier shall not store any hazardous or other material, in a manner likely to adversely affect watercourses, or public health and safety and shall take all reasonable steps to prevent entry of materials via leakage, spillage or other mishap into watercourses or the storm water network.
- 21.2 The occupier shall immediately notify Council of any hazardous material entering watercourses or the public stormwater drainage network.

## **22.0 BREACHES**

### **22.1 List of breaches**

- 22.1.1 The following are deemed breaches of the conditions to provide a storm water service connection:
- (a) Failure by the customer to meet and comply with the conditions of providing a service connection;
  - (b) Failure to meet any obligation placed on the customer under all current Acts and Regulations;
  - (c) Frustration of Council's ability to adequately and effectively carry out its obligations, including complying with discharge permits. In the event of a breach, Council shall serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the customer persists in the breach, Council reserves the right to undertake remedial work required in order to make good the breach, and to recover from the person committing the breach all reasonable costs incurred in connection with the remedial work.

### **22.2 Defect Notices**

- 22.2.1 In the event of a breach of any provision of this Bylaw, Council may serve a defect notice on the customer advising of its nature and the steps to be taken within a specified period, to remedy it.
- 22.2.2 If the customer has not remedied the breach after the specified period, Council may carry out any remedial work required in order to make good the breach, and recover from the person committing the breach all reasonable costs incurred in connection with the remedial work, including a re-inspection fee.

## **PART D: WASTEWATER**

### **23.0 INTRODUCTION**

- 23.1 Matters regulating the acceptance of trade waste into the wastewater drainage system are contained in Council's Trade Waste Bylaw 2006 (Reviewed 2011).

### **24.0 COUNCIL OPERATING PROCEDURES**

- 24.1 Council may from time to time, by ordinary resolution:
- (a) Adopt system operating procedures to protect the wastewater drainage system from damage and misuse including the setting of the nature and levels of characteristics of any wastewater to be discharged into Council's sewerage system;
  - (b) Set the terms and conditions upon which wastewater discharged from any premises will be accepted into Council's wastewater drainage system.
- 24.2 Any customer who discharges wastewater into Council's wastewater drainage system must sign a Customer Service Agreement available from WDC and at all times comply with Council's operative Terms and Conditions for the Acceptance of Wastewater Drainage as from time to time fixed by resolution of Council.
- 24.3 Council may, from time to time by way of an ordinary resolution, amend, extend, rescind, or vary any resolution made in accordance with the provisions of clause 24.1.

### **25.0 WORK AFFECTING PUBLIC WASTEWATER DRAINAGE NETWORKS**

- 25.1 No person shall carry out any excavation or other work in the vicinity of a public wastewater drainage network so as to damage or be likely to damage the infrastructure or adversely affect its operation
- 25.2 No building may be constructed over an existing public wastewater pipeline or a connection to a public wastewater pipeline. Any such connection must be capped off. The new connection must be sited a minimum horizontal distance equivalent to twice the depth of invert to the wastewater pipeline outside the footprint (including decks) of the proposed building.
- 25.3 Any damage or blockage to any private or public wastewater pipeline affecting or likely to affect the efficient operation of the wastewater drainage network shall be reported to Council immediately.
- 25.4 With respect to building or loading over buried services, or excavation near public wastewater pipelines, the restrictions described in 25.1.6 to 25.1.8 of this section shall apply.
- 25.5 Other restrictions may be applied by Council for the protection of the public wastewater drainage network after consideration of proposed work methods, depth of excavation, soil physical properties, and other site specific factors.
- 25.6 No building shall be built over a public wastewater pipeline without prior approval of Council, and no work shall be carried out on or around any pipeline except as set out in the HCC Standards for Engineering Design and Construction.
- 25.7 No person shall, without the prior written approval from Council:
- (a) cause the crushing load imposed on a public wastewater drainage pipeline to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by Transit New Zealand Bridge Manual); or
  - (b) remove any existing cover material or place any additional material over or near a public wastewater drainage pipeline; or

- (c) cover any service opening such as manholes, catchpits or other surface infrastructure in any way.

**Note:** Where approved removal of any covering material or adjustment of the opening shall be at the property owner's expense.

25.8 No person shall without obtaining prior approval from Council excavate, or carry out piling or similar work closer than:

- (a) 5 metres from the centre line of any main or trunk wastewater drainage pipeline; or
- (b) 2.5 metres from the centre line of any public wastewater drainage pipeline.

## **26.0 CONNECTIONS AND MAINTENANCE**

26.1 New sewer connections (laterals) may be constructed subject to:

- (a) Prior approval of the connection by the Principal Administrative Officer, and;
- (b) Prior payment of the prescribed WDC connection fee, and;
- (c) Construction of the sewer connection is by an approved WDC contractor, and;
- (c) The connection is constructed from the sewer main up to a point 1.0m inside the Owner's property boundary by WDC's approved contractor
- (d) No work is completed in the road reserve by the Owner's private drainlayer

26.2 Public sewer lines are owned and maintained by WDC

26.3 Maintenance of sewer connections (laterals) from WDC sewer mains (at London Junction or Tee - see figure 2) is the responsibility of the land owner/occupier.

## **27.0 ACCEPTANCE OF DISCHARGE**

### **27.1 Approval to Connect**

27.1.1 No person, other than the authorised agents of Council may, without written approval of Council, make any connection to or otherwise interfere with any part of the wastewater drainage system including buried services.

### **27.2 Acceptable Discharge Characteristics**

27.2.1 The nature and levels of the characteristics of any wastewater discharged into the WDC wastewater drainage system must comply at all times with the characteristics specified in the operative WDC Trade Wastes Bylaw, provided however, that those characteristics may be varied by Council as part of a trade waste consent given to a customer or customers to discharge a wastewater which does not meet the normal characteristics.

### **27.3 Domestic Wastewater**

27.3.1 Every dwelling/house is entitled to have its wastewater accepted by the Council subject to the premises being within an area which is served by public sewers.

27.3.2 Every new dwelling house situated within a residential area that is served by a public sewerage system must be connected to that system if the boundary is situated within 30m of a public sewer. Connection of all existing dwelling houses situated within 30m of a public sewer and not currently connected, will be considered by the Principal Administrative Officer on a case by case basis.

## **28.0 DISCHARGES**

### **28.1 Flow Rate**

- 28.1.1 Council may set a maximum daily flow rate which can be discharged from any premises into the wastewater drainage system.
- 28.1.2 No person may discharge wastewater into the sewer at an instantaneous flow rate exceeding the rate determined by Council from time to time.

### **28.2 Prohibited Characteristics**

- 28.2.1 No person may discharge into the Council sewer any wastewater with the characteristics described in Section 1.D.2 of Schedule 1D to the Trade Waste Bylaws.

### **28.3 Prevention of Inflow and Infiltration**

- 28.3.1 The customer must prevent any stormwater or groundwater (including water from roof downpipes, surface water run-off, overland flow, and sub-surface drainage) from entering the Council sewer.
- 28.3.2 Every person who becomes aware that any hazardous material, product, or waste, has entered the wastewater drainage system must immediately notify Council of the details. This requirement is in addition to any other obligation that person has to notify other authorities of release of a hazardous substance.

## **29.0 BREACHES AND REMEDIES**

### **29.1 Defect Notices**

- 29.1.1 In the event of any default or breach by a customer in respect of the customer's obligations relating to the sewer, whether under this Bylaw or any act or regulation, Council may, without prejudice to any other recourse or remedy that may be available, and having regard to public health and safety and the risk of damage to the sewer, in its absolute discretion:
- (a) undertake any remedial work required in order to make good the breach or default and recover from the customer all costs incurred in connection with the remedial work; or
  - (b) give notice to the customer to rectify the default or breach and that notice may include a period within which the default or breach is to be remedied.

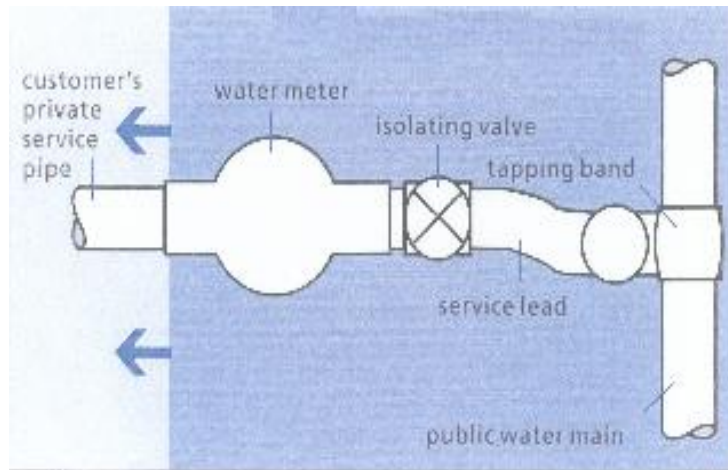
### **29.2 Remedial Work**

- 29.2.1 If the default or breach is not remedied in a reasonable time, or within the time specified in the notice given under the foregoing clause, Council may:
- (a) instruct the customer to carry out the necessary remedial works within a specified time;
  - (b) if the customer fails to do so within the specified time carry out any remedial works required;
  - (c) recover all costs incurred including solicitor and client costs;
  - (d) charge a re-inspection fee;
  - (e) undertake any one or more of them as the Council sees fit.

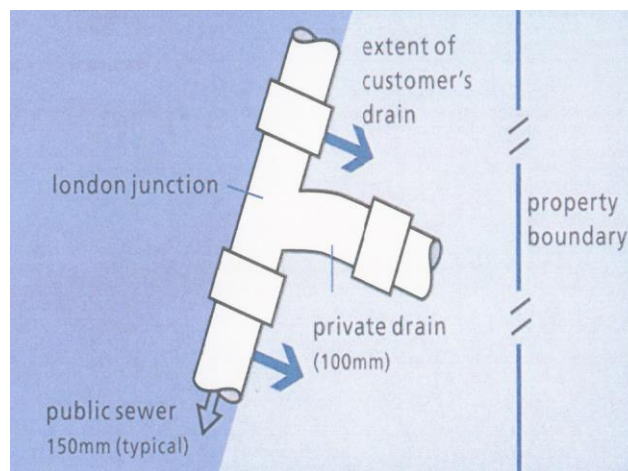
### **29.3 Remedies**

- 29.3.1 In addition to any legal penalties arising from any breach, offence, or dispute Council may seek to recover all costs arising from and associated with any such breach, offence or dispute.

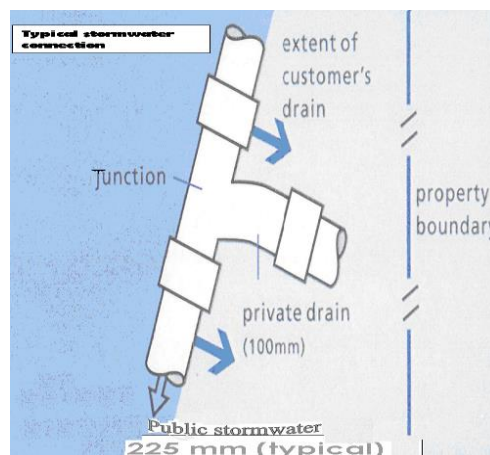
**Figure 1** – Typical Point of Supply for individual customers. Variations may apply for customers on right of ways or for commercial or industrial customers.



**Figure 2** –Typical Wastewater Connection



**Figure 3**–Typical Stormwater Connection.



Common Seal of Waitomo District Council:



The Common Seal of the Waitomo District Council was hereto affixed in the presence of:

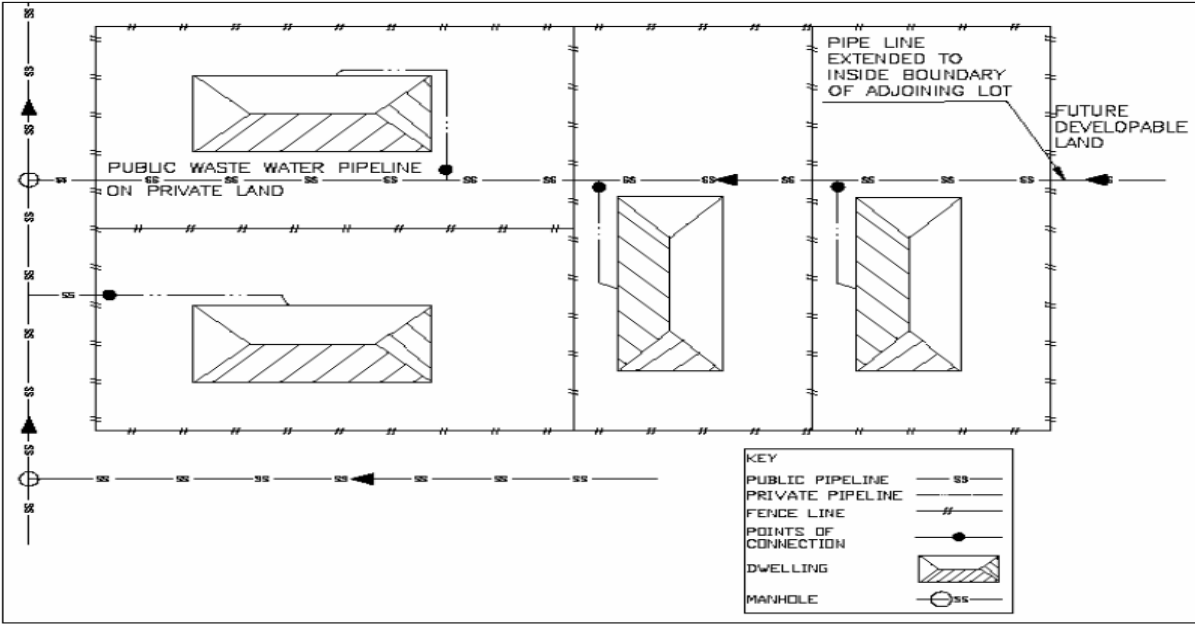
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive

# SCHEDULES – GOVERNING LAND DEVELOPMENT

## SCHEDULE 1

### Points of Discharge



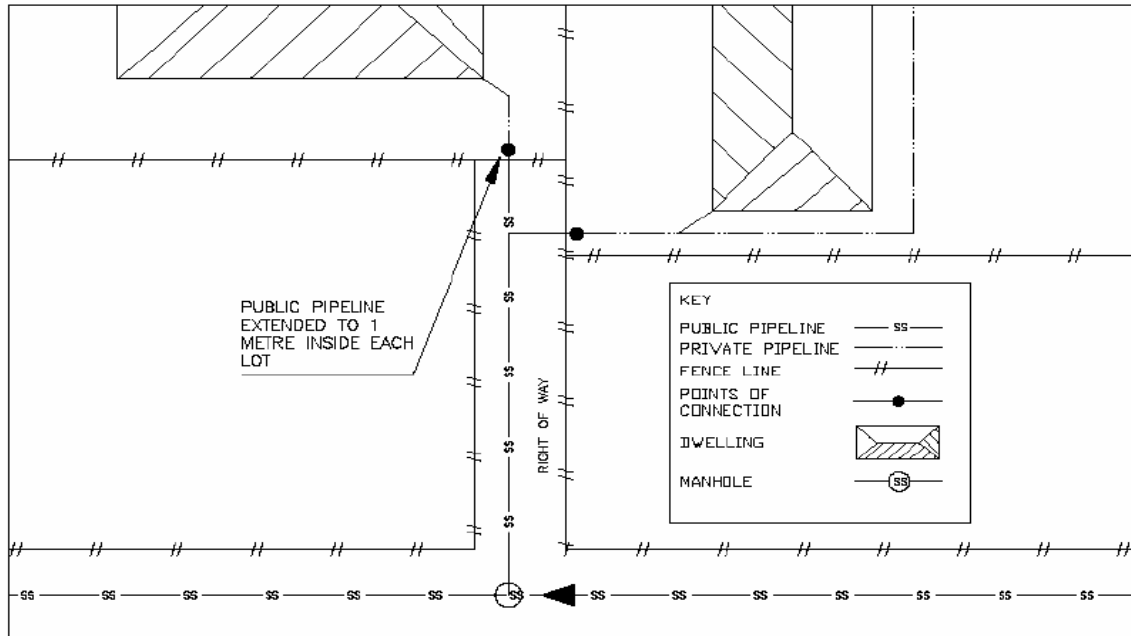
NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines.

### Explanatory Notes

1. All pipelines on public land are deemed public stormwater pipes and shall be constructed in accordance with HCC Standards for Engineering Design and Construction.
2. Public stormwater pipes may be located on private property.
3. Each new lot shall have the public connection extended to a point one metre inside the lot at the lowest point of the lot. Except in the case of one lot into two infill developments this connection shall be within the body of the lot in the case of rear lots.
4. Where appropriate and where required by Council, public stormwater pipes shall be extended through a lot to service upstream developments.

## SCHEDULE 2:

### Rear Lots On Joint Owned Accessways (for two or more dwelling units)



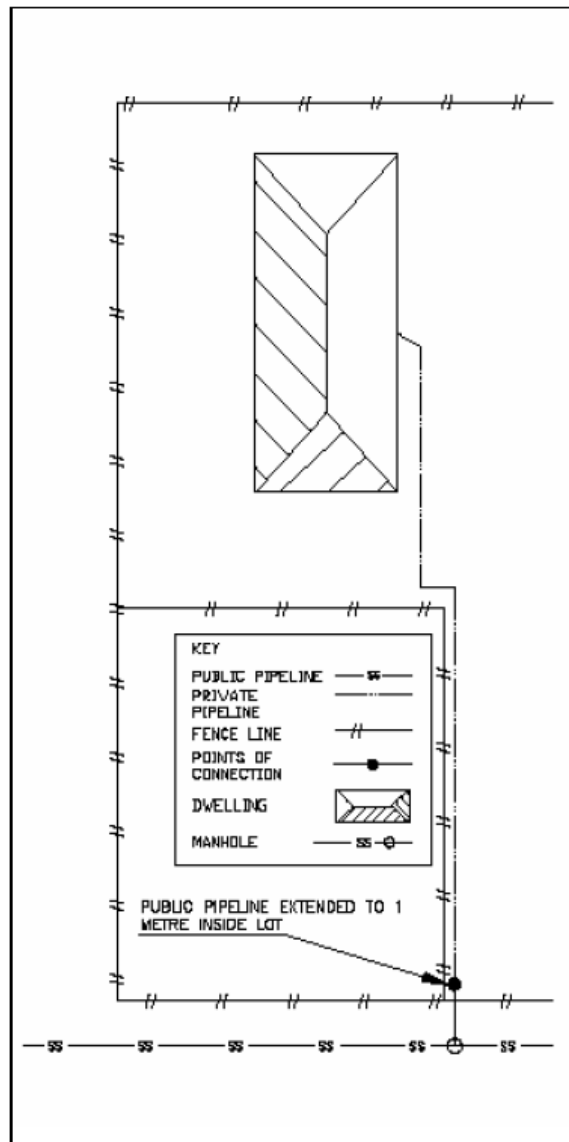
*NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines.*

#### Explanatory Note

1. If the length of public line exceeds twenty-five metres, the line must be terminated within a manhole.

# SCHEDULE 3

## Single Rear Lot – Typical One Lot into Two In-Fill Development



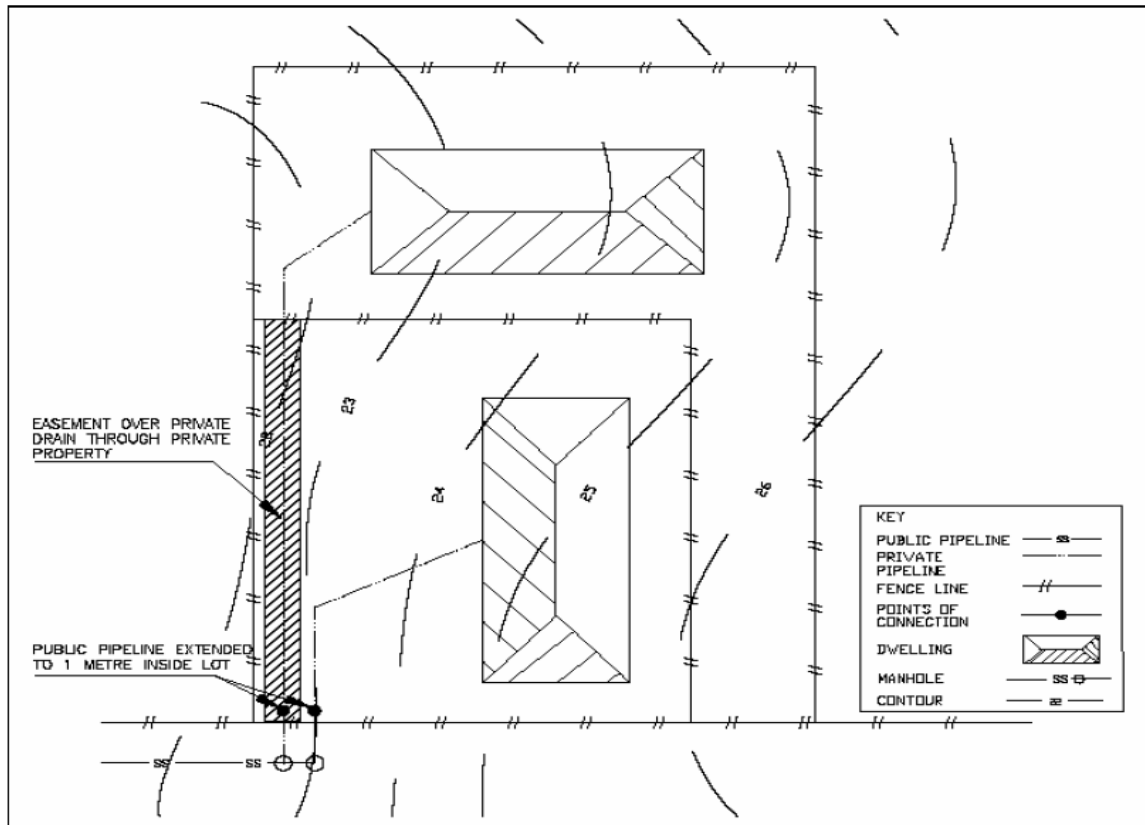
*NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines*

### Explanatory Note

1. Public stormwater pipe terminates one metre inside the lot boundary.

# SCHEDULE 4

## Private Easements



*NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines*

### Explanatory Notes

1. Where an in-fill development of one lot into two cannot service the rear site through the proposed access strip, because of elevation or gradient difficulties, the private stormwater pipelines through the front may be covered by a drainage easement in favour of the rear lot, provided that the lot is capable of having only a single dwelling unit constructed on it.
2. Similarly if the services are situated in the proposed rear lot then the front lot may be serviced by a private stormwater pipeline covered by drainage easement. Again this only applies where a single dwelling unit is possible on the created site.



# **Trade Waste Bylaw 2006 (Amended 2016)**

# CONTENTS

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>1</b>
1.1	Commencement and application .....	1
1.2	Purpose of the Bylaw.....	1
1.3	Scope of the Bylaw .....	1
1.4	Referenced documents .....	2
1.5	Definitions .....	2
1.6	Abbreviations .....	7
<b>2.0</b>	<b>COMPLIANCE WITH THE BYLAW .....</b>	<b>8</b>
2.1	Control of Discharges .....	8
2.2	Storage, Transport, Handling and Use of Hazardous or Harmful Materials.....	8
<b>3.0</b>	<b>TRADE WASTE DISCHARGES AND CONSENTS .....</b>	<b>9</b>
3.1	Classification of trade waste discharges .....	9
3.2	Classification Criteria.....	9
3.3	Acceptance of trade waste .....	9
3.4	Discharge of trade waste .....	10
3.5	Application for a trade waste consent .....	10
3.6	Processing of an application .....	10
3.7	Information and analysis .....	10
3.8	Consideration of an application .....	11
3.9	Consideration criteria .....	11
3.10	Conditions of Trade Waste Consent .....	12
3.11	Trade Waste Agreements.....	13
3.12	Duration.....	13
3.13	Review and/or variation occasioned by changed circumstances.....	15
3.14	Cancellation of the right to discharge.....	16
3.15	No transfer or assignment or change of use.....	17
<b>4.0</b>	<b>TRADE WASTE APPROVAL CRITERIA .....</b>	<b>18</b>
4.1	Pre-Treatment.....	18
4.2	Mass Limits.....	18
<b>5.0</b>	<b>SAMPLING, TESTING AND MONITORING .....</b>	<b>19</b>
5.1	Flow Metering .....	19
5.2	Estimating discharge .....	19
5.3	Sampling and analysis.....	20
5.4	Monitoring .....	20
<b>6.0</b>	<b>BYLAW ADMINISTRATION .....</b>	<b>22</b>
6.1	Review of decisions.....	22
6.2	Accidents and non-compliance.....	22
6.3	Charges and payments.....	22
6.4	Authorised officers .....	23
6.5	Transfer or termination of rights and responsibilities .....	24
6.6	Service of documents .....	24
6.7	Offences.....	25
	<b>SCHEDULE 1A: .....</b>	<b>26</b>
	<b>PERMITTED DISCHARGE CHARACTERISTICS .....</b>	<b>26</b>
	<b>SCHEDULE 1B: .....</b>	<b>31</b>
	<b>CONDITIONAL DISCHARGE CHARACTERISTICS .....</b>	<b>31</b>
	<b>SCHEDULE 1C: .....</b>	<b>36</b>
	<b>CONTROLLED DISCHARGE CHARACTERISTICS.....</b>	<b>36</b>
	TABLE 1C.1 – GENERAL CHEMICAL CHARACTERISTICS .....	38
	<b>SCHEDULE 1D: .....</b>	<b>41</b>
	<b>PROHIBITED CHARACTERISTICS .....</b>	<b>41</b>
	<b>SCHEDULE 1E: .....</b>	<b>43</b>
	<b>TRADE WASTE FEES AND CHARGES .....</b>	<b>43</b>
	<b>SCHEDULE 1F: .....</b>	<b>46</b>
	<b>REFERENCED DOCUMENTS.....</b>	<b>46</b>
	<b>APPENDIX A: .....</b>	<b>47</b>
	<b>COMPOUNDS INHIBITING BIOLOGICAL PROCESSES .....</b>	<b>47</b>

## **1.0 INTRODUCTION**

This bylaw regulates the discharge of trade wastes to a sewerage system operated by the Council.

### **1.1 Commencement and application**

This bylaw came into force on 1 July 2006.

In accordance with the Local Government Act 2002, the first review of this Bylaw was completed after five years, with effect from 1 July 2011.

This, second, review of the Bylaw was completed and came into force with effect from 1 July 2016.

### **1.2 Purpose of the Bylaw**

1.2.1 The purpose of this Trade Waste Bylaw is to provide for the management, control and monitoring of trade waste discharges into WDC's wastewater systems to:

- a) protect sewer pipes, pumping stations, storage tanks, biological and biochemical treatment processes, wastewater treatment plants and other related wastewater system structures, electrics and controls from damage by applying standards and loading/concentration limits for trade waste discharges prior to discharge to WDC's wastewater systems
- b) protect the health and safety of any person working with the WDC wastewater systems by applying standards for trade waste discharges
- c) protect public health and the environment from the effect of trade waste discharges by ensuring all necessary resource consents are met
- d) encourage waste minimisation, cleaner production and reduced water consumption
- e) allow the Council to recover fair and reasonable costs of managing trade wastes from trade premises that discharge into the Council system by ensuring that the costs of conveying, treatment and disposal are shared fairly between trade waste and domestic dischargers proportional to volume and load.
- f) assist the Council to meet relevant environmental standards
- g) comply with the objectives of the New Zealand Waste Strategy.

### **1.3 Scope of the Bylaw**

1.3.1 This bylaw implements the purposes particularised in section 1.2.1 including by providing for the:

- a) assessment, acceptance or refusal of applications for, or for reviewing existing, long-term, intermittent, temporary or any discharge of trade wastes to Waitomo District Council sewerage systems;
- b) establishment of five classes of trade waste discharges: Exempted, Permitted, Conditional, Controlled and Prohibited;
- c) provision for Trade Waste Agreements for acceptance, management, control and charging of trade waste discharges from significant or unique industries;
- d) evaluation of individual trade waste discharges against specified criteria;
- e) correct storage of materials in order to protect the sewerage systems from spillage;
- f) installation of flow meters, samplers or other devices to measure flow and

quality of the trade waste discharge;

- g) pre-treatment of waste before it is accepted for discharge to the Sewerage System;
- h) sampling and monitoring of trade waste discharges to ensure compliance with the bylaw,
- i) measures to protect against damage to the capacity or performance of WDC's sewerage reticulation, treatment plant and disposal infrastructure, the health and safety of WDCs workers or contractors engaged on operating, maintaining, replacing or upgrading WDC's wastewater, and the environment from harmful effects from trade waste discharges, including termination of trade waste discharge consent;
- j) inspection of points on a property from where trade waste is or could be discharged;
- k) charges to be set to cover the cost of conveying, treating and disposing of or reusing, trade wastes, including charges set by agreement to incentivise pre-treatment or the reduction of trade wastes discharged from a particular trade premises, and the associated costs of administration and monitoring;
- l) administrative mechanisms for the operation of the bylaw; and
- m) establishment of waste minimisation and management programmes (including sludge management) for trade waste producers.

#### 1.3.2 Compliance with other relevant legislation or regulation

Nothing in this bylaw shall derogate from any of the provisions of the Health Act 1956, the Health and Safety at Work Act 2015, the Resource Management Act 1991, the Building Act 2004, the Hazardous Substances and New Organisms Act 1996 and its regulations or any other relevant statutory or regulatory requirements. In the event of any inconsistency between legislation, the more stringent requirement applies.

#### 1.3.3 Trade premises and other users to which the bylaw applies

This bylaw shall apply to all trade premises within the Waitomo District where wastes classified as trade wastes, as defined in this Bylaw, are discharged, or to be or likely to be discharged to the sewerage system operated by the Council or its agents. The Bylaw shall also apply to tankered wastes proposed to be discharged to the sewerage systems operated by WDC or its agents.

### 1.4 Referenced documents

All documents referenced in this Bylaw are listed in SCHEDULE 1F:  
Referenced **DOCUMENTS**

### 1.5 Definitions

For the purposes of this Bylaw the following definitions shall apply:

**ACCESS POINT** is a place where access may be made to a private drain for inspection (including sampling or measurement), cleaning or maintenance. The location of the access point shall be in accordance with the New Zealand Building Code.

**ANALYST** means an accredited testing laboratory approved in writing by an authorised officer for the purposes of sampling and testing wastewater in accordance with the requirements of this Bylaw.

**APPROVAL** or **APPROVED** means approval or approved in writing by the Council, either by resolution of the Council or by an Authorised Officer.

**AUTHORISED OFFICER** means any officer appointed by the Council as an enforcement

officer under s.177 of the Local Government Act 2002 as an enforcement officer with powers of entry as prescribed by sections 171-174 or any officer authorised under section 174 of the Local Government Act 2002.

BIOSOLIDS means sewage sludge derived from a sewage treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land and does not include products derived solely from industrial wastewater treatment plants. The term biosolid/biosolids is used generically throughout this document to include products containing biosolids (e.g. composts).

CHARACTERISTIC means any of the physical or chemical characteristics of a trade waste and may include the amount or concentration of a characteristic.

CLEANER PRODUCTION means the implementation on trade premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes, including:

- a) using energy and resources efficiently, avoiding or reducing the amount of wastes produced;
- b) producing environmentally sound products and services.

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 solution or suspension.

CONDITIONAL TRADE WASTE DISCHARGE CONSENT means a ~~trade waste~~ consent granted by WDC for a trade waste discharge that complies with the characteristics and standards specified in Schedule 1B of this Bylaw and is subject to conditions imposed by WDC.

CONNECTION means the lawful and physical connection of a private drain to any WDC sewerage system.

CONSENT means a Consent in writing given by the Council and signed by an Authorised Officer authorising a person to discharge trade wastes to the sewerage system.

CONSENT HOLDER means the person who has obtained a consent to discharge or direct the manner of discharge of trade waste from any premises to a WDC sewerage system, and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.

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 –

- 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.

CONTINGENCY MANAGEMENT PROCEDURES means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants of concern into the sewerage system.

CONTROLLED TRADE WASTE DISCHARGE CONSENT means a consent granted by WDC for a trade waste discharge that complies with the characteristics and standards specified in Schedule 1C of this Bylaw and which contains high loads and/or volumes, is usually pre-treated, and is subject to control parameters and requires a high degree of monitoring.

COUNCIL means Waitomo District Council or WDC.

DISCONNECTION means the physical cutting and sealing of any of the Wastewater Authority's water services, utilities, drains or Sewer for use by any Person.

DISTRICT means the territorial authority area over which Waitomo District Council has jurisdiction, pursuant to the Order in Council giving effect to local government reorganisation in 1989.

DOMESTIC SEWAGE means foul water (with or without matter in solution or suspension therein) discharged from premises used solely for residential purposes, or wastes of the same character discharged from other premises; but does not include any solids, liquids, or gases that may not lawfully be discharged into the sewerage system and may include geothermal water.

EXEMPTED DISCHARGE means trade wastes that have been determined by Council not to require consent, subject to review conditions.

FOUL WATER means the discharge from any sanitary fixtures (any fixture which is intended to be used for sanitation – the term used to describe activities of washing and/or excretion carried out in a manner or condition such that the effect on health is minimised, with regard to dirt and infection) or sanitary appliance (an appliance which is intended to be used for sanitation which is not a sanitary fixture – included are machines for washing dishes and clothes).

HAZARDOUS WASTES mean hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996 (HSNO) and any amendments.

HEAVY Metals are metals of high atomic weight which in high concentrations can exert a toxic effect and may accumulate in the environment and the food chain including Mercury, Lead, Chromium, Arsenic, Nickel, Zinc, and Cadmium.

INFRINGEMENT OFFENCE means an offence specified as such in regulations made under section 259(1)(a) of the Local Government Act 2002.

LGA means the Local Government Act 2002

LIQUID WASTE CODE COMPLIANT OPERATOR means a licensed waste removal contractor who adheres to the WasteMINZ Liquid and Hazardous Waste Code of Practice 2012.

LONG TERM PLAN (LTP) means a long term plan adopted by WDC under s. 93 of the Local Government Act 2002 and any amendments.

MANAGEMENT PLAN means the plan for management of operations on the Premises from which trade wastes are discharged, and may include provision for cleaner production, waste minimisation, discharge, contingency management procedures, and any relevant industry code of practice.

MASS LIMIT means the total mass of any characteristic that may be discharged to a WDC sewerage system over any stated period from any single point of discharge or collectively from several points of discharge.

MAXIMUM CONCENTRATION means the instantaneous peak concentration of any characteristic that may be discharged at any instant in time.

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

NEW ZEALAND WASTE STRATEGY 2010 means the Government's long term priorities for waste management and minimisation.



OCCUPIER means the person occupying trade premises connected to the WDC sewerage system.

OFFENCE means an offence against this Bylaw.

PERMITTED TRADE WASTE DISCHARGE CONSENT means a consent granted by WDC for a trade waste discharge that WDC considers will have no significant effect on the relevant WDC wastewater system, processes or the environment, as measured and assessed by reference to the characteristics and standards specified in Schedule 1A of this Bylaw.

PERSON includes a corporation sole and also a body of persons whether incorporated or unincorporated, and includes the Crown.

POINT OF DISCHARGE is the boundary between the public sewer and a private Drain but for the purposes of monitoring, sampling and testing, shall be as designated in the trade waste discharge consent.

PREMISES has the same meaning as trade premises

PRE-TREATMENT means any processing of trade waste designed to reduce or vary any characteristic, volume or mass load of a trade waste before discharge to the WDC sewerage system in order to comply with a Trade Waste Consent.

PRIVATE DRAIN means that section of drain between the premises and the point of connection to WDC's sewerage system.

PROHIBITED TRADE WASTES means a trade waste that has prohibited characteristics as defined in Schedule 1D and does not meet the conditions of SCHEDULE 1A: Permitted discharge *CHARACTERISTICS*. The waste is not acceptable for discharge into the Council's system.

PROHIBITED CHARACTERISTICS means characteristics as defined in Schedule 1D

PUBLICLY NOTIFIED means published on at least one occasion in a newspaper circulating in the Waitomo district, or under emergency conditions, by the most practical means available at that time.

RECEIVING WATERS means coastal waters or any natural waters which will receive treated wastes.

SCHEDULE OF RATES AND CHARGES means the list of items, terms and prices for services associated with the collection, treatment and disposal of trade waste, as adopted and approved by the Council.

SEWAGE means foul water and may include trade wastes.

SEWAGE SLUDGE means the material settled out and removed from sewage during the treatment process.

SEWER means the pipework drainage system that conveys sewage.

SEWERAGE SYSTEM means the WDC infrastructure for the collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of trade wastes.

SIGNIFICANT INDUSTRY is a term to indicate the relative size and/or characteristics of the trade waste discharge from a given industry compared to the capacity of the sewerage system (including the wastewater treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the sewerage system. Loads can be conventional loadings of BOD<sub>5</sub> and SS or some other particular contaminant (e.g. boron, chromium) of a scale or type which will have a material effect, or the propensity to have a material effect, on the sizing or capacity of all or part of the

WDC sewerage system, the on-going system operation and/or the quality of the treated effluent that is discharged from the wastewater treatment plant.

STORMWATER means surface water run-off resulting from precipitation.

SURFACTANTS; Anionic surfactants that are the key active ingredient of detergents, soaps, emulsifiers, wetting agents and penetrants.

TANKERED WASTE is water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic sewage discharged directly from house buses, caravans, buses and 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 premises subject to an existing consent.

TERRITORIAL AUTHORITY (TA) means WDC.

TRADE PREMISES or PREMISES means:

- a) Any premises used or intended to be used for any industrial or trade purpose
- b) Any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials, including a special discharge, or for other waste management purposes, or used for composting organic materials
- c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process
- d) Any other premises discharging waste other than domestic sewage;

and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

TRADE WASTE is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the Council's sewerage system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing or cooling waters, stormwater, or domestic sewage which cannot be practically separated from the trade wastes.

TRADE WASTE AGREEMENT means an agreement entered into by a trade waste discharger with WDC pursuant to section 196(1)(a) of the Local Government Act 2002 providing for the discharge of trade wastes to WDC's wastewater system by agreement rather than by way of an Exempt, Permitted, Conditional or Controlled trade waste discharge consent under this Bylaw.

WASTEWATER means water that has been used and contains unwanted dissolved and and/or suspended substances from communities, including homes, businesses and industries.

WASTEWATER AUTHORITY means the division of WDC, including its authorised agents, responsible for the collection, treatment and disposal of sewage.

WDC means Waitomo District Council or Council.

WORKING DAY means any day of the week other than:

- a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day;
- b) A day in the period commencing with the 25<sup>th</sup> day of December in a year and ending with the 2<sup>nd</sup> day of January in the following year;
- c) If 1 January falls on a Friday, the following Monday; and

- d) If 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday.

## 1.6 Abbreviations

\$/kg	dollars per kilogram
\$/L/s	dollars per litre per second
\$/m <sup>3</sup>	dollars per cubic metre
°C	degrees Celsius
ANZECC	Australian New Zealand Environment and Conservation Council
B	boron
BOD <sub>5</sub>	biochemical oxygen demand
Br <sub>2</sub>	bromine
CBOD <sub>5</sub>	carbonaceous biochemical oxygen demand
Cl <sub>2</sub>	chlorine
CN	cyanide
COD	chemical oxygen demand
DAF	dissolved air floatation
DP	deposited plan
DRP	dissolved reactive phosphorous
DS	dry solids
E.coli	Escherichia coli
F	fluoride
FOGs	fats, oils and greases
g/m <sup>3</sup>	grams per cubic metre
GST	goods and services tax
H <sub>2</sub> S	hydrogen sulphide
HAHs	halogenated aromatic hydrocarbons
HCHO	formaldehyde
HCN	hydrogen cyanide
hr	hour
HSNO	Hazardous Substances and New Organisms Act
kg/day	kilogram per day
L	litre
L/s	litre per second
LGA	Local Government Act 2002
LTP	Long Term Plan
m <sup>3</sup>	cubic metre
max.	maximum
MBAS	methylene blue active substances
MfE	Ministry for the Environment
mg/L	milligram per litre
mL/L	millilitre per litre
mm	millimetres
MSDS	material safety data sheets
N	nitrogen
NH <sub>3</sub>	ammonia
NH <sub>3</sub> -N	ammoniacal nitrogen
P	phosphorus
PAHs	polycyclic (or polynuclear) aromatic hydrocarbons
PBBs	polybrominated biphenyls
PCBs	polychlorinated biphenyls
pH	measure of acidity/alkalinity
RMA	Resource Management Act 1991
s	second
s.	section
s. s	sections

SBR	sequencing batch reactor
SO4	sulphate
SS	suspended solids concentration
TA	territorial authority
TN	total nitrogen
TP	total phosphorous
TSS	total suspended solids
UV	ultra violet
UVT	ultra violet transmission (transmissivity)
WC	water closet
WWA	wastewater authority

## 2.0 COMPLIANCE WITH THE BYLAW

### 2.1 Control of Discharges

#### 2.1.1 No Person shall:

- a) Discharge, or allow to be discharged, any trade waste to a WDC sewerage system except in accordance with the provisions of this Bylaw, or in accordance with a Trade Waste Agreement entered into pursuant to s. 196(1)(a) of the LGA.
- b) Discharge, or allow to be discharged, a prohibited trade waste into a WDC sewerage system
- c) Add or permit the addition of condensing or cooling water to any trade waste which discharges into the sewerage system unless specific approval is given in a consent or in a Trade Waste Agreement.
- d) Add or permit the addition of stormwater to any trade waste which discharges into the sewerage system unless specific approval is given in a consent or a Trade Waste Agreement.

2.1.2 In the event of failure to comply with any part of subclause 2.1.1 (a) – (d), and it is considered necessary to respond appropriately to a situation that may be a nuisance or danger to public health, the Council may suspend the discharge and physically prevent discharge to the sewerage system if a reasonable alternative action cannot be established with the discharging party or parties.

### 2.2 Storage, Transport, Handling and Use of Hazardous or Harmful Materials

- a) All persons on trade premises shall take all reasonable steps to prevent the entry of any of the materials listed in 2.2(c) of this bylaw into the sewerage system as a result of leakage, spillage or other mishap.
- b) No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance as defined by HSNO or any of the materials listed in 2.2(c) so as to cause the material to enter Council's sewerage system.
- c) Materials referred to in 2.2(a) and (b) are those:
  - i) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials;
  - ii) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; and/or

- iii) Likely to be deleterious to the health and safety of the Council's staff, Approved contractors and the public or be harmful to the Sewerage System and or treatment processes.

## **3.0 TRADE WASTE DISCHARGES AND CONSENTS**

### **3.1 Classification of trade waste discharges**

3.1.1 Trade Waste discharges shall be classified as one of the following types:

- a) Exempted (no consent required, but subject to review)
- b) Permitted (consent required)
- c) Conditional (consent required);
- d) Controlled (consent required)
- e) Prohibited (not consentable)

(NOTE – See definition of each classification in clause 1.5.)

3.1.2 Separate from the consenting regime established by this Bylaw, the Council, instead of granting or refusing a trade waste consent, may agree with a trade waste discharger to enter into a Trade Waste Agreement pursuant to s.196(1)(a) of the LGA. For the avoidance of any doubt, such Trade Waste Agreement is not a consent under this Bylaw, but rather, is a consent by agreement pursuant to s.196(1)(a) of the LGA and/or WDC's general powers of competence.

### **3.2 Classification Criteria**

Trade waste discharge consents will be classified as under subclause 3.1.1 using, but not limited to, the following criteria:

- a) Exempted  
Exemption from requiring consent will be granted where the risk of discharge other than equivalent to domestic level discharge is deemed by Council as minimal with the condition that should the situation change in the view of Council the Exemption will be reviewed and a new application will be required for assessment at that time. In all events, a review of the exemption will be carried out by WDC every 5 years.
- b) Permitted Consent  
Permitted Consent will be granted where it is deemed by Council that the discharge will have no significant effect on the waste water system, processes and or the environment but monitoring is required for compliance purposes.
- c) Conditional Consent  
Conditional Consent will be granted where Council deems that devices (like grease traps, oil separators or other devices that mitigate effects) that need to be serviced regularly are required and monitoring is required for compliance purposes.
- d) Controlled Consent  
Controlled Consent will be considered where the discharge, including special discharges, contains high loads and/or volumes, is usually pre-treated and is granted subject to control parameters and a high degree of monitoring.

### **3.3 Acceptance of trade waste**

3.3.1 The Council is not obliged to accept any trade waste. No application for a trade waste

consent will be approved where the trade waste discharge would contain, or is likely to contain, characteristics which are prohibited, or may exceed or damage the residual capacity of the sewerage reticulation, or treatment plant, or effluent disposal system.

### **3.4 Discharge of trade waste**

- 3.4.1 No person shall discharge, or cause to be discharged, any trade waste to a Council sewerage system except in accordance with the provisions of this Bylaw or in accordance with a Trade Wastes Agreement.

### **3.5 Application for a trade waste consent**

- 3.5.1 Formal application

Every Person who does, proposes to, or is likely to do any of the following, must apply to the Council for a trade waste discharge consent:

- a) Discharge into a WDC sewerage system any trade waste (either continuously, intermittently or temporarily); or
- b) Vary the characteristics of a consent to discharge that has previously been granted; or
- c) Vary the conditions of a consent to discharge that has previously been granted; or
- d) Significantly change the method or means of pre-treatment for discharge under an existing consent, in which event, the Person shall if required by the Council complete an application on the prescribed form for the Consent of the Council (see Appendix B), to modify the discharge of that trade waste, or to apply for the proposed variations.

- 3.5.2 The Council reserves the right to require the owner as well as the occupier of any trade premises to be party to an application for a trade waste consent.

- 3.5.3 Where the trade premises produces trade waste from more than one area, a separate copy of the "Description of Trade Waste and Premises" (section 3 of Appendix B) shall be included in any application for a trade waste discharge consent for each area. This applies whether or not the separate areas are part of a single or separate trade process.

- 3.5.4 The applicant shall ensure that the application and every other document conveying required information is properly executed. Any act done for or on behalf of the eventual consent holder (whether for reward or not), in making any such application, shall be deemed to be an act of the consent holder.

- 3.5.5 The Council may require an application to be supported by an independent report/statement completed by a suitably experienced and qualified external peer reviewer to verify any or all information supplied by the applicant, and this may include a Management Plan.

- 3.5.6 Every application shall be accompanied by a trade waste application fee in accordance with the Council's Schedule of Rates and Charges.

### **3.6 Processing of an application**

- 3.6.1 The Council shall acknowledge the application in writing within 10 Working Days of the receipt of the application.

### **3.7 Information and analysis**

- 3.7.1 On the receipt of any application for a Trade Waste Consent to discharge from any premises or to alter an existing discharge, the Council may:

- a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;

- b) Require the applicant to submit a management plan to the satisfaction of the Council; and/or
- c) Whenever deemed necessary by WDC, have the discharge investigated and analysed as provided for in clause 15.3 of this Bylaw.

3.7.2 The Council shall notify the applicant of any requirement under this clause within 10 Working Days of receipt of the application.

### 3.8 Consideration of an application

Within 20 working days (or extended as necessary by the Council) of receipt of an application complying with this bylaw and/or all information required under clause 3.7, whichever is the later, the Council will, after considering the matters in clauses 3.5 and 3.7, action one of the following in writing:

- a) Exempt the application from the requirement to obtain trade waste discharge consent, subject to review conditions.
- b) Grant the application as a Permitted Trade Waste Discharge Consent and inform the applicant of the decision by issuing the appropriate notice of consent to discharge, subject to conditions;
- c) Grant the application as a Conditional Trade Waste Discharge Consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to discharge; or
- d) Grant the application as a Controlled Trade Waste Discharge Consent and inform the applicant of the decision and the conditions imposed on the discharge by issuing the appropriate notice of consent to discharge; or
- e) Invite the Applicant to enter into a Trade Waste Agreement in accordance with clause 3.1.2, setting out the agreed terms and conditions under which Council to receive, treat and dispose of the applicant's trade waste; or
- f) Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal.

### 3.9 Consideration criteria

In considering any application for a Trade Waste Discharge Consent to discharge from any trade premises or tankered waste into a WDC sewerage system, imposing conditions on such consent, or considering exempting or declining a consent application, the matters the Council will take into account include but are not limited to:

- a) The quality, volume, and rate of discharge of the trade waste from such trade premises or tanker;
- b) The health and safety of Council staff, Council's agents and the public;
- c) The limits and/or maximum values for Characteristics of Trade Waste as specified in Schedules 1A to 1D of this bylaw;
- d) The extent to which the trade waste may react with other trade waste or foul water to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Sewerage System etc;
- e) The flows and velocities in the sewer, or sewers and the material or construction of the sewer or sewers;
- f) The capacity of the WDC sewer or sewers and the capacity of any sewage treatment works, and other facilities;
- g) The nature of any sewage treatment process and the degree to which the trade waste is capable of being treated in the sewage treatment plant;
- h) The timing and balancing of flows into the sewerage system;
- i) The existence of 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);
- j) The effect of the trade waste discharge on the ultimate receiving environment;
  - k) The conditions on resource consents for the sewerage system and the residuals from it;
  - l) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the sewerage system and/or the environment;
  - m) Consideration for other existing or future discharges;
  - n) Amenability of the trade waste to pre-treatment;
  - o) Existing pre-treatment works on the premises and the potential for their future use;
  - p) Cleaner Production techniques and waste minimization practices;
  - q) Requirements and limitations related to sewage sludge disposal and reuse;
  - r) Control of stormwater from a trade waste premises;
  - s) The contents of , or need for, a trade wastes management plan; and
  - t) Tankered waste being discharged at an approved location(s).

### 3.10 Conditions of Trade Waste Consent

Any trade waste consent to discharge may be granted subject to such conditions that the Council may impose, including but not limited to:

- a) The particular WDC sewerage system to which the discharge will be made;
- b) The maximum daily volume of the discharge and 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 the classification under clause 3.2
- 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 or maintenance by, or for the consent holder, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- h) Provision of separate sewers to conduct trade and domestic wastewater separately to the Council wastewater system
- i) The provision and maintenance at the consent holder's expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- j) The provision and maintenance of a sampling, analysis and testing programme and flow measurement requirements, at the consent holder's expense;
- k) 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 compliance with the consented limits and the amount of any trade waste charges applicable to that discharge;
- l) The provision and maintenance by, and at the expense of, the consent holder of such meters or devices as may be required to measure the volume or flow rate of any trade waste being discharged from the trade premises, and for the testing and calibration of such meters;

- m) The provision and maintenance, at the consent holder's expense of such services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and other required devices;
- n) At times specified, the provision in a Council approved format by the consent holder to the Council of all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. sewage sludge disposal);
- o) The provision and implementation of a trade wastes management plan;
- p) Risk assessment of damage to the environment due to an accidental discharge of a chemical;
- q) Waste minimisation and management measures and financial incentives for achieving same;
- r) Cleaner production techniques;
- s) Remote control of discharges;
- t) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- u) Requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's sewerage system, or could result in the Council being in breach of any statutory obligation; and
- v) Remote monitoring of discharges.

### **3.11 Trade Waste Agreements**

- 3.11.1 The Council may at any time, pursuant to the power to do so under s.196 (1)(a) of the LGA, enter into a written agreement for the collection, treatment and disposal of trade wastes with a trade waste discharger. Any such agreement may be made in addition to or in place of an existing trade waste consent.
- 3.11.2 Every duly executed Trade Waste Agreement for the discharge and reception of trade waste between a trade wastes discharger and the Council existing at the date this Bylaw comes into force shall continue in force on the same terms and conditions until the expiry date of the agreement, or as amended or terminated as a consequence of any earlier review.
- 3.11.3 Where an existing trade waste agreement is silent as to its term, that agreement shall be terminable on six months' written notice by the Council and the trade waste discharger shall thereafter be required to apply for a trade waste consent in accordance with this Bylaw, and/or enter into a new Trade Waste Agreement.
- 3.11.4 Where, in the opinion of the Council, an existing trade waste agreement does not incorporate adequate sampling or monitoring or charging provisions, or the consent classifications under clause 3.2 of this Bylaw do not adequately reflect the unique aspects of a proposed trade waste discharge, including but not limited to pre-treatment criteria, monitoring, and charging, the Council may review the Agreement. The trade waste discharger shall comply with any such requirements within a reasonable timeframe as determined and notified by the Council.

### **3.12 Duration**

#### **3.12.1 Exempted and Permitted discharges**

Exempted discharges and Permitted Discharge Consents will remain in force for five (5) years or until either:

- a) Cancellation under 3.14; or
- b) Reviewed pursuant to Clause 3.13 including if (but not limited to):
  - i) The quantity and nature of the discharge changes significantly. For a temporary discharge see Appendix C;

- ii) If in the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a Conditional, Controlled or Prohibited Trade Waste;
- iii) The Council changes the trade waste management procedures by implementation of changed Trade Waste Bylaw conditions or any amendment to, or replacement of, its Trade Waste Bylaw; or
- iv) The conditions on resource consents for the WDC sewerage system and the residuals from it change.

In all cases, after appropriate consultation, the Person shall apply within 10 Working Days of this change occurring for an appropriate Consent, in accordance with Clause 3.5 of this Bylaw. This application shall be approved prior to the occurrence of any new discharge.

### 3.12.2 Conditional Trade Waste Consents

Conditional Trade Waste Consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- a) Conditional Trade Waste Consents may be given for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
  - i) The nature of the trade activity, or the process design and/or management of the Premises are such that the Consent Holder has a demonstrated ability to meet the conditions of the Consent during its term; and/or
  - ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner Production equipment or techniques is being made; and/or
  - iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
  - iv) The reissuing of a consent cannot be unreasonably withheld.
- b) Notwithstanding subclause a) above, the Council retains the right to review the conditions at an earlier time by reason of changed circumstances. The reasons for such an earlier review could include:
  - i) The level of consent holder compliance, including any accidents including spills or process mishaps.
  - ii) Matters pertaining to the Council's resource consents for the relevant sewerage system.
  - iii) Matters pertaining to the Council's environmental policies and outcomes.
  - iv) New control and treatment technologies and processes.
  - v) Any of the matters outlined in clause 4 of this bylaw.
  - vi) Matters pertaining to the Council's legal obligations.
- c) In all other cases, the term of a Conditional Trade Waste Consent should not exceed two years;

### 3.12.3 Controlled Trade Waste Consents

Controlled Trade Waste Consents under this bylaw shall expire at the end of a term fixed by the Council subject to the following:

- a) Controlled Trade Waste Consents may be issued for a term not exceeding five years to a Consent Holder who at the time of application satisfies the Council that:
- i) The nature of the trade activity, or the process design and/or management of the Premises are such that the consent holder has a demonstrated track-record of consistently meeting the conditions of the consent during its term, including payment of monthly trade waste charges by the due date; and/or
  - ii) Cleaner production techniques are successfully being utilised, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
  - iii) Significant investment in pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
  - iv) The withholding of a new consent would be unreasonable; and/or
  - v) The nature of the discharge and/or the location of the specific premises warrants consideration as a Special Discharge.
- b) In all other cases the term of a Controlled Trade Waste Consent *shall not exceed three years*;
- c) Notwithstanding subclauses a) and b) above, the Council retains the right to review the conditions at an earlier time by reason of changed circumstances. The reasons for such an earlier review could include:
- i) The level of consent holder compliance, including any accidents including spills or process mishaps.
  - ii) Matters pertaining to the Council's resource consents for the sewerage system.
  - iii) Matters pertaining to the Council's environmental policies and outcomes.
  - iv) New control and treatment technologies and processes.
  - v) Any of the matters outlined in clause 4.0 of this bylaw.
  - vi) Matters pertaining to the Council's legal obligations, including the conditions on resource consents for the relevant WDC sewerage system change.
- d) In all cases where either the consent holder or the owner of the premises changes, or there is a change of use, a new application for a Controlled Trade Waste Consent shall be made. It shall be the responsibility of the consent holder to lodge the new application; and

### **3.13 Review and/or variation occasioned by changed circumstances**

3.13.1 This section applies to any situation under this Bylaw providing for review.

3.13.2 In the event that the circumstances and/or effects of any trade waste discharge and/or consent materially change from those that existed at the date of the granting of the consent, then either or both of the Council and/or the consent holder may give written notice to the other of its intention to review the consent and/or its terms and conditions.

3.13.3 Without limiting the generality of clause 3.13.2, a review may be undertaken for any of the following purposes:

- i) To achieve and/or promote any of the Purposes of this Bylaw as specified in clause 1.2;
- ii) To review the effectiveness of the terms and conditions of the trade waste consent in avoiding or mitigating any adverse effects on the council's wastewater

infrastructure, including on its wastewater treatment plants, and/or on the environment, arising from exercise of the consent;

- iii) To review the effectiveness and/or continued appropriateness of the terms and conditions of the consent to ensure continued compliance by the Council with any requirements and/or obligations imposed by law and specifically, with resource consents held by the Council for the operation and discharge from the Council's wastewater infrastructure including its wastewater reticulation, and its wastewater treatment plants;
- iv) To review the adequacy of and/or the necessity for monitoring and/or testing required of and/or undertaken by the Consent Holder, specifically its frequency, methods, record keeping and reporting;
- v) If necessary and appropriate, to require the Consent Holder to adapt its operations in order to appropriately respond to the changed circumstances that have arisen.

3.13.4 For the avoidance of any doubt, the Council, on any review undertaken pursuant to this clause 3.13, may cancel and/or amend and/or add to any terms and conditions of any consent which is the subject of the review, and the consent holder shall comply with and observe those cancelled/amended/added terms and conditions from the date the review decision is issued by the Council or from such later date as the review decision specifies.

3.13.5 Any notice of intention to review given pursuant to clause 3.13.2 shall be deemed to be, and will be processed by the Council as, an application by the Consent Holder for a new consent, and:

- i) the Consent Holder shall at its expense provide the Council with such information and reports as the Council might reasonably require for the purposes of the review;
- ii) the Council will otherwise follow for the review the same processes as it would have if the review were a new application for a consent;
- iii) to the extent that the changed circumstances reasonably require, the Council will consult with the Consent Holder with respect to any proposed amendments and/or conditions or deletions to the terms and conditions of the consent that the Council considers might be required or are appropriate to respond to the changed circumstances;
- iv) The costs associated with the review may be recovered from the Consent Holder as if the review were an application for a new consent.

3.13.6 A Consent Holder may at any time during the term of a Consent, by written application to the Council, seek to vary any condition of Consent, as provided for in clause 3.5.1 of this bylaw.

### **3.14 Cancellation of the right to discharge**

3.14.1 Suspension, cancellation or reduction of discharge on notice

The Council may suspend, or cancel or reduce the amount to be discharged to the Council sewerage system under any consent or right to discharge at any time following 20 working days' (during which consultation has occurred) notice to the consent holder or person discharging any trade waste for any of (but not limited to) the following reasons:

- a) Failure to comply with any condition of the consent;
- b) Failure to maintain effective control over the trade waste discharge;
- c) Failure to limit in accordance with the requirements of the consent the volume, nature, or composition of Trade Waste being discharged;
- d) In the event of any negligence which, in the opinion of the Council, threatens

the safety of, or threatens to cause damage to any part of the sewerage reticulation system or the treatment plant or threatens the health or safety of any person;

- e) If any occurrence happens that, in the opinion of the Council, poses a serious threat to the environment;
- f) In the event of any breach of a resource consent held by the Council for the operation of the sewerage system issued under the Resource Management Act 1991 and any amendments;
- g) For failure to provide and when appropriate update a management plan as required for a consent;
- h) For failure to follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- i) Failure to pay any charges due under this bylaw;
- j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge
- k) If in the opinion of the Council the continuance of the discharge requires or would require any identified additional treatment measures or costs to comply with or avoid a breach of any resource consent held by the Council for the operation of the Council sewerage system.

If process changes required by the consent holder or occupier to comply with any of the above matters will take more than 20 working days to implement, reasonable time may be given by WDC to comply with the consent conditions.

#### 3.14.2 Summary cancellation

Further to subclause 3.14.1, any trade waste consent to discharge may at any time be summarily cancelled by the Council on giving to the Consent Holder, or person discharging, written notice of summary cancellation if (but not limited to):

- a) The discharge contains any prohibited substance;
- b) The Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
- c) The discharge is carried out unlawfully;
- d) The continuance of discharge is, in the opinion of the Council, a threat to the environment or public health;
- e) The continuance of the trade waste discharge may, in the opinion of the Council, result in a breach of a resource consent held by the Council for the operation of the sewerage system; or

### 3.15 No transfer or assignment or change of use

3.15.1 Any trade waste discharge consent granted pursuant to this Bylaw, or any trade waste agreement entered into pursuant to s.196(1)(a) of the LGA shall be personal to the trade waste discharger and shall not be assignable or transferable without the prior written approval of the Council.

3.15.2 A change of use of trade premises to which a trade waste consent has been granted shall be deemed a transfer. In that event, the existing consent shall terminate and a new consent for the new use (if it involves a trade waste discharge) is required and shall be applied for.

## 4.0 TRADE WASTE APPROVAL CRITERIA

### 4.1 Pre-Treatment

- 4.1.1 The Council may approve a trade waste discharge (see Appendix B for appropriate form) subject to the provision of appropriate pre-treatment systems to enable the person discharging to comply with the bylaw. Such pre-treatment systems shall be provided, operated and maintained by the person discharging at their expense.
- 4.1.2 Refuse or garbage grinders and macerators shall not be used to dispose of solid waste from trade premises to the Council sewerage system unless approved by the Council.
- 4.1.3 The person discharging shall not, unless approved by the Council, add or permit the addition of any potable, condensing, cooling water or stormwater to any trade waste stream in order to vary the level of any characteristics of the waste.

### 4.2 Mass Limits

- 4.2.1 A Conditional or Controlled Trade Waste Consent to discharge may impose controls on a trade waste discharge by specifying mass, volume or concentration limits for any characteristic.
- 4.2.2 Any characteristic controlled by mass limit shall also have its maximum concentration limited to the value scheduled unless approved otherwise.
- 4.2.3 When setting mass limit allocations for a particular characteristic that can be made available for trade waste discharges, the Council will consider:
  - a) The operational requirements of and risk to the capacity and capability of the sewerage 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 planned or actual beneficial reuse of biosolids or sewage sludge;
  - c) Conditions in the sewerage system near the trade waste discharge point and elsewhere in the sewerage system;
  - d) The extent to which the available industrial capacity of the Council sewerage system was used in the last financial period and is expected to be used in the forthcoming period;
  - e) Whether or not the applicant uses or plans to use Cleaner Production techniques within a period satisfactory to the Council;
  - f) Whether or not there is any nett benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
  - g) Resource consent requirements of the Waikato Regional Council or WDC to manage or reduce the effects of pollutant discharge from the sewerage system;
  - h) The proportional mass load of a characteristic of the trade waste discharge to the total mass load of that characteristic in the sewerage system;
  - i) The total mass load of the characteristic that can be accepted at the WDC sewerage system, and the proportion (if any) to be reserved for emergencies and future allocations;
  - j) The extent to which the available industrial capacity of the WDC sewerage system is being used and is expected to be used in the forthcoming year;
  - k) Whether or not there is an interaction with another characteristic(s) which increases or decreases the effect of either characteristic(s) on the sewerage reticulation, treatment process, or receiving land or water

## **5.0 SAMPLING, TESTING AND MONITORING**

### **5.1 Flow Metering**

- 5.1.1 Flow metering may be required by the Council in any of the following circumstances:
- a) On discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste.
  - b) When the Council will not approve a method of flow estimation.
  - c) When the discharge represents a significant proportion of the total flow/load received by the Council.
  - d) Otherwise determines that flow metering is necessary.
- 5.1.2 The consent holder shall be responsible for, and all costs associated with, the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of trade wastes. These devices shall be subject to the approval of the Council, but shall remain the property of the Consent Holder. Where Council owns the equipment and provides the service, the consent holder shall be responsible for the cost thereof.
- 5.1.3 Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the consent holder in a format approved by the Council.
- 5.1.4 Meters shall be located in a position approved by the Council which provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters shall be located in the correct position according to the manufacturer's installation instructions.
- 5.1.5 The consent holder shall arrange for *in situ* calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance. The meter accuracy should be within  $\pm 10\%$  but with no greater deviation from the previous meter calibration of  $\pm 5\%$ . A copy of independent certification of each calibration result shall be submitted to the Council.
- 5.1.6 Should any meter, after being calibrated, be found to have an error greater than that specified in 5.1.5 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

### **5.2 Estimating discharge**

- 5.2.1 Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.
- 5.2.2 Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the discharge for the period since the previous reading of such meter, (based on the average of the previous 12 months charged to the person discharging) and they shall pay according to such estimate. Provided that when by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, then the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

- 5.2.3 Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided above.

### **5.3 Sampling and analysis**

- 5.3.1 As determined by the Council sampling, testing and monitoring may be undertaken to determine if:

- a) A discharge complies with the provisions of this Bylaw
- b) The characteristics of a discharge are consistent with application details and any controls that may be required to manage the discharge
- c) A discharge is to be classified as a Permitted, Conditional, Controlled or Prohibited, (refer to clause 3.1)
- d) A discharge complies with the provisions of relevant Schedule 1A – 1D for a specific discharge and any consent to discharge
- e) Trade waste consent charges are applicable to that discharge.

- 5.3.2 The taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of the Council, or the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council. The person discharging shall be responsible for all reasonable costs of sampling, analysis and reporting. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

- 5.3.3 All authorised officers or authorised agents of the Council, or any analyst may enter any trade premises believed to be discharging trade waste at any time in order to determine any characteristics of any actual or potential discharge by:

- a) Taking readings and measurements;
- b) Carrying out inspections;
- c) Taking samples for testing,

of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.

- 5.3.4 Authorisation for entry to trade premises will be as provided in the Local Government Act 2002 and entry shall be in compliance with the health and safety policies of that particular site.

### **5.4 Monitoring**

- 5.4.1 Monitoring for compliance.

The Council is entitled to monitor and audit any trade waste discharge for compliance. Whether for a Permitted Discharge or a Conditional or Controlled Consent discharge, monitoring may be carried out as follows:

- a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- b) The sampling procedure will be appropriate to the trade waste and the analysis;
- c) The Council will audit the sampling and analysis carried out by a self-monitoring trade waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- d) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and

- e) The Council will audit the trade waste consent conditions including any management plans.

At the discretion of Council, all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

#### 5.4.2 Sampling methodology

Normally a single grab or composite sample is sufficient. If required the grab or composite sample can be split equally into three as follows:

- a) One portion of the sample goes to the Trade Waste discharger for appropriate analysis and/or storage;
- b) A second portion of the sample shall be analysed at a laboratory Approved by the Council;
- c) A third portion of the sample is retained by the Council for 20 Working Days, for additional analysis if required.

Due consideration will be applied to any changes that could occur in retained Trade waste samples and provisions to mitigate against changes will be adopted where practicable.

In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

#### 5.4.3 Tankered wastes

Tankered wastes not compliant with the WasteMINZ Liquid and Hazardous Wastes Code of Practice 2012 shall not be discharged into the Council's sewerage systems by any person under any circumstances.

Tankered wastes of whatever characteristics shall otherwise not be discharged into the Council's sewerage systems without a trade wastes discharge consent first having been obtained.

The Council may accept tankered wastes for discharge at an approved location subject to conditions. Tankered waste contractors/operators shall:

- a) Hold a consent to discharge domestic septic tank or industrial wastes;
- b) Provide appropriate written information to the Council detailing the contents of a tankered waste for assessment prior to disposal approval;
- c) Be tested to determine their characteristics if the contents of the waste are not known. Specialist advice on pre-treatment prior to acceptance may be required. The cost of all testing and advice shall be borne by the consent holder/applicant;
- d) Not collect and transport trade waste to the disposal site until the application has been assessed and approved by the Council and appropriate arrangements and method for disposal have been determined by the Council;
- e) To prevent cross-contamination between tanker loads, the tanker shall be thoroughly washed prior to collecting a new load for disposal into the Council sewerage system; and
- f) Provide a minimum of 24 hours notice for the disposal of waste types other than those sourced from domestic septic tanks unless there is a standing arrangement with Council for disposal of that particular waste type.

Any person illegally disposing of, or causing to be disposed, tankered waste either by

incorrect disclosure of contents (characteristics and/or amount) or dumping into a Council sewerage systems other than at the prescribed location, will be in breach of the bylaw.

#### 5.4.4 Disinfected/super chlorinated water

Any water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the sewerage system. Application for a Temporary Discharge Consent shall be made. Such water shall not be disposed of to stormwater or adjacent water courses without appropriate approvals from Waikato Regional Council.

## **6.0 BYLAW ADMINISTRATION**

### **6.1 Review of decisions**

If any consent holder is dissatisfied with any decision by an authorised officer made under this bylaw, that consent holder may, by notice delivered to the Chief Executive Officer of the Council not later than 20 Working Days after the decision by the authorised officer is served upon that person, request the Chief Executive Officer to review any such decision and such a decision shall be final.

Nothing in this clause shall affect any right of appeal under the Local Government Act 2002.

### **6.2 Accidents and non-compliance**

The consent holder shall inform the Council immediately on discovery of any accident including spills or process mishaps that may cause a breach of this bylaw.

In the event of an accident occurring on the trade premises of a Permitted Discharge, the Council may require the consent holder to apply for a Conditional Consent.

In the event of any accident occurring when the consent holder holds a Conditional Consent, then the Council may review the consent under subclause 3.12.2 or may require the consent holder to review its contingency procedures and re-submit to Council for approval its revised trade waste management plan, or may require the consent holder to apply for a Controlled Trade Waste Discharge Consent, within 20 working days of the date such requirement is notified to the consent holder in writing.

In the event of any accident occurring when the consent holder holds a Controlled Trade Waste Discharge Consent then the Council may review the consent under subclause 3.12.3 or may require the consent holder, within 20 Working Days of the date such requirement is notified to the consent holder in writing, to review its contingency procedures and re-submit to Council for approval its revised trade wastes management plan. In addition, it shall pay such cost and or penalties as provided for in the trade waste discharge consent.

### **6.3 Charges and payments**

#### 6.3.1 Charges

The Council may recover costs in accordance with the Local Government Act 2002, in particular s.12 and s.150, and the Local Government (Rating) Act 2002. Schedule 1E outlines a regime of possible trade waste discharge charge categories, together with full cost recovery formulae and or method of calculation.

#### 6.3.2 Invoicing

All charges determined in accordance with 6.3.1 shall be invoiced in accordance with Council's standard commercial practice. The invoice shall provide the consent holder with copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a discharge.

### 6.3.3 Cease to discharge

The person discharging shall be deemed to be continuing the discharge of trade waste and shall be liable for all charges, until Notice of Disconnection is given.

### 6.3.4 Failure to pay

All charges payable under this bylaw shall be recoverable as a debt. If the person discharging fails to pay any charges under this bylaw the Council may cancel the right to discharge in accordance with clause 3.14.

### 6.3.5 Recovery of costs

The Council may recover costs under the Local Government Act 2002 as follows:

- The associated costs of owning and providing sewerage assets, goods, services and amenities for managing, conveying, treating and disposing of trade wastes, in accordance with s.150(6) of the LGA.
- The costs of processing, inspecting and administering trade waste matters provided for in this Bylaw, in accordance with s.150(1) of the LGA.
- The costs of wilful damage or negligent behaviour, in accordance with s. 175 of the LGA.
- The costs of remedying damage arising from breach of this Bylaw and/or any associated operational discharge resource consent, in accordance with s. 176 of the LGA.

### 6.3.6 Trade Waste Agreements

Where an applicant seeks to discharge a significant or unique trade waste to a WDC sewerage system, a trade waste agreement may be entered into (see clause 3.11). The method of charging may vary, by agreement, from that for a standard Controlled Trade Waste Discharge Consent to take account of:

- The significant and specific nature and/or scale of the trade premises;
- The level of pre-treatment investment and/or capital contribution required by the trade premises to reduce the impact of the load and/or volume of its trade waste discharge on the WDC sewerage system;
- Financial mechanisms agreed to incentivise the trade premises to consistently achieve a high quality trade wastes discharge and compliant with the agreed parameters, and the risks attaching to potential breaches carried by the trade premises;
- The need for certainty for the trade premises to maintain production commitments without interruptions due to non-compliance and the value of buffer capacity at the wastewater treatment plant attaching to that;

## 6.4 Authorised officers

All authorised officers of the Council, or other persons authorised under s. 174 or s. 177 or paragraph 32 of schedule 7 of the Local Government Act 2002, shall possess and produce on request warrants of authority and evidence of identity.

Any authorised officers may at any reasonable time enter any premises believed to be discharging trade wastes to determine any characteristic of any discharge by:

- a) Taking readings and measurements; and/or
- b) Taking samples or any solids, liquids or gaseous material or any combination or mixtures of such materials being discharged; and/or
- c) Observing accidental occurrences and clean-up.

The extent and level of delegation to authorised officers will be in accordance with the

Council's Register of Statutory Delegations and Warrants.

Authorisation for entry to premises is given under the Local Government Act 2002. Entry shall be in compliance with the health and safety policies of that particular site.

## **6.5 Transfer or termination of rights and responsibilities**

6.5.1 A trade waste discharge consent will be issued in the name of the given consent holder. The consent holder shall not, unless prior written approval is obtained from the Council:

- a) Transfer to any other party the rights and responsibilities provided for under this bylaw, or under the consent;
- b) Allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
- c) In particular and not in limitation of the above, allow sewage from any other party to be discharged at their point of discharge.

NOTE – This clause does not relate to Exempt Discharges.

6.5.2 Renewal of a trade waste discharge consent on expiry or change of ownership of premises is not automatic. Council shall be given prior notification in writing of the date of change of ownership. Continuation of the associated trade waste discharge consent shall not be unreasonably withheld if the characteristics of the discharge remain unchanged.

NOTE – This clause does not relate to Exempt Discharges.

6.5.3 The consent holder shall give 48 hours prior notice in writing to the Council of its requirement for disconnection of the discharge connection and/or termination of the discharge consent, except where demolition or relaying of the discharge drain is required, in which case prior notice shall be given within seven working days. The consent holder shall notify the Council of the new address details for final invoicing.

On permanent disconnection and/or termination, the consent holder may at the Council's discretion be liable for trade waste charges to the end of the current charging period.

6.5.4 When a consent holder discharging ceases to occupy premises from which trade wastes are discharged into the Council sewerage system, any relevant trade waste discharge consent shall terminate, but without relieving the consent holder from any obligations existing at the date of termination.

## **6.6 Service of documents**

6.6.1 Delivery or post

Any notice or other document required to be given, served or delivered under this bylaw to a consent holder may (in addition to any other method permitted by law) be given or served or delivered by being:

- a) Sent by pre-paid ordinary mail, courier, facsimile or email to the consent holder discharging at the Consent Holders' last known place of residence or business;
- b) Sent by pre-paid ordinary mail, courier, or facsimile, or email to the consent holder discharging at any address for service specified in a consent to discharge;
- c) Where the consent holder discharging is a body corporate, sent by pre-paid ordinary mail, courier, or facsimile, or email to, or left at its registered office; or
- d) Personally served on the Consent Holder discharging.

6.6.2 Service

If any notice or other document is:

- a) Sent by post it will be deemed received on the second working day after posting;
- b) Sent by facsimile or email and the sender's facsimile or email machine produces a transmission report indicating that the facsimile or email was sent to the addressee, the report will be prima facie evidence that the facsimile or email was received by the addressee in a legible form at the time indicated on that report; or
- c) Sent by courier and the courier obtains a receipt or records delivery on a courier run sheet, the receipt or record of delivery on a courier run sheet will be prima facie evidence that the communication was received by the addressee at the time indicated on the receipt or courier run sheet, or left at a conspicuous place at the trade premises, or is handed to a designated person(s) nominated by the consent holder then that shall be deemed to be service on, or delivery to, the consent holder at that time.

NOTE – It should be verified that notice has been served on the correct person.

6.6.3 Signature

Any notice or document to be given, served or delivered shall be signed by an authorised officer.

6.7 Offences

Every person or consent holder or owner or occupier of trade premises who:

- a) fails to comply with or acts in contravention of any provision of this Bylaw; or
- b) breaches the conditions of any consent to discharge trade wastes granted pursuant to this Bylaw; or
- c) fails to comply with a notice served under this Bylaw, or
- d) undertakes or permits or causes a prohibited discharge to occur.

either commits an offence under s. 239 of the Local Government Act 2002, and is liable on summary conviction to a fine as specified in s. 242 of the Local Government Act 2002 or, if the offence is an infringement offence, may be proceeded against under the Summary Proceedings Act 1957 or be served with an Infringement Notice under s. 245 of the Local Government Act 2002.

In all cases the Council may recover costs associated with damage to the Council sewerage system and/or breach of this bylaw in accordance with s. 175 and s. 176 of the Local Government Act 2002.

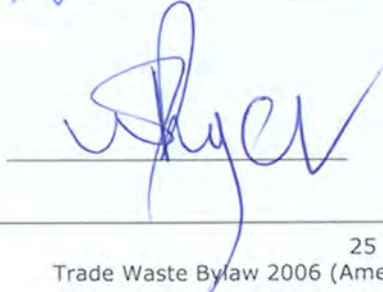
The COMMON SEAL of the WAITOMO DISTRICT COUNCIL was hereto affixed on 28<sup>th</sup> June 2016

in the presence of:

Mayor

  
\_\_\_\_\_

Chief Executive

  
\_\_\_\_\_



## **SCHEDULE 1A: PERMITTED DISCHARGE CHARACTERISTICS**

### **1A.1 INTRODUCTION**

1A.1.1 The nature and levels of the characteristics of any trade waste discharged to the Council sewerage system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.

NOTE - It is very important to refer to the guideline tables for background reasons for contaminant concentrations.

1A.1.2 The Council shall take into consideration the combined effects of trade waste discharges on the capacity and performance of the sewerage system and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

1A.1.3 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council, refer to 3.12 of the bylaw.

### **1A.2 PHYSICAL CHARACTERISTICS**

1A.2.1 Flow

- a) The 24 hour flow volume shall be less than 5 m<sup>3</sup>.
- b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

1A.2.2 Temperature

The temperature shall not exceed 40 °C.

1A.2.3 Solids

- a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- b) The suspended solids content of any trade waste shall have a Maximum Concentration which shall not exceed 500 g/m<sup>3</sup>. For Significant Industry this may be reduced to 300 g/m<sup>3</sup>.
- c) The settleable solids content of any trade waste shall not exceed 50 mL/L.
- d) The total dissolved solids concentration in any Trade Waste shall be subject to the Approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Sewage in the drainage system or treatment plant shall not be present.

1A.2.4 Oil and grease

- a) There shall be no free or floating layer of oil and grease.
- b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed **100** g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage, throughout the range of pH 6.0 to pH 10.0.

- c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.
- d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.

1A.2.5 Solvents and other organic liquids

There shall be no free layer (whether floating or settled) of solvents or organic liquids.

1A.2.6 Emulsions of paint, latex, adhesive, rubber, plastic

- a) Where such emulsions are not treatable these may be discharged into the Sewer subject to the total suspended solids not exceeding 500 g/m<sup>3</sup> or the concentration agreed with the Council.
- b) The Council may determine that the need exists for Pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the Council treatment plant e.g. reduces % UVT (ultra violet transmission).
- c) Such emulsions of both treatable and non-treatable types shall be discharged to the Sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public Sewer.

1A.2.7 Radioactivity

Radioactivity levels shall not exceed Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

1A.2.8 Colour

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 Sewage discharge Consent.

**1A.3 CHEMICAL CHARACTERISTICS**

1A.3.1 pH value

The pH shall be between 6.0 and 10.0 at all times.

1A.3.2 Organic strength

1A.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>) of any waste may require to be restricted where the capacity for receiving and treating BOD<sub>5</sub> is limited. A BOD<sub>5</sub> restriction may be related to Mass Limits.

Where there is no Council treatment system for organic removal the BOD<sub>5</sub> shall not exceed 500 g/m<sup>3</sup>.

NOTE - For biological process inhibiting compounds see table 5 in the Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste) Appendix A.

1A.3.3 Maximum concentrations

The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in Table 1A.1, Table 1A.2 and Table 1A.3.

**TABLE 1A.1 – GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed, refer to clause 4.2)

<b>Characteristic</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
MBAS (Methylene blue active substances)	500
<i>(Measures anionic surfactants)</i>	
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	100
Total phosphorus (as P)	20
Sulphate (measured as SO <sub>4</sub> )	500
Sulphite (measured as SO <sub>2</sub> )	15
Sulphide – as H <sub>2</sub> S on acidification	5
Chlorine (measured as Cl <sub>2</sub> )	
- free chlorine	3
- hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5
Tannin	15
Total Alkalinity	100

**TABLE 1A.2 – HEAVY METALS**

(Mass limits may be imposed, refer to clause 4.2)

<b>Metal</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>	<b>Daily Mass Limit (g/day)</b>
Antimony	1	2
Arsenic	1	2
Barium	10	15
Beryllium	0.005	0.01
Cadmium	0.3	0.9
Chromium	5	15
Cobalt	5	15
Copper	5	15
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	0.25	0.75
Silver	2	6
Thallium	1	2
Tin	5	15
Zinc	5	15

Notes:

- Concentration and mass limits adjusted from NZ Model Trade Waste Bylaw to be nearer the levels accepted in New South Wales Australia.
- Present sludge is suitable for soil conditioning but higher heavy metals will prevent that and land filling is then the only solution.

**TABLE 1A.3 – ORGANIC COMPOUNDS AND PESTICIDES**

(Mass limits may be imposed, refer to clause 4.2)

<b>Compound</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) Includes: insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

## SCHEDULE 1B: CONDITIONAL DISCHARGE CHARACTERISTICS

### 1B.1 INTRODUCTION

1B.1.1 The nature and levels of the characteristics of any trade waste discharged to a WDC sewerage system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.

NOTE – It is very important to refer to the Guideline tables for background reasons for Contaminant concentrations.

1B.1.2 The Council shall take into consideration the combined effects of trade waste discharges on the capacity and performance of the sewerage system and may make any modifications to the following acceptable characteristics for individual discharges the Council believes are appropriate.

1B.1.3 The nature and levels of any characteristic may be varied to meet any new resource Consents or other legal requirements imposed on the Council, refer to 3.9 of the bylaw.

### 1B.2 PHYSICAL CHARACTERISTICS

1B.2.1 Flow

- a) The 24 hour flow volume shall be less than 5 m<sup>3</sup>.
- b) The maximum instantaneous flow rate shall be less than 2.0 L/s.

1B.2.2 Temperature

The temperature shall not exceed 40 °C.

1B.2.3 Solids

- a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- b) The suspended solids content of any Trade Waste shall have a Maximum Concentration which shall not exceed **1000** g/m<sup>3</sup>. For Significant Industry this may be reduced to 600 g/m<sup>3</sup>.
- c) The settleable solids content of any Trade Waste shall not exceed 50 mL/L.
- d) The total dissolved solids concentration in any Trade Waste shall be subject to the Approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.
- e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Sewage in the drainage system or treatment plant shall not be present.

1B.2.4 Oil and grease

- a) There shall be no free or floating layer.
- b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage, throughout the range of pH 6.0 to pH 10.0.
- c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the

opinion of the Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.

- d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.

#### 1B.2.5 Solvents and other organic liquids

There shall be no free layer (whether floating or settled) of solvents or organic liquids.

#### 1B.2.6 Emulsions of paint, latex, adhesive, rubber, plastic

- a) Where such emulsions are not treatable these may be discharged into the Sewer subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> or the concentration agreed with the Council.
- b) The Council may determine that the need exists for Pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the Council treatment plant e.g. reduces % UVT (ultra violet transmission).
- c) Such emulsions of both treatable and non-treatable types shall be discharged to the Sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public Sewer.

#### 1B.2.7 Radioactivity

Radioactivity levels shall not exceed Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

#### 1B.2.8 Colour

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 Sewage discharge Consent.

### **1B.3 CHEMICAL CHARACTERISTICS**

#### 1B.3.1 pH value

The pH shall be between 6.0 and 10.0 at all times.

#### 1B.3.2 Organic strength

- 1B.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>) of any waste may be required to be restricted where the capacity for receiving and treating BOD<sub>5</sub> is limited. A BOD<sub>5</sub> restriction may be related to mass limits.

Where there is no Council treatment system for organic removal, the BOD<sub>5</sub> shall not exceed **1,000** g/m<sup>3</sup>. For Significant Industry this may be reduced to 600 g/m<sup>3</sup>.

NOTE – For biological process inhibiting compounds see Table 5 in the Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste) Appendix A.

#### 1B.3.3 Maximum concentrations

The maximum concentrations permissible for the chemical Characteristics of an acceptable discharge are set out in Table 1B.1, Table 1B.2, Table 1B.3 and Table 1B.4.

**TABLE 1B.1 – GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed, refer to clause 4.2)

Characteristic	Maximum concentration (g/m <sup>3</sup> )
MBAS (Methylene blue active substances)	500
(Measures anionic surfactants)	
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	100
Total phosphorus (as P)	20
Sulphate (measured as SO <sub>4</sub> )	500
	1500 (with good mixing)
Sulphite (measured as SO <sub>2</sub> )	15
Sulphide – as H <sub>2</sub> S on acidification	5
Chlorine (measured as Cl <sub>2</sub> )	
- free chlorine	3
- hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5
Tannin	15
Total Alkalinity	100

**TABLE 1B.2 – HEAVY METALS**

(Mass limits may be imposed, refer to clause 4.2)

<b>Metal</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>	<b>Daily Mass Limit (g/day)</b>
Antimony	1	2
Arsenic	1	2
Barium	10	15
Beryllium	0.005	0.01
Cadmium	0.3	0.9
Chromium	5	15
Cobalt	5	15
Copper	5	15
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	0.25	0.75
Silver	2	6
Thallium	1	2
Tin	5	15
Zinc	5	15

Concentration and Mass limits adjusted from NZ Model Trade Waste Bylaw to be nearer the levels accepted in New South Wales Australia.

Present sludge is suitable for soil conditioning but higher heavy metals will prevent that and land filling is then the only solution.

**TABLE 1B.3 – ORGANIC COMPOUNDS AND PESTICIDES**

(Mass limits may be imposed, refer to clause 4.2)

<b>Compound</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) Includes: insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

**TABLE 1B.4 – LIQUID PHARMACEUTICAL WASTES**

(Mass limits may be imposed, refer to clause 4.2)

<b>Volume Limit (Litres)</b>	<b>Active Concentration (mg/5ml)</b>
10	125
5	250
3	Above 250

## **SCHEDULE 1C: CONTROLLED DISCHARGE CHARACTERISTICS**

### **1C.1 INTRODUCTION**

1C.1.1 The nature and levels of the characteristics of any trade waste discharged to the Council system shall comply at all times with the following requirements, except where the nature and levels of such characteristics are varied by the Council as part of an approval to discharge a trade waste.

NOTE - It is very important to refer to the Guideline tables for background reasons for Contaminant concentrations.

1C.1.2 The Council shall take into consideration the combined effects of trade waste discharges and may make any modifications to the following acceptable Characteristics for individual discharges the Council believes are appropriate.

1C.1.3 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the Council, refer to 3.9 of this bylaw.

### **1C.2 PHYSICAL CHARACTERISTICS**

1C.2.1 Flow

a) The 24 hour maximum flow volume shall be measured in m<sup>3</sup>. The amount allocated will be at Council's discretion, or as agreed in individual trade waste consents or agreements for a Significant Industry.

b) The maximum instantaneous flow rate shall be less than 30.0 L/s.

1C.2.2 Temperature

The temperature shall not exceed 40 °C.

1C.2.3 Solids

a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.

b) The suspended solids content of any trade waste shall have a maximum concentration not greater than **2,000g/m<sup>3</sup>** unless otherwise agreed in writing by WDC. For a Significant Industry this maximum may be as agreed in an individual Trade Waste Agreement.

c) The settleable solids content of any Trade Waste shall not exceed 150g/m<sup>3</sup> or as set in individual Trade Waste Agreements.

d) The total dissolved solids concentration in any trade waste shall be subject to the approval of Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.

e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Sewage in the drainage system or treatment plant shall not be present.

1C.2.4 Oil and grease

a) There shall be no free or floating layer.

b) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted

by a factor of 10 by raw Sewage, throughout the range of pH 6.0 to pH 10.0.

- c) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.
- d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15 °C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.

#### 1C.2.5 Solvents and other organic liquids

There shall be no free layer (whether floating or settled) of solvents or organic liquids.

#### 1C.2.6 Emulsions of paint, latex, adhesive, rubber, plastic

- a) Where such emulsions are not treatable these may be discharged into the Sewer subject to the total suspended solids not exceeding 1000 g/m<sup>3</sup> for quantities not exceeding 5m<sup>3</sup> per day or the concentration agreed with the Council.
- b) The Council may determine that the need exists for Pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the Council treatment plant e.g. reduces % UVT (ultra violet transmission) to levels that interfere with disinfection efficiency.
- c) Such emulsions of both treatable and non-treatable types shall be discharged to the Sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public Sewer.

#### 1C.2.7 Radioactivity

Radioactivity levels shall not exceed Office of Radiation Safety Code of Practice CSP1 for the use of Unsealed Radioactive Material.

#### 1C.2.8 Colour

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 Sewage discharge Consent.

### 1C.3 CHEMICAL CHARACTERISTICS

#### 1C.3.1 pH value

The pH shall be between 6.0 and 10.0 at all times.

#### 1C.3.2 Organic strength

- 1C.3.2.1 The Biochemical Oxygen Demand (BOD<sub>5</sub>), Total Suspended Solids (TSS), Total Nitrogen (TN) and Total Phosphorous (TP) of any waste may be restricted where the capacity for receiving and treating these parameters are limited. There may also be a restriction related to Mass Limits of each of these parameters.

NOTE – For biological process inhibiting compounds see table 5 in the Guidelines for Sewerage Systems: Acceptance of Trade Wastes (industrial waste) Appendix E

#### 1C.3.3 Maximum concentrations

The Maximum Concentrations permissible for the chemical Characteristics of an acceptable discharge are set out in Table 1C.1, Table 1C.2 and Table 1C.3.

**TABLE 1C.1 – GENERAL CHEMICAL CHARACTERISTICS**

(Mass limits may be imposed, refer to clause 4.2)

Characteristic	Maximum concentration (g/m <sup>3</sup> )
MBAS (Methylene blue active substances)	500
(Measures anionic surfactants)	
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	360
Total phosphorus (as P)	50
Sulphate (measured as SO <sub>4</sub> )	500
Sulphite (measured as SO <sub>2</sub> )	15
Sulphide – as H <sub>2</sub> S on acidification	5
Chlorine (measured as Cl <sub>2</sub> )	
- free chlorine	3
- hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5
Tannin	15
Total Alkalinity	100

**TABLE 1C.2 – HEAVY METALS**

(Mass limits may be imposed, refer to clause 4.2)

<b>Metal</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>	<b>Daily Mass Limit (g/day)</b>
Antimony	1	2
Arsenic	1	2
Barium	10	15
Beryllium	0.005	0.01
Cadmium	0.3	0.9
Chromium	5	15
Cobalt	5	15
Copper	5	15
Lead	2	6
Manganese	10	30
Mercury	0.02	0.05
Molybdenum	10	30
Nickel	5	15
Selenium	0.25	0.75
Silver	2	6
Thallium	1	2
Tin	5	15
Zinc	5	15

**TABLE 1C.3 – ORGANIC COMPOUNDS AND PESTICIDES**

(Mass limits may be imposed, refer clause 4.2)

<b>Compound</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) Includes: insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

## **SCHEDULE 1D: PROHIBITED CHARACTERISTICS**

### **1D.1 INTRODUCTION**

This schedule defines Prohibited Trade Wastes.

### **1D.2 PROHIBITED CHARACTERISTICS**

1D.2.1 Any discharge has prohibited Characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:

- a) Interfere with the free flow of Sewage in the Sewerage System;
- b) Damage any part of the Sewerage System;
- c) In any way, directly or indirectly, cause the quality of the treated Sewage or residual Biosolids and other solids from any Sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
- d) Prejudice the occupational health and safety risks faced by sewerage 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 Sewage treatment plant to receiving waters to be coloured.

1D.2.2A Discharge has prohibited Characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1A unless specifically approved for that particular Consent.

1D.2.3A 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) Except as allowed for in Schedule 1A, liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents, calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
- c) Asbestos;
- d) The following organo-metal compounds:  
Tin (as tributyl and other organotin compounds);
- e) Any organochlorine pesticides, weedicides, fungicides, herbicides and substances of a similar nature and/or the waste arising from the preparation of these substances;
- f) Genetic wastes, as follows:  
All wastes that contain or are 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 Sewerage System by NZS 4304:2002 or any pathological or histological wastes; or

- h) Cytotoxic wastes
- i) Radioactivity levels in excess of the Office of Radiation Safety Code of Practice CSP12 Guidelines for the use of Unsealed Radioactive Material.
- j) Organic solvents and mineral oils.
- k) Natural or synthetic resins, plastic monomers, synthetic adhesives, rubber and plastic emulsions.
- l) Health

## SCHEDULE 1E: TRADE WASTE FEES AND CHARGES

The following states what the Council will consider to determine trade waste fees and charges under the provisions of this Bylaw.

**Trade waste fees for categories other than controlled trade waste discharges or trade waste agreements will be an annual charge determined annually and published in Council's corresponding Schedule of Fees and**

### A. ADMINISTRATIVE FEES AND CHARGES

Administrative trade waste fees and charges will be determined annually and published in Council's corresponding Schedule of Fees and Charges.

Category		Description
A1	Connection fee	Payable on application for connection to discharge
A2	Compliance monitoring	The cost of sampling and analysis of Trade Waste discharges
A3	Disconnection fee	Payable following a request for Disconnection from Sewerage System
A4	Trade Waste application fee	Payable on an application for a Trade Waste discharge
A5	Re-inspection fee	Payable for each re-inspection visit by the Council where a notice served under this bylaw has not been complied with by the Trade Waste discharger
A6	Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Sewerage System to meet specific treatment requirements
A7	Temporary Discharge fee	Payable prior to receipt of Temporary Discharge
A8	Annual Trade Waste charges	<p>An annual management fee for a Trade Waste discharge to cover the Council's costs associated with for example:</p> <p>(a) Administration;</p> <p>(b) General compliance monitoring;</p> <p>(c) General inspection of Trade Waste Premises;</p> <p>(d) Use of the Sewerage System.</p> <p>This charge may vary depending on the Trade Waste sector and category of the discharger.</p>
A9	New or Additional Trade	Pay the annual fees and a <i>pro rata</i> proportion of the various premises trade waste charges relative to flows and loads.

### B. OPERATIONAL TRADE WASTE CHARGES

Trade waste fees and charges calculated under this category relate to Exempt, Permitted, Conditional discharge consents and Tankered wastes.

Category		Description
B1	Exempted Consent	Annual Charge
B2	Permitted discharge consent	Annual Charge
B3	Conditional discharge consent	Annual Charge
B4	Tankered Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on Trade Waste category

### C. SPECIAL DISCHARGE

Where deemed applicable, Council may use the charging format for a Controlled Discharge to calculate a trade waste charge for a one-off or special discharge from a specific premises or industry or any special application for discharge of liquid waste.

### D. CONTROLLED DISCHARGES TRADE WASTE CHARGES

Charges for Controlled Trade Waste Discharges will be calculated based on the actual, proportional use of Council's sewerage systems.

Category		Description
B1	Volume	Payment based on the volume discharged $\$/m^3$
B2	Flow rate	Payment based on the flow rate discharged $\$/L/s$
B3	Suspended solids	Payment based on the mass of suspended solids $\$/kg$
B4	Organic loading	Carbonaceous Biochemical oxygen demand or chemical oxygen demand $\$/kg$
B5	Nitrogen	Payment based on the defined form(s) of nitrogen $\$/kg$
B6	Phosphorous	Payment based on the defined form(s) of phosphorous $\$/kg$
B7	Metals	Payment based on the defined form(s) of the metal(s) $\$/kg$
B8	Bacteria	Payment based on the bacteria concentration as represented by e.coli
B9	Transmissivity	Payment based on the inhibiting nature of the Trade Waste to UV light used by the Council's disinfection process
B10	Screenable solids	Payment based on the mass of screenable solids $\$/kg$
B11	Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$
B12	Depreciation	Cost related to renewal of infrastructure and spread across the categories, used to calculate the cost of treating waste water.
B13	Capital	Cost of whole sewer system infrastructure consisting of loan repayment, interest and related cost
B14	Direct charges	Cost of operating and maintaining the whole sewer system including meeting all legal, statutory and other obligations.

## Method of Calculation of Trade Waste Charges for Controlled Discharge Consents

The first principle of Trade Waste charges is full recovery of cost of loads discharged to the waste water system.

The following methodology is used to determine trade waste charges for Controlled Discharge Consents

1. Define the Gross Cost of Service (GCoS) (B12 – B14) as determined through the Annual Plan process each year
2. Calculate the total load and volume of those parameters (B1 to B11) that are actually monitored and received at the WWTP as determined using weekly composite sampling, at the same time as taking a composite sample at the receiving point from the discharger.
3. Using the above information, a cost is assigned to each parameter that is used by Council for trade waste charging purposes at any particular time to calculate Trade Waste charges, is determined (B1 to B11)
4. The total Load (B1 to B11) discharged by a trade waste discharger as determined using weekly or daily composite or similar sampling and or analysis.
5. The trade waste loads and volume-discharged over any monthly period in any year (1 July to 30 June) from the premises loads is multiplied by the rates as determined above to arrive at the actual monthly trade waste charge.

### Trade Waste Agreements

- The method of charging used for Trade Waste Agreements may vary, by agreement, from that for a Controlled Trade Waste Discharge Consent in accordance with clause 6.3.6.

### Process

Present process for calculation is;

1. For a significant industry, a rolling average of loads discharged to the system during the previous 12 months is used for trade waste charge calculation at any particular point in time.
2. In June of each year a forecast is made of the expected total cost of providing each wastewater service for the following financial year based on the 12 month average load of the current year, and any other cost forecast, to determine the GCoS for the next year.
3. Quarterly calculations (end September, December and March) are done to inform the trade waste contributors how they are tracking against the forecast.
4. Differences are shown on this quarterly statement and the account is finalised between the parties annually as it stand at 30 June of each year.

## **SCHEDULE 1F: REFERENCED DOCUMENTS**

The documents below refers to the latest version including all valid amendments:

- Local Government Act 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991
- Building Act 2004
- Health Act 1956
- Health and Safety at Work Act 2015
- Hazardous Substances and New Organisms Act 1996

## APPENDIX A: COMPOUNDS INHIBITING BIOLOGICAL PROCESSES

(In mg/L)

NI = No Inhibition at the nominated concentrations.  
- indicates that data is not available.

POLLUTANT	ACTIVATED SLUDGE	ANAEROBIC DIGESTION	NITRIFICATION
Acenaphthene	NI at 10	-	-
Acrolein	NI at 62	-	-
Acrylonitrile	NI at 152	5	-
Ammonia	480	1,500-3,000	-
Arsenic	0.04-0.4	0.1-1	-
Benzene	125	-	-
Benzidine	5	5	-
Boron	0.05-10	2	-
Cadmium	0.5-10	2	-
Calcium	2500	-	-
Carbon tetrachloride	NI at 10	2.9	-
Chlorobenzene	NI at 1	0.96	-
1,2,4-Trichlorobenzene	NI at 6	-	-
Hexachlorobenzene	5	-	-
1,2-Dichloroethane	NI at 258	1	-
1,1,1-Trichloroethane	NI at 10	-	-
Hexachloroethane	NI at 10	-	-
1,1-Dichloroethane	NI at 10	-	-
1,1,2-Trichloroethane	NI at 5	-	-
1,1,2,2-Tetrachloroethane	NI at 201	20	-
Bis-(2-chloroethyl) ether	NI at 10	-	-
2-Chloroethyl ether	NI at 10	-	-
2-Chloronaphthalene	NI at 10	-	-
2,4,6-Trichlorophenol	50	-	-
Para-chloro-meta-cresol	NI at 10	-	-
Chloroform	NI at 10	1	10
2-Chlorophenol	NI at 10	-	-
1,2-Dichlorobenzene	5	0.23	-
1,3-Dichlorobenzene	5	-	-
1,4-Dichlorobenzene	5	1.4	-
1,1-Dichloroethylene	NI at 10	-	-
1,2-trans-dichloroethylene	NI at 10	-	-
2,4-Dichlorophenol	NI at 75	-	-
1,2-Dichlorophenol	NI at 182	-	-
1,3-Dichloropropylene	NI at 10	-	-
2,4-Dimethylphenol	NI at 10	-	-
2,4-Dinitrotoluene	5	-	-
2,6-Dinitrotoluene	5	-	-
1,2-Diphenylhydrazine	5	-	-
Ethylbenzene	NI at 10	-	-
Fluoroanthene	NI at 5	-	-
Bis-(2-Chlorosopropyl)ether	NI at 10	-	-
Chloride	-	20,000	180
Chloromethane	NI at 180	3.3	-

POLLUTANT	ACTIVATED SLUDGE	ANAEROBIC DIGESTION	NITRIFICATION
Methylene chloride	-	100	-
Chloroform	NI at 10	-	-
Dichlorobromoethane	NI at 10	-	-
Trichlorofluoromethane	NI at 10	0.7	-
Chlorodibromomethane	NI at 10	-	-
Hexachlorocyclopentadiene	NI at 10	-	-
Chromium (Tot.)	0.1-20	1.5-50	0.25-1
Chromium (Hex.)	1	50	-
Copper	0.1-1	0.5-100	0.05-0.5
Iodine	10	-	-
Iron	5-500	5	-
Isophorone	NI at 15.4	-	-
Lead	0.1-10	50-250	0.5-1.7
Manganese	10	-	-
Magnesium	-	1,000	50
Mercury	0.1-5	1,400	2-12.5
Napthalene	500	-	-
Nickel	1-5	2-200	0.25-5
Nitrobenzene	500	-	-
2-Nitrophenol	NI at 10	-	-
4-Nitrophenol	NI at 10	-	-
2,4-Dinitrophenol	1	-	-
N-Nitrosodiphenylamine	NI at 10	-	-
N-Nitroso-di-N-propylamine	NI at 10	-	-
Pentachlorophenol	0.95	0.2	-
Phenol	200	-	4
Bis-(2-ethyl hexyl)phthalate	NI at 10	-	-
Butyl benzyl phthalate	NI at 10	-	-
Di-n-butyl phthalate	NI at 10	-	-
Di-N-octyl phthalate	NI at 16.3	-	-
Diethyl phthalate	NI at 10	-	-
Dimethyl phthalate	NI at 10	-	-
Chrysene	NI at 5	-	-
Acenaphthylene	NI at 10	-	-
Anthracene	500	-	-
Fluorene	NI at 10	-	-
Phenanthrene	500	-	-
Pyrene	NI at 5	-	-
Tetrachloroethylene	NI at 10	20	-
Toluene	NI at 35	-	-
Trichloroethylene	NI at 10	20	-
Aroclor-1242	NI at 1	-	-
Aroclor-1254	NI at 1	-	-
Aroclor-1221	NI at 1	-	-
Aroclor-1232	NI at 10	-	-
Aroclor-1016	NI at 1	-	-
Silver	0.03-5	-	0.25
Sodium	-	3,500	-
Sulphide	50	50-100	-
Tin	-	9	-
Vanadium	20	-	-
Zinc	0.3-20	1-10	0.01-1