

Integrated Three Waters Bylaw 2020

Queenstown Lakes District Council

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This Bylaw is adopted under section 146 of the Local Government Act 2002.

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Bylaw Structure

There are five parts to this Bylaw:

- Part A** Requirements Common to All Water Services
- Part B** Water Supply
- Part C** Stormwater
- Part D** Wastewater
- Part E** Trade Waste – which is discharged into Council’s wastewater network

The purpose of this Bylaw is to:

- a) Ensure the Council is able to meet the requirements and obligations of the Local Government Act 2002, the Resource Management Act 1999, the Health Act 1956, and related legislation.
- b) Recognise the status of water and its various uses as part of Aotearoa New Zealand's natural, built, social and cultural environment.
- c) Protect the water quality and ecology of the lakes and rivers.
- d) Integrate Water Stewardship into community and business culture in order to protect the environment and improve the use of water resources within our district to the benefit of nature and downstream communities.
- e) Consider the three waters - water supply, Stormwater and Wastewater, which includes Trade Waste - in an integrated and holistic manner that efficiently and effectively provides Water Services for the District in a manner sustainable for both Occupiers and the environment.
- f) Encourage the community and business to adopt efficient and sustainable use of water supplied from Council's water supplies.
- g) Encourage businesses and when appropriate all users of Council's water services to adopt Cleaner Production processes and appropriate innovative solutions so as to ensure Trade Waste, Wastewater and Stormwater discharges to Council's water systems are of a nature that can be adequately treated by the downstream processes, produce Biosolids of appropriate quality, and protect the receiving environment from harm.
- h) Ensure the protection, safety and health of Council personnel and the general public.
- i) Protect the Council's investments in existing and future water supply, Wastewater and Stormwater infrastructure, treatment plants and discharge facilities.
- j) Define the obligations of Occupiers and the public in relation to the Council's water supply, Wastewater and Stormwater Network.
- k) Regulate discharges, including Trade Waste, hazardous substances, Wastewater and Stormwater into the Wastewater and Stormwater Networks.
- l) Provides a system for an equitable share of the Water Services costs.
- m) Incorporate procedures that facilitate emergency and natural hazards management, and climate change mitigation and adaptation.
- n) Recognise Te Mana o Te Wai (the first right to water under the *National Policy Statement for Freshwater Management*) in freshwater management.

Part A– Requirements Common to all Water Services

A1. Title and Commencement

- A1.1** This Bylaw is the “Integrated Three Waters Bylaw 2020”.
- A1.2** This Bylaw is supported by an Administration Manual which provides material complementary to the Bylaw. This material is technical, administrative or operational.
- A1.3** The Administration Manual is made under the Bylaw and will guide the implementation and operation of the Bylaw. The Administration Manual will be updated from time to time, as necessary, to ensure that it is up to date and reflects current practice. This Administration Manual will simplify the administration of the Bylaw. This Bylaw comes into force on 01/07/2021.

A2. Revocation

- A2.1** The following Bylaws are revoked
- a) Queenstown Lakes District Council Water Supply Bylaw 2015
 - b) Queenstown Lakes District Council Trade Waste Bylaw 2014

A3. Area within which Bylaw applies

- A3.1** This Bylaw applies to those areas of the District which are serviced by the Water Services.

A4. Interpretation

- A4.1** The Interpretation Act 1999 applies to this Bylaw and the Administration Manual.
- A4.2** Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without any formality.

A5. Compliance with Other Acts and Regulations

- A5.1** This Bylaw is made under the authority of the Local Government Act 2002 for the provision of Waters Services to Customers by the Council.
- A5.2** Other Legislation, Standards, Regulations, Codes of Practice, and Council related documentation are included in the Administration Manual. All relevant legislation must be complied with.

A6. Parties required to comply with the Bylaw

This Bylaw applies to the following parties who have access to the Water Service:

- a) Occupiers connected to Council’s Water Supply System;
- b) Occupiers discharging to Council’s Stormwater Network;
- c) Occupiers discharging to Council’s Wastewater Network; and

- d) All Trade Premises discharging Trade Waste to Council's Wastewater Network.

A7. Scope of the Bylaw

The Water Services are core infrastructure installed, owned and managed by the Council. The Council's water supply, Stormwater and Wastewater Supply System across the District are made up of several discrete, unconnected networks. For ease of understanding this Bylaw describes these networks as singular.

The Network comprises:

- a) **The Water Supply System:** provides the supply of water on demand to the communities and businesses within the reticulation network;
- b) **The Stormwater Network:** provides for the collection, treatment (in some cases) and discharge of Stormwater to the environment; and
- c) **The Wastewater Network:** provides for the collection, treatment and discharge of Wastewater. Wastewater includes Domestic Sewage / Wastewater and the industrial Wastewater from Trade Premises. Industrial Wastewater is called Trade Waste.

The Council's Land Development and Subdivision Code of Practice sets out Water Supply, Stormwater, and Wastewater requirements that apply to this Bylaw and the Administration Manual.

A8. Delegation

- A8.1** Any of the various powers and functions of the Council as detailed and set out in this Bylaw, may be delegated by it, to its Chief Executive and sub-delegated by the Chief Executive to any such other officer or authorised agent of the Council.

A9. Definitions

In this Bylaw unless the context otherwise requires:

Access Point is a place where access may be made to a private Wastewater or Stormwater pipe for inspection (including sampling and measurement), cleaning or maintenance. The location of the access point must be in accordance with Council's Land Development and Subdivision Code of Practice, the New Zealand Building Code and as further defined in this Bylaw and the Administration Manual.

Acceptable Discharge means Wastewater and Stormwater with physical and chemical characteristics which comply with the requirements of the Council.

Administration Manual means the Administration Manual for this Bylaw as approved by Council and as amended from time to time by Council or delegated authority of the Council.

Approved or Approval means approved in writing by Council, either by resolution of Council or by any authorised officer of Council or other person authorised to give such approval on behalf of Council.

Approval Notice means an approval given by Council and signed by an Authorised Officer authorising a person to discharge Permitted Trade Waste to the Wastewater Network.

Authorised Officer means an employee, agent or contractor of Council, appointed by Council as an enforcement officer under section 171 of the Local Government Act 2002

Backflow means the unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system. There are two types of backflow: back pressure and back siphonage.

Biosolids means Sewage Sludge derived from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land. The term biosolids is used generically to include products containing biosolids (e.g. composts).

Building means any building within the meaning of Sections 8 and 9 of the Building Act 2004. A building also includes any mobile or temporary structures with permanent or temporary connections to the Council's water services.

Cleaner Production means the implementation of operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimise and manage discharges to the Council Water Services, by:

- i. using energy and resources efficiently, avoiding or reducing the amount of waste produced;
- ii. producing environmentally sound products and services.
- iii. Application of relevant innovative solutions

Condensing Water or Cooling Water means any water used in any trade or industry or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

Conditional Trade Waste means Trade Waste that does not comply with one or more of the physical and chemical characteristics set out in Schedule A of the Administration Manual and/or has a maximum volume of Trade Waste of more than 2000L/day, but which does not have any characteristics of Prohibited Trade Waste. Conditional Trade Waste Consents includes consents for Temporary Discharges.

Construction Debris this includes debris that may originate from all forms of construction and includes materials such as timber, building paper, gravel, sand, concrete, concrete slurry, board materials, cardboard and other packaging materials, metal strips and other materials.

Contaminant has the same meaning as defined in Section 2 of the Resource Management Act 1991

Consent means a consent in writing, given by the Council authorising an Occupier of Trade Premises to discharge Trade Waste to the Wastewater Services.

Consent holder means the Occupier who has obtained a Consent to discharge or direct the manner of discharge of Trade Waste and where appropriate stormwater discharges from any Premises to the Wastewater or Stormwater Network 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.

Controlled Trade Waste means a Trade Waste that complies with all the physical and chemical characteristics set out in Schedule A of the Administration Manual, after pre-treatment, and has a maximum volume of Trade Waste of no more than 2,000L/day.

Council means Queenstown Lakes District Council, or any officer or agent authorised to execute the authority of the Council.

Customer means a person who uses, or has obtained the right to use, or direct the manner of use of the Water Services provided by the Council.

Domestic Wastewater means either Wastewater that is typical of that discharged from Premises that are used solely for residential activities or Wastewater of the same character discharged from other Premises and includes the drainage from domestic swimming pools and spas.

Domestic Sewage means the same as Domestic Wastewater.

Discharge includes emit, deposit, and allow to escape on a continuous, intermittent or temporary basis.

District means the District of the Council.

Fees and Charges means the list of items, terms and prices for services associated with the Council's provision of Water Services as adopted by the Council in accordance with the Local Government Act 2002 and the Local Government (Rating) Act 2002 and as set out in this Bylaw and the Administration Manual.

Food Premises means premises from which a food business (as defined under section 10 of the Food Act 2014) operates.

Foul Water means the Wastewater discharge from any sanitary fixtures or sanitary appliance.

Hazardous Wastes means hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.

Hose means any flexible or moveable tube for conducting water and includes a water sprinkler, soaker or any form of similar water distributing device whether held by hand or not.

Infiltration means water entering a Public Sewer or private sewer from groundwater through defects such as poor joints and cracks in pipes or manholes. It does not include inflow.

Inflow means water discharged into a private sewer/wastewater pipe from non-complying connections or other drain laying faults. It includes Stormwater entering through illegal stormwater downpipe connections, illegal cross connections of stormwater pipes into wastewater pipes, or from low gully traps.

Level of Service means the measurable performance standards on which the Council undertakes to supply Water Services, stated in the Council's Ten Year Plan.

Management Plan means the plan for management of Trade Waste operations and in some cases Stormwater for the Premises from which Trade Waste is discharged and may include provision for Cleaner Production, waste minimisation, monitoring and recording of discharges, contingency management procedures, application of relevant innovative solutions and any relevant industry Code of Practice. In some situations, this plan also addresses the protection of Stormwater outflows from Contaminants and minimise or prevent Stormwater merging with Trade Waste.

Meter means a Council owned meter which measures and records the flow and/or volume of water supplied from the Water Supply.

Mobile Facility and Vendor Operations includes a vehicle, trailer, or caravan that may be used for food preparation and sale and a range of mobile activities such as commercial cleaning where liquid wastes are containerised and transported to discharge points in the Wastewater Network.

Nuisance means has the same meaning as section 29 of the Health Act 1956, and includes a person, thing, or circumstance causing distress or annoyance or unreasonable interference.

Occupier means any person who occupies any building or land connected to the Water Service and includes, where appropriate, employees and agents. If the building or land is not occupied, or is subject to a residential tenancy, means the owner.

On Demand Supply means a Council water 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.

Owner means any person who owns any building or land connected to the Water Service.

Permitted Trade Waste means a Trade Waste discharge that complies with all the physical and chemical characteristics set out in Schedule A, without the need for any pre-treatment, and does not exceed a maximum volume of trade waste of 2,000L/day (2 cubic metres/day).

Person includes a person, the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated.

Point of Discharge is the connection point between the Wastewater Network and a private sewer or the Stormwater Network and a private stormwater pipe.

Point of Supply for Water Services is the point at which the ownership of the Water Service passes to the Occupier.

Potable Water means water that does not contain or exhibit any determinants to any extent that exceed the maximum acceptable values specified in drinking water standards issued under the Health Act 1956.

Premises means either:

- i. 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
- ii. 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
- iii. land held in public ownership (e.g. reserve) for a particular purpose; or
- iv. individual units in buildings which are separately leased or separately occupied.

Pre-treatment means any processing of Trade Waste, as included in a Controlled or Conditional Trade Waste that is designed to reduce any detrimental characteristics in Wastewater, before discharge to the Wastewater Network. Pre-treatment in certain circumstances can also relate to Stormwater.

Private Sewer means that section of Sewer between the Occupier's Premises and the Point of Discharge through which Wastewater is conveyed from the Premises. This section of Sewer is owned and maintained by the Occupier or group of Occupiers.

Private Stormwater Drain means that section of stormwater drain between the Occupier's Premises and the Point of Discharge through which Stormwater is conveyed from the Premises. This section of the drain is owned and maintained by the Occupier or a group of Occupiers.

Prohibited Trade Waste means Trade Waste that has, or is likely to have, any of the physical and chemical characteristics as set out in Schedule B of the Administration Manual.

Public Notice means:

- i. A notice published in a newspaper circulating in the entire area likely to be affected by the matter to which the notice relates; and
- ii. May also include a notice published on the Council website; and/or a
- iii. Public Notice as defined in the Local Government Act 2002

Public Sewer means the public wastewater pipes and lateral connections that carry away Wastewater from the Point of Discharge

Registration means the process followed by all Trade Premises in providing information to Council regarding Wastewater and Stormwater discharges.

Restricted Flow Supply means a type of Council water supply connection where a small flow is supplied through a flow control device and storage is provided by the customer to cater for their specific demand fluctuations.

Restrictor means a flow control device fitted to the Service Pipe to limit the flow rate of water to an Occupier's Premises.

Rising Main means a pipe through which Wastewater, Stormwater or water supply is pumped.

Rural Water Supply Area means an area formally designated by the Council as an area serviced by a reticulated Water Supply System that is intended to supply water for specified purposes via Restricted Flow Supplies and/or On Demand Supplies but without a firefighting capability.

Sanitary Appliance means an appliance which is intended to be used for Sanitation including machines for washing dishes and clothes.

Sanitation means the activity of washing and/or excretion carried out in a manner or condition such that the effect on public health is minimised.

Service Pipe means the section of water pipe between a Water Main and Point of Supply

Service Valve (toby) means the valve at the customer end of the Service Pipe.

Sewage means Foul Water and may include Trade Waste; and means the same as Wastewater.

Sewage Sludge means the material settled out and removed from Sewage during the treatment process.

Sewer means any pipe that conveys Wastewater/Sewage.

Sewerage means infrastructure for the collection, treatment, disposal of Wastewater and Trade Waste, including all Public 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. This is the same as the Wastewater Network.

Storage Tank means any tank having a free water surface under atmospheric pressure to which water is supplied across an air gap separation.

Stormwater means all surface water run-off and associated Contaminants resulting from precipitation that enters or may enter the stormwater network as a result of a rain event.

Stormwater Characteristics means those constituents as specified in the Otago Regional Plan: Water, as set out in Schedule C of the Administration Manual.

Stormwater Drain means any passage, channel or pipe on, over or under the ground by which stormwater is conveyed.

Stormwater Network means the Stormwater Network including all public stormwater drains, channels, manholes, treatment and attenuation facilities and other structures for the reception and discharge of Stormwater vested in the Council or acquired or constructed or operated by or under the control of the Council.

Tankered Waste means any water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, but excludes Domestic Sewage discharged directly from house buses, camper vans, caravans, buses and similar vehicles.

Temporary Discharge means any discharge of an intermittent or short duration and includes the short-term discharge of non-complying Trade Waste in terms of Schedule A of the Administration Manual Permitted Discharge from premises subject to an existing Trade Waste Consent.

Trade means a basic economic concept involving the buying and selling of goods and services, with compensation paid by a buyer to a seller, or the exchange of goods or services between parties.

Trade Premises means:

- i. any premises used or intended to be used for any industrial or trade purpose; or
- ii. any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- iii. any other premises, work site, mobile facility, or vendor operation from which a contaminant is discharged in connection with any industrial or trade process; or
- iv. any other premises discharging other than Domestic Sewage to the wastewater network and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste is any liquid or gas, with or without matter in suspension or solution, that is, or may be, discharged from a Trade Premise to the Wastewater Network in the course of any trade, commercial, educational 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, and Stormwater which cannot be practically separated, or Domestic Sewage.

Trade Waste Consent means a consent granted by Council under this Bylaw allowing the discharge of Controlled or Conditional Trade Waste to the Wastewater Network.

Unit title or Strata title means a certificate of title or computer unit title register issued for a stratum estate in freehold or a stratum estate in leasehold (as the case may be) in respect of a unit or units in accordance with the Unit Titles Act 2010.

Wastewater has the same meaning as Sewage and means any water with matter in solution or suspension, domestic wastewater, or liquid trade waste that discharges to the wastewater network.

Wastewater Network means the system for collection, treatment and disposal of wastewater and trade waste, including all Sewers, pumping stations, and storage used by the Council for the reception, treatment and disposal of Wastewater and Trade Waste.

Wastewater Services means Sewerage, treatment and disposal of Sewage and Stormwater drainage (section 124 Local Government Act 2002)

Water Services means water supply and Wastewater Services (Sewerage and Stormwater drainage) (Section 124 Local Government Act 2002)

Water Supply Area means an area serviced by a Council reticulated water supply system that is intended to supply water for specified purposes via Restricted Flow Supplies and/or On Demand Supplies, but not necessarily with firefighting capabilities.

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 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, boundary backflow prevention devices and tobies.

Water Main means a pipe or conduit that conveys water.

A10. Application for Supply of a Water Service

All procedures and physical works associated with a Water Services connection must be in accordance with Council's procedure for approved contractors to commission physical connections to Water Services as set out in the Administration Manual.

A11. Supply and discharge

The Council does not guarantee an uninterrupted Water Service and, in particular, a service which is in excess of an agreed Level of Service but will use its best endeavours to ensure the continuity of Level of Service.

Where works of a permanent or temporary nature are planned by Council which will substantially affect an existing Water Service, the Council will, where practicable, notify all known affected persons or publicly notify the works.

A12. Emergency

Natural hazards (such as floods, droughts, earthquakes) or accidents which result in disruptions to any or all of the Water Services, or pandemics requiring specific actions by personnel associated with operating and maintaining the infrastructure will be deemed to be an emergency and will be exempted from Level of Service requirements.

During an emergency the Council may restrict or prohibit the use of a Water Service for any specified purpose, for any specified period, and for any or all persons connected to the Water Service. Such restrictions will be Publicly Notified when deemed necessary by Council. The Council may enact penalties over and above those contained in this Bylaw to enforce such restrictions. The decision to make restrictions and to remove restrictions, and to enact additional penalties, will be made by the Council, or where immediate action is required by a delegated officer of Council.

A13. Level of Service

Council will provide Water Services in accordance with the Levels of Service set-out in Council's ten year plan.

For those periods where the Level of Service allows non-compliance with the specified value(s), Council will use its best endeavours to achieve the specified value(s).

A14. Point of Supply and Point of Discharge**A14.1 Definition of Point of Supply – Water (Single Ownership)**

The Point of Supply for water connections is the outlet of the Service Valve or Meter fitting closest to the private pipe. This applies whether the Service Valve/meter is inside or outside the property boundary.

The typical layout at a Point of Supply is shown in Figure 1.

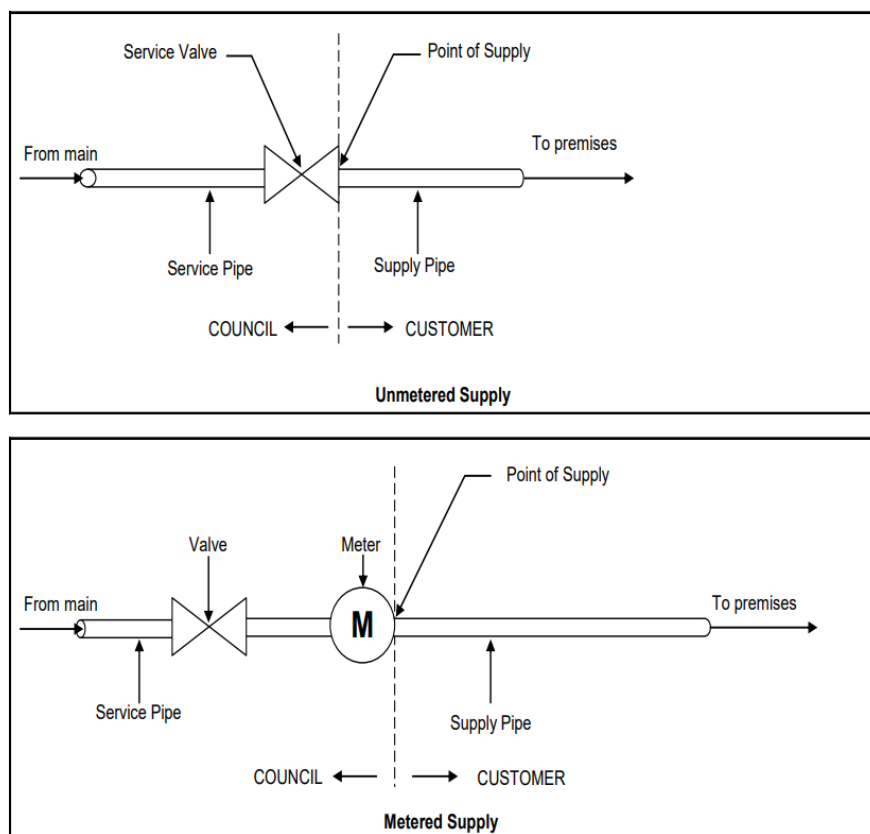


Figure 1 Typical Layouts at point of supply

A14.2 Definition of Point of Supply – Water (Multiple Ownership)

The Point of Supply for the different forms of multiple ownership of Premises is:

- a) For Company Share/Block Scheme (Body Corporate) – as for single ownership.
- b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each Occupier must have an individual supply with the Point of Supply determined by agreement with Council. Typically, this will be as for single ownership. In specific cases other arrangements may be acceptable, subject to individual approval by Council.
- c) For a multiple ownership supply which was in existence prior to the coming into effect of this Bylaw, the Point of Supply will be the arrangement existing at that time, or as determined by agreement with Council for any individual base. Typically, this will be the closest isolation valve on the common pipe prior to the pipe entering private property.

A14.3 Definition of Point of Supply – Wastewater & Stormwater

The Point of Supply for Wastewater and Stormwater connections is where the private pipe exits the boundary of the Premises. In situations where the Council main is located within the boundary of the Premises the Point of Supply is the joint connecting the private pipe to the Council main.

A14.4 Responsibility for maintenance

Council owns and maintains the Water Supply and Wastewater and Stormwater connections up to the Point of Supply. The Owner and/or Occupier owns and maintains the Water Supply pipe and

Wastewater and Stormwater pipes beyond the point of connection. Further details are set out in the Administration Manual.

A15. Liability

Council will endeavor to meet the Level of Service requirements, but will not be liable for any loss, damage or inconvenience which the Occupier (or any person using the supply) may sustain as a result of deficiencies in, or interruptions to, the Water Service or as a result of work carried out on any Water Services by the Council or its authorised agents.

A16. Council's Network Infrastructure

A16.1 Care of Network Infrastructure

All persons must take due care not to damage any part of the Water Services Systems, including but not limited to water supply pipe work, valves, Meters, Restrictors, chambers, boundary backflow prevention devices, wastewater pipes, Rising Mains, pump stations, Stormwater pipes, and other devices and discharges.

A16.2 Council Access and Inspection

Subject to the provisions of the Local Government Act 2002, the Occupier must allow Council, with or without equipment, access to any area of the Premises for the purposes of determining compliance with the Bylaw.

A16.3 Maintenance of access

The Occupier must maintain the area in and around the Point of Supply or connection keeping it reasonably free of soil, growth, or other matter or obstruction including construction debris which prevents, or is likely to prevent, convenient access.

A16.4 Trees

In the event of the roots of any tree on an Occupier's Premises causing or being likely to cause damage, interference to the flow, or blockage to a Water Service, the Council may remove the roots and recover the costs of undertaking this work from the Occupier.

A16.5 Blockages

An Occupier whose Water Services system is overflowing or has other reasons to suspect a blockage, must first call an appropriately qualified trades person to clear and remove any blockage in the Occupier's Wastewater or Stormwater pipes.

If the blockage is within the Water Service, then the Occupier must contact the Council who will clear and remove the blockage and clean up all affected areas. Provided that the blockage has not been forced downstream into the Water Service in the act of clearing it, or that the Occupier has not been negligent in discharging a non-Acceptable Discharge, then the Council will reimburse the Occupier for actual and reasonable costs. If the blockage is found to have originated within the Occupier's Premises or has been caused by the discharge of a non-Acceptable Discharge, then the Council may recover the costs of the unblocking work from the person or Occupier.

A16.6 Construction Debris

The Occupier and any person acting on behalf of the Occupier must take all reasonable precautions to ensure Construction Debris does not enter any component of the Water Services nor the private sewers/wastewater pipes and Stormwater drains associated with the Premises for which the Water

Services are provided. If Construction Debris enters the Water Services the Occupier must notify Council immediately.

In the event a blockage or other downstream issue occurs as a result of construction debris entering the network, where the responsible property can be identified Council may recover the costs associated with the remedial works from the Occupier.

A17. Transfer of Rights and Responsibilities

No person may transfer, or attempt to transfer, to any other party the rights and responsibilities provided for under this Bylaw.

A Water Service connection may serve only one Occupier and may not extend by hose or any other pipe or device beyond that Occupier's Premises unless agreed in writing by Council.

An Occupier must not provide any Water Service which the Occupier receives from the Council to any other party without approval in writing from the Council.

A18. Change of Ownership

In the event of Premise changing ownership, Council must record the new Owner as being the Occupier of those Premises.

A19. Breaches, Offences and Disputes

A19.1 Breach of terms and conditions of supply

The following are deemed breaches of the conditions to supply water:

- a) An incorrect application for supply which fundamentally affects the conditions of supply (part 3) or decision to approve the application;
- b) Failure by the Occupier to meet and comply with the conditions of supply for that premise as determined by Council;
- c) Failure to meet any obligation placed on the Occupier under all current Acts and Regulations;
- d) Frustration of Council's ability to adequately and effectively carry out its obligations;
- e) An act or omission as provided for elsewhere in this Bylaw and the Administration Manual.
- f) Any act or omission which has not been described in the Bylaw or Administration Manual, but which contravenes the reasonable interpretation of the conditions to provide the Water Services.

In the event of a breach, Council will serve notice on the Occupier advising the nature of the breach and the steps to be taken to remedy it. If, after fourteen working days, the Occupier persists in the breach, Council reserves the right to reduce the flow rate of water to the Occupier, or undertake work directly to address the breach (such as in the case of a private water leak). In the event the supply is restricted, the full Water Service of the supply will be re-established only after payment of the applicable fee and remedy of the breach to the satisfaction of Council. Should the Council undertake work directly to address the breach, the Occupier will be liable to reimburse Council for the costs incurred.

In addition, if the breach is such that Council is required to take immediate action for health or safety or environmental considerations, such action should be carried out immediately. The Occupier will be liable for the costs of work undertaken by Council.

Under all circumstances Council will take all practicable steps to avoid disconnecting supply from the Premises without providing the Occupier appropriate opportunity to rectify any breach. However, this course of action will be available as a last resort, or to protect people, property, or the environment.

Any damage, tampering or interference which occurs to the Water Service equipment must be reported to Council immediately. The person causing the damage must reimburse Council's costs associated with repairing the damaged service, and any other costs Council incurs as a result of the incident.

A19.2 Offences and Penalties

A person who is convicted of an offence against this Bylaw is liable to a fine under section 239 of the Local Government Act [not exceeding \$20,000 and a fine not exceeding \$200,000 for a breach of the Water Supply, Trade Waste, Wastewater and Stormwater parts of this Bylaw].

A person who is alleged to have committed an infringement offence, as specified in regulations made under the Local Government Act 2002, by breaching the Bylaw may be served with an infringement notice in accordance with section 245 of the Local Government Act 2002.

Council will recover all costs to remedy any damage to the Water Services by any third party.

A20. No person to access or connect to Water Services

- a) No person other than the authorised agents of the Council may without express approval (in writing) from the Council make any access or connection to or otherwise interfere with any part of the Water Service.
- b) No access or connection may be made to the Water Services without an approved application as set out in this Bylaw and in the Administration Manual for the Water Services and also for approved Trade Waste discharges.
- c) All access or connection works on the Water Services must be carried out in accordance with Council's procedures for access to Water Services for investigations and commissioning physical connections.

A21. Building and Working over or around buried Water Services

All works associated with building or working over or around buried water services must be undertaken in accordance with Council's Land Development and Subdivision Code of Practice.

A21.1 Excavation in legal road reserve

All procedures and physical works must be carried out in accordance with the New Zealand Transport Authority's processes for road openings.

A22. Fees and Charges

A22.1 General

Under sections 150 and 151 of the Local Government Act 2002 the Council may prescribe fees and authorise recovery of reasonable costs incurred by the Council in respect of the matters for which the fees are charged. This may be done by the annual planning process fee setting or similar transparent public process in accordance with the above-mentioned sections of the Local Government Act 2002.

The Council may also recover costs for willful damage or negligent behaviour (Section 175) and remedying damage arising from breach of this Bylaw (Section 176) Council may recover all unpaid Water Service charges as prescribed in the Local Government (Rating) Act 2002 (Sections 57 to 82).

Fees and charges to be charged as prescribed by this Bylaw are set out in Part A of the Administration Manual.

A22.2 Prescribed charges

Charges applicable at the time of connection or after connection may include:

- a) management fees for:
 - i. Administration (includes processing an application to determine if a Trade Waste Consent and/or a Stormwater Management Plan is required);
 - ii. Inspection of premises;
 - iii. Compliance monitoring that could include sampling and testing; and
 - iv. Non-compliance re-inspection.

These management fees will be charged out at the current unit hourly rates or proportions thereof for the time taken to render the service at the Council's currently hourly overhead charge and materials costs.

- b) Trade Waste user pays charges.
- c) Stormwater management charges in special circumstances, such as where investigations by Authorised Officers are required.
- d) 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 Water Services, or could result in the Council being in breach of any statutory obligation.

A23. Cleaner Production, Pollution Prevention and Waste Minimisation

Users of the Water Services are encouraged to practice water efficient use, Cleaner Production, pollution prevention, application of relevant innovative solutions and waste minimisation practices, and where required for trade premises include this in a Trade Waste and/or Stormwater Management Plan and where appropriate, adopt such procedures for all users of Council's water services. The approach should encompass principles and practices of sound Water Stewardship including sustainable management and protection of the built and natural environment.

The Administration Manual (clause E13) includes guidelines on planning and undertaking Cleaner Production.

A24. Management Plans

As a condition of a Trade Waste Consent for Controlled and Conditional Trade Waste, the Council may, if it is deemed necessary, request the Consent Holder to provide a Trade Waste management plan as a condition of the Consent.

The Administration Manual sets out the requirements for the management plans for specified Trade Waste discharges and, in special circumstances, Stormwater discharges.

A25. Quality of Removed Sludge and Biosolids

The provision of this Bylaw as they relate to Sewage and Trade Waste discharges are also designed to protect the quality of the sludges and Biosolids that are removed as part of the Wastewater treatment process. The beneficial re-use of sludges and Biosolids assists with protecting the environment by recycling a resource while avoiding the need for landfill or other types of disposal. Council's objective is to maintain and improve the quality of sludges and Biosolids over time by reducing the level of contaminants and hazardous substances that enter the Wastewater Network.

Part B – Water Supply

B1 Objectives

The specific objectives for this Part of the Bylaw are as follows:

- a) Provide safe drinking water;
- b) Promote the effective and efficient management and regulation of the Council's Water Supply System;
- c) Protect Council's water supplies from contamination;
- d) Protect the Water Supply System from damage, misuse or loss;
- e) Prevent unauthorised connection to the Water Supply System; and
- f) Set out the obligations of the Council, installers, Occupiers and the public in matters related to the Water Supply System.

B2 Approval to Connect

Refer to clause A10 for detail regarding applications to connect to Council's Water Supply System.

B3 Water Supply System

B3.1 Access to system

No person other than Council may have access to any part of the Water Supply System, except to connect to the Point of Supply, subject to clause A20 of Part A of this Bylaw, and to operate the Service Valve.

B3.2 Fire hydrants

Only the attending Fire and Emergency New Zealand Personnel and Council may gain access to and draw water from fire hydrants for the purpose of exercising Fire and Emergency New Zealand's functions, duties or powers as outlined in the Fire and Emergency New Zealand Act 2017.

B3.3 Other uses

The right to access to, and draw water from, the Water Supply System for uses other than firefighting (for example flow testing, pipe flushing, or temporary water supply) is restricted to:

- a) Council; and
- b) Persons who have approval to draw water from the Water Supply System for uses other than firefighting. Such persons must comply with all conditions of the Approval including water tanker carrier licenses. Without prejudice to other remedies available, Council may remove and hold any equipment used by any person to gain access or to draw water from a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs.

B4 Occupier Responsibilities

B4.1 The Occupier must take all steps to prevent:

- a) water to run, leaking or unchecked from any pipe, tap or other fitting;
- b) the condition of the plumbing within the premises deteriorating to the point where leakage and or wastage is uncontrolled; or
- c) the unattended operation of hoses.

B4.2 Where an Occupier ignores advice from the Council to repair an on-going leak, the Council may repair the leak and charge the customer to recover all associated costs as provided in the Local Government Act 2002.

B4.3 The Occupier must not use water excessively or use water or water pressure directly from the supply for generating energy, driving lifts, machinery, educators, generators or any other similar device, unless specifically approved.

B4.4 The Occupier must not use water from the supply:

- a) for a single pass cooling system;
- b) for air conditioning;
- c) to dilute trade waste prior to disposal; or
- d) for cooling purposes in an industrial plant, unless specifically approved by the Council.

B4.5 The Occupier must implement other measures determined by Council in accordance with Council's Water Demand Management procedures.

B5 Responsibility for Maintenance

Council owns and maintain the service pipe and fittings up to the point of supply. The Occupier owns and maintains the supply pipe beyond the point of supply.

B6 Types of Supply**B6.1 General**

Supplies are classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary' or 'extraordinary'.

B6.2 On Demand Supply

Premises within a Water Supply Area are entitled to an Ordinary Supply of water subject to the following conditions:

- a) The exclusion of its use for garden watering under any restrictions made by Council under clause B6.3;
- b) Payment of the appropriate charges in respect of those Premises;
- c) Payment of any other charges or costs associated with sub divisional development; and
- d) Any other relevant conditions of this Bylaw.

- e) Council is be under no obligation to provide a supply of water other than Ordinary Supply (see also the provisions of clause B6.1).

B6.3 Restriction or prohibition of use

The Council may at any time, by Public Notice, restrict or prohibit the use of water for any one or more of the following purposes:

- a) The use of irrigation systems of any sort, or other outside watering; and
- b) Any other reason Council sees as reasonable in the circumstances that apply at the time.

Any action contrary to the Public Notice is a breach of this Bylaw.

Any such restriction or prohibition applies until Public Notice is given that the restriction or prohibition has been rescinded.

B6.4 Metering

An ordinary use of water may be metered.

Extraordinary use and Restricted Flow Supply may be metered and charged for in accordance with Council's fees and charges prevailing at the time or as specifically agreed with Council. Where the use is for fire protection only, this supply is not usually metered.

Clause B1 of the Administration Manual provides further information regarding Council's position with respect to metering procedures.

B7 Continuity of supply

Council does not guarantee the uninterrupted supply of water to any Customer or other user. No compensation is payable on account of any water supply being restricted or shut off, whether for the purpose of demand management, laying of Water Mains, effecting repairs to a reticulated water supply system, attaching of new services or for any other purpose.

Clause A11 covers notification procedures for a permanent or temporary loss of a water service.

B7.1 Pressure

Council does not guarantee any specified maximum or minimum pressure in the water distribution and reticulation system within any Water Supply Area, and no compensation is payable on account of any change or inconsistency of pressure in the supply of water in any Water Supply Area.

B7.2 Uninterrupted service

If an Occupier has a requirement for an uninterrupted Level of Service (for example flow, pressure, or quality for water supply), it is the responsibility of that Occupier to provide any storage, back-up facilities, or equipment necessary to provide that Level of Service.

B7.3 Demand management

The Occupier must abide by the requirements of Council with respect to water demand management.

When water supply restrictions apply, Council will take all practicable steps to ensure that an adequate supply for sanitary purposes is provided to each Point of Supply.

B7.4 Payment

No compensation or other payment is payable by Council in relation to any restriction or prohibition made.

B8 Fire protection connection

B8.1 Design

The Occupier is responsible for ascertaining, in consultation with Council, and monitoring whether the supply available is adequate for the purpose of fire protection.

B8.2 Fire protection connection metering

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

Any unmetered connection provided to supply water to a fire protection system may 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 – Fire sprinkler system for houses or any current update to that document.

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.

B8.3 Fire hose reels

Where the supply of water to any Premises is metered, fire hose reels must be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels must comply with the requirements of NZS 4503– Hand operated fire-fighting equipment or any current update to that document.

B8.4 Charges

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

B8.5 Ongoing testing and monitoring

It is the Occupier's responsibility to undertake ongoing testing and monitoring to ensure that the water supply is adequate for the ongoing purpose of fire protection of the Premises.

Occupiers intending to test fire protection systems in a manner that requires a draw-off of water must 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.

B9 Boundary backflow prevention

B9.1 Overall Requirement

Boundary backflow provisions are as set out in Council's Land Development and Subdivision Code of Practice.

B9.2 Occupier responsibility

It is the Occupier's responsibility (under the Health Act 1956, and the Health (Drinking Water) Amendment Act 2007,) to take all necessary measures on the Occupier's side of the Point of Supply to prevent water which has been drawn from Council's water supply from returning to that supply. These include:

- a) Boundary backflow prevention either by providing an adequate air gap, or by the use of an approved backflow prevention device in accordance with Council's Land Development and Subdivision Code of Practice.
- b) The prohibition of any cross-connection between Council's water supply; and
 - i. Any other water supply (potable or non-potable);
 - ii. Any other water source;
 - iii. Any Storage Tank; and
 - iv. Any other pipe fixture or equipment containing chemicals liquids gases or other non-potable substances.

B9.3 Unmanaged risk

Notwithstanding clause B9.2, Council may fit a backflow prevention device on Council side of the Point of Supply where the Occupier cannot demonstrate that the risk of backflow is adequately managed. Council may recover all costs associated with the supply, installation, and ongoing testing, certification and maintenance of the backflow prevention device from the Occupier.

B10 Meters and Restrictors

B10.1 Water meter procedures

Clause B1 of the Administration Manual sets out Council's procedure with respect to the future installation of Meters.

B10.2 Installation

- a) Metering must be in accordance with the Council's Land Development and Subdivision Code of Practice.
- b) Where required by Council, flow meters and Restrictors must be supplied and installed. Council reserves the right to recover any associated costs.
- c) Meters and Restrictors remain the property of the Council, and maintained by Council.
- d) Where On Demand Supplies are not universally metered, the Council where it considers water use is unusually high, reserves the right to fit a Meter at the Occupier's cost, and charge accordingly.

B10.3 Requirements for new developments

All new connections in any Water Supply Area must meet Council's requirements with respect to water demand management for that Water Supply Area, including, but not limited to:

- a) installation of Restrictors; and

- b) installation of Meters.

B10.4 Location

Meters and Restrictors must be located in a position where they are readily accessible for reading and maintenance, and if practicable immediately on Council side of the Point of Supply (see Figure 1, Clause A14.1). Details are included in Council's Land Development and Subdivision Code of Practice.

B10.5 Accuracy

Meters and Restrictors must be tested as and when required by the Council to ensure:

- a) In respect of a Meter, performance within plus or minus 5% of its reading; and
b) In respect of a Restrictor, performance within plus or minus 10% of its rated capacity.

Testing must be undertaken in accordance with the New Zealand Water Meter Code of Practice. Any Occupier who disputes the accuracy of a meter or Restrictor may apply to Council for it to be tested provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy above, the Occupier will not be charged for the test. If the test shows compliance, the Occupier will pay a fee in accordance with Council current Fees and Charges.

B10.6 Adjustment

For connections where volume based charging is utilised, if any Meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a Meter, Council will make an adjustment to the next invoice due, in accordance with the results shown by such tests, backdated to a period at the discretion of Council but not exceeding 12 months, and the Occupier must pay a greater or lesser amount according to the adjustment.

Where a Meter is under-reading by more than 20% or has stopped, Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.

Where a Meter is over-reading, Council will make appropriate adjustments to the Occupier's invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

B10.7 Estimating consumption

For connections where volume based charging is used, if any Meter is out of repair or ceases to register, or has been removed, Council will estimate the consumption for the period since the previous reading of such meter (based on the average of the previous four billing periods charged to the Occupier) and the Occupier must pay according to such an estimate. Provided that when by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the Occupier must pay according to such an estimate.

The Occupier is liable for the cost of water which passes through the Meter regardless of whether this is used or is the result of leakage.

Where the seal or dial of a Meter is broken, Council may declare the reading void and estimate consumption as described above.

B10.8 Incorrect accounts

For connections where volume based charging is utilised, where a situation occurs, other than as provided for in clause B10.6 of this Bylaw, where the recorded consumption does not accurately represent the actual consumption on Premises, the account will 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.

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

B10.9 Faulty Meters

Where a Meter is found to be faulty due to no fault of the Occupier, the Council will replace or recalibrate the faulty Meter, at no cost to the Occupier.

B10.10 Interference with Equipment

Any tampering or interference with Council property, either directly or indirectly, constitutes an offence. Without prejudice to its other rights and remedies, the Council will be entitled to estimate and charge for any additional Water Service provisions not recorded, such as where a Meter or Restrictor has been tampered with, and recover any costs incurred from the person liable.

B10.11 Plumbing system

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 may not be used on any piping beyond the Point of Supply. In special circumstances such equipment may be approved by Council.

B10.12 Prevention of waste and excessive use of water

- a) A person who is supplied with reticulated water by, or on behalf of Council must not waste the water or allow it to be wasted.
- b) Clause B4 sets out the Occupier's responsibilities to address wastage and excessive use of water.

B11 Breaches and Offences

B11.1 Deemed breaches of supply

The following are deemed breaches of the Bylaw as it relates to the supply of water:

- i. Interference with the Water Supply System.
- ii. Failure to comply with water use restrictions or prohibitions introduced by Council for any specified purpose.
- iii. Bypassing or tampering with Council Meters and Restrictors.
- iv. Failure to pay the appropriate charges by the due date.
- v. Failure to repair a leak, or in any way wilfully allowing water to run to waste, or to be misused.
- vi. 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.

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- vii. Use of a fire hydrant in contravention of this Bylaw or without formal written approval from Council.
 - viii. Failure to prevent backflow (refer clause B9).
 - ix. Introduce, or allow to be introduced, any Contaminant into the Water Supply System.
 - x. Connection to the water supply without formal written approval from Council.
 - xi. Using water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by Council.
 - xii. Using water for a single pass cooling or heating system, or to dilute Trade Waste prior to disposal, unless specifically approved.
 - xiii. Extending by Hose or any other pipe a private water supply beyond that Occupier's premises.
 - xiv. Providing water drawn from Council supply to any other party without approval of Council.
 - xv. Any other act or omission which has not been described above but which contravenes the reasonable interpretation of the Bylaw.

Part C – Stormwater

C1 Objectives

The specific objectives for this Part of the Bylaw are as follows:

- a) Minimise and control the discharge of Contaminants into the Stormwater Network.
- b) Enable the Council to meet relevant objectives, policies, standards and future resource consents for discharges from the Stormwater Network to the environment.
- c) Protect the land, structures and natural features that make up the Stormwater Network.
- d) Prevent the unauthorised discharge of Stormwater into the Stormwater Network and ensure that private Stormwater systems are not causing a nuisance or harm to the Council's Network Infrastructure.
- e) Define the obligations of the Council, installers, Occupiers and the public in matters related to the discharge of Stormwater and management of the Stormwater Network.

C2 Approval to connect

- a) Refer to clause A10 for detail regarding applications to connect to the Stormwater Network.
- b) All applications to connect must identify potential Stormwater Contaminants and set out measures, to minimise or eliminate the Contaminants entering the Stormwater Network.

C3 Restrictions on discharge

The Council may set a maximum daily or instantaneous flow rate, a requirement for pre-treatment, or require other restrictions or controls on Stormwater discharged from the Premises. All Stormwater discharges must comply with Schedule C of the Administration Manual. In certain circumstances, as outlined in clause C2 of the Administration Manual, a Stormwater Management Plan may be required.

C4 Protection of network and environment

No person may, unless specifically authorised by a resource consent or in writing by the Council:

- a) Stop, obstruct, alter, interfere with or divert any Stormwater Drain or any part of the Stormwater Network in a manner that may cause blockage or nuisance;
- b) Erect any defense, structure or stopbank, grow any vegetation, deposit any rubbish or other debris in any part of the Stormwater Network, flood plain, flood risk area or overland flow path identified by the Council, or carry out any activity in a place or manner that affects the functioning of or causes nuisance to the Stormwater Network;
- c) Obstruct any overland flow paths or flood plains with any material or structures such as buildings, fences, retaining walls and rock gardens;
- d) Deposit or permit any material, hazardous material, chemical, rubbish, litter or other substance, likely to cause a nuisance on entering the Stormwater Network, to be located or stored in such a manner that it could enter the Stormwater Network (directly or indirectly) in any storm event, unless it has first passed through an appropriate and approved treatment device;

- e) Carry out any of the above with the consequence that it adversely affects land or buildings including other land and buildings on other land; and
- C4.1 No person may remove live vegetation from the drain margins of the Stormwater Network without approval from Council.

C5 Contamination of stormwater

- C5.1 No person may discharge or permit any contaminant to enter the Stormwater Network, unless that discharge is permitted by this Bylaw or prior written permission has been obtained from the Council.
- C5.2 No person may discharge Stormwater into the Stormwater Network with characteristics exceeding those constituents and Contaminants specified in the Otago Regional Council's Operative Regional Plan: Water for Otago, as set out in Schedule C of the Administration Manual.
- C5.3 The Occupier of any Premise may not store raw material, products or waste containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any other hazardous substance or material which, when mixed with the Stormwater stream in the Stormwater Network, may:
- a) generate toxic, flammable, explosive or corrosive materials in hazardous quantities,
 - b) damage the Stormwater Network, the environment or adversely affect the health and safety of Council staff and the public in a manner or location such that there is a more than minor risk of that material entering the Stormwater Network; or
 - c) in the event of any leakage, spillage or other mishap described in clauses C5.3 (a) and/or (b) occurring the Occupier must immediately notify the Council.
- C5.4 If any existing commercial, industrial, trade or other Premises discharges Contaminants to the Stormwater Network in a manner that may cause damage to the network, the environment or adversely affect the health and safety of Council staff or its agents and the public, the Occupier must advise the Council in writing as soon as practically possible and undertake all practical means to stop the discharge as soon as is possible.

C6 Stormwater Management Procedures

- a) Stormwater management remains the responsibility of the Occupier of the land on which the works occur unless and until they are taken over and vested in Council.
- b) The cost of all stormwater management for the purpose of land development will be at the Occupier's cost unless the Council agrees in writing to share costs.
- c) When the stormwater arising from a new connection is such that it exceeds the defined level of service limits for the Council's stormwater network, Council may require the installation or construction of private stormwater attenuation measures to retard the flow of stormwater or to limit the volume of extra stormwater produced from new connections or developments. Any such attenuation measures must be constructed at the Occupier's expense. The Occupier must also meet the costs of the required maintenance and servicing program.

C7 Stormwater Management Plans

C7.1 The Occupier must, if requested by Council, prepare a Stormwater Management Plan and submit the plan to Council for approval, or demonstrate to Council that its discharge is being made in accordance with relevant industry standards and industry guidelines.

C7.2 Clause C2 of the Administration Manual sets out the requirements for a Stormwater Management Plan.

C7.3 The Occupier must provide a Stormwater Management Plan to Council for review and approval within three months of a request.

Once the Stormwater Management Plan has been accepted by Council, the Occupier must comply with all provisions, including timeframes specified, in the Stormwater Management Plan.

C7.4 The Council may require that any Stormwater Management Plan be revised where there have been significant changes in the facility/premise concerned or its operational procedures.

C7.5 If the requirements of a Stormwater Management Plan are not complied with, the Occupier must expedite all practical measures to ensure compliance with both the Stormwater Management Plan and the Bylaw overall. Furthermore, if it is determined that the measures outlined in the Stormwater Management Plan are no longer fit-for-purpose, the Occupier must update the Stormwater Management Plan to remedy this and submit to Council for their consideration.

Part D – Wastewater

This part of the Bylaw applies to the discharge of Domestic Wastewater to the Wastewater Network.

D1 Objectives

The specific objectives for this Part of the Bylaw are as follows:

- a) Promote the effective and efficient management and regulation of the Wastewater Network;
- b) Protect and manage the Wastewater Network and its associated assets from damage, misuse, or loss;
- c) Protect public health, and the natural (or receiving) environment from harm;
- d) Ensure that the quality of sludges and Biosolids are suitable for beneficial reuse when such approaches are practicable and sustainable; and
- e) Ensure compliance with Council's resource consent conditions.

D2 Approval to Connect

D2.1 Refer to Clause A10 for detail regarding applications to connect to the Wastewater Network.

D2.2 Private Wastewater Pipes

- a) Council may require an Occupier to fix or upgrade private wastewater pipes, at the Occupier's cost, as determined by Council to meet:
 - i. the original design specifications,
 - ii. the Local Government Act 2002 requirement for the discharge of only Domestic Sewage into the Wastewater Network, and/or
 - iii. the current Council Land Development and Subdivision Code of Practice and/or the New Zealand Building Code, where there has been a change of use of the Premises.
- b) The Occupier of Premises must ensure that all private wastewater pipes on the Premises are kept and maintained in a state which limits infiltration to ensure only domestic quality Sewage is discharged into the Wastewater Network.
- c) The Occupiers of Premises must ensure that Stormwater Inflow is excluded from the Wastewater Network and any private wastewater pipes by ensuring that:
 - i. there is no direct connection of any Stormwater pipe to the Wastewater Network;
 - ii. gully traps comply with the New Zealand Building Code and are set above Stormwater ponding levels and secondary overland flow path flood levels; and
 - iii. inspection covers are in place and appropriately sealed.

D3 Acceptance and Prohibition of Discharges

Clause D2, and Schedule A of the Administration Manual, set out the requirements for Acceptable Discharges to the Wastewater Network.

Schedule B of the Administration Manual sets out the prohibited characteristics of discharges to the Wastewater Network.

D4 Occupiers Responsibilities to Prevent Contamination and Encourage Environmentally Friendly Practices

The Occupier of any Premises must take all reasonable steps to prevent entry into the Wastewater Network from leakage, spillage or other mishap of any raw material products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials or any material which, by itself or when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or damaging to the Wastewater Network or the health and safety of Council staff, agents, contractors and the public and adversely affect the environment.

The Occupiers of Premises using the wastewater network are encouraged to use environmentally friendly and biodegradable products that are compatible with Council's network and protection of the receiving environment. Such approaches can be encompassed within the approaches to Cleaner Technology defined in Clause A9 of this Bylaw and Clause E-13 of the Administration Manual.

D5 Pumped Sewer Systems

Requirements in terms of pumped Sewer systems (as different from a low pressure Sewer system as covered in clause D6 below) are set out in Council's Land Development and Subdivision Code of Practice.

D6 Low Pressure and Vacuum Sewer Systems

Requirements for low pressure and vacuum Sewer systems are set out in Council's Land Development and Subdivision Code of Practice.

D7 Disinfected/Super Chlorinated Water

Requirements for the discharges of disinfected and super chlorinated water to the Wastewater Network are covered in clause D1.2 of the Administration Manual.

D8 Swimming Pools and Spa Pools

Requirements for the discharges from swimming pools and spa pools to the Wastewater Network are covered in clause D1.3 of the Administration Manual.

D9 Camper Van and Motor Home Domestic Wastewater

Requirements for camper vans and motor homes domestic waste discharges to the Wastewater Network are covered in clause D1.4 of the Administration Manual.

D10 Mobile Facilities and Vendor Operations - discharge to the Wastewater Network

Vehicles including trucks, caravans, and other types of mobile facilities including container waste from mobile cleaning activities, must discharge all liquid waste into the Wastewater Network in a manner approved by Council. In some circumstances this type of discharge may also constitute a Trade Waste discharge. This will be determined based on the Registration information provided by the Operator of the mobile operation. These procedures will be determined in accordance with clause D1.5 of the Administration Manual.

D11 Inflow and Infiltration

D11.1 Stormwater and groundwater, including from roof downpipes, surface water run-off, overland flow, and sub-surface drainage, must be excluded from the wastewater network by ensuring that:

- a) There is no inflow from direct connection of any stormwater pipe or drain to the wastewater network - unless the wastewater network has been specifically designed as a combined wastewater/stormwater system; and
- b) Gully trap surrounds are set above stormwater ponding levels and in accordance with the New Zealand Building Code (G13) and above secondary overland flow path flood levels; and
- c) Inspection covers are in place and are appropriately sealed; and
- d) Private wastewater pipes are maintained to ensure no damage. Cracks or other defects in the pipes that allow the infiltration of surface or groundwater; and
- e) New drainage or repairs as a result of any defects notice, premise alterations, or change of premises use are constructed in accordance with Council's Land Development and Subdivision Code of Practice.

D11.2 If inflow and infiltration is found to be entering Council's wastewater network by way of private wastewater pipes and stormwater drains, then it is the Occupier's responsibility to immediately fix, repair or replace the said pipe or pipes to a standard acceptable to Council such that only domestic sewage, and where approved, Trade Waste, is discharged to the Council network.

D11.3 If the Occupier fails to carry out required repair works, the Council will carry out the works under sections 186 and 187 of the Local Government Act 2002 and will recover the cost of the repair works from the Occupier.

Part E – Trade Waste

E1 Objectives

The specific objectives for this Part of the Bylaw are as follows:

- a) Protect the water quality and ecology within the District and region's rivers and lakes.
- b) Protect the health, safety and wellbeing of people within the District.
- c) Protect the Wastewater Network (including the treatment plants) from Contaminants and other substances that have a detrimental effect on operation and asset life.
- d) Optimise the capacity of the Wastewater Network and treatment assets.
- e) Ensure compliance with Council's resource consent conditions.
- f) Provide a basis for monitoring discharges from industry and Trade Premises.
- g) To provide for an equitable spread of costs between domestic and Trade Waste discharges.
- h) Encourage water conservation, Cleaner Production, pollution prevention, and waste minimization.
- i) Ensure that the quality of sludges and Biosolids are suitable for beneficial reuse when such approaches are practicable and sustainable.

E2 Specific provisions for Trade Waste discharges

- a) This part of the Bylaw provides for the:
 - i. establishment of four categories of trade waste: Permitted, Controlled, Conditional and Prohibited;
 - ii. the pre-treatment of Trade Waste before it is accepted for discharge to the Wastewater Network;
 - iii. acceptance of long-term, intermittent, or Temporary Discharges of Trade Waste that are controlled, conditional, or permitted into the Wastewater Network and the exclusion of Prohibited Trade Waste;
 - iv. specification of the daily volume and Contaminant levels for Permitted Trade Waste so that the capacity of the Wastewater Network is not exceeded;
 - v. regulation of Trade Waste that may increase the operational and maintenance costs of the Wastewater Network and treatment system;
 - vi. the evaluation of individual Trade Waste discharges against specified criteria as set out in the Bylaw and Schedules A and B of the Administration Manual.
 - vii. prohibition of Trade Waste that decreases the effectiveness of the Wastewater Network;
 - viii. correct storage of materials in order to protect the Wastewater and Stormwater Network from spillage of hazardous substances and other Contaminants;

- ix. dischargers of Trade Waste to be required to undertake sampling and monitoring of Trade Waste to ensure compliance with the Bylaw and Schedules A and B of the Administration Manual;
- x. Council to accept or refuse a Trade Waste discharge of specified characteristics;
- xi. Any Trade Premises connected to Water Services must, where specified as a condition of consent, implement a Cleaner Production and pollution prevention programme as set out in that Trade Premise's Management Plan;
- xii. Where Trade Premises have operations that could, under certain circumstances, result in Contaminants entering the Stormwater Network, the premises' Trade Waste and/or Stormwater Management Plan (refer clause C7) must include procedures that address this situation. Furthermore, where Stormwater pre-treatment and/or attenuation devices are in place the Stormwater component of the Management Plan should also address these;
- xiii. Charges to be set to cover the cost of administration, monitoring and user pays of a Trade Waste scheme, as set out in clauses A5 and A6 and Schedule D of the Administration Manual;
- xiv. Disconnection of Premises from the Wastewater Network in the event of unauthorised discharges of Trade Waste; and
- xv. As set out in clause A19.2 of this Bylaw use of enforcement powers, including penalties to be applied to persons who discharge or permit discharges of Trade Waste in a manner that does not comply with this Bylaw.

E3 Trade Waste Discharges

E3.1 Registration of Trade Premise discharges

Council require all trade operations discharging Trade Waste to register and when required, apply for Trade Waste Consents.

Clause E3.3 of this Bylaw sets out trade operations that are not deemed to be Trade Waste dischargers for the purposes of this Bylaw.

The Registration and Trade Waste Consent application processes are set out in the Administration Manual.

The Registration process will ensure that all businesses are provided with adequate and appropriate information to enable assessment of risks and benefits.

E3.2 Characteristics of Trade Waste discharges

Trade Waste discharges are classified as one of the following types:

- a) Permitted Trade Waste –Permitted Trade Waste discharges are subject to the Registration process and an Approval Notice must be obtained. The Approval Notice must be complied with.
- b) Controlled Trade Waste - A Trade Waste consent will be required.
- c) Conditional Trade Waste - A Trade Waste consent will be required. Conditional Trade Waste consents includes consents for Temporary Discharges.

- d) Prohibited Trade Waste - A prohibited trade waste discharge cannot be undertaken and no consent can be sought.
- e) Trade Waste discharges that are controlled or conditional in accordance with this clause are subject to the additional requirements as set out in clauses E12 to E16 inclusive and relevant sections of Part E of the Administration Manual.
- f) The discharge of Trade Waste from a Tankered Waste trucking system requires Consent under this Bylaw and is subject to the requirements of clause E17.

E3.3 Operations Not Considered Trade Waste

Trade Waste discharges with the characteristics of domestic waste, typically that from bathrooms and kitchens not used for commercial preparation of food, do not need to register.

Businesses that comply with the below criteria do not need to register (refer clause E3.1):

- a) Single dwelling short term accommodation (such as Airbnb)
- b) Home based businesses with less than five employees, and which do not involve food preparation, manufacturing related activities, or any other activity which generates wastewater volumes or characteristics that are inconsistent with typical domestic wastewater.

The requirements of all preceding clauses of Part E of this Bylaw continue to apply.

E4 Connecting to the Wastewater Network

Procedures relating to the connection of trade waste discharges to the Wastewater Network are covered by clause D2 of this Bylaw.

E5 Application for a Trade Waste Consent

- a) Information requirements in respect of the application, the decision on the application and the application consideration criteria are as set out in Part E of the Administration Manual.
- b) In all cases where either the consent holder or the Occupier of the Premises changes, or there is a change of use of the Premises, a new application for a Trade Waste Discharge Consent must be made. It is the responsibility of the Consent Holder or the new Occupier (as appropriate) to lodge the new application.

E6 Grant of Trade Waste Consent

- a) Within 20 working days (or as extended if warranted by exceptional circumstances by the Council) of receipt of an application complying with this Bylaw, or the further information requested in accordance with the Administration Manual, whichever is the later, the Council must, after considering the matters set out in the Administration Manual:
 - i. Grant the applicant a Controlled and/or Conditional Trade Waste Discharge Consent and inform the applicant of the decision and the conditions imposed by issuing the appropriate consent;
 - ii. Decline the application and notify the applicant of the decision giving a statement of the reasons for refusal; or
 - iii. Notify the applicant that the discharge is classified as a Permitted Trade Waste or Prohibited Trade Waste under this Bylaw, and does not require or cannot obtain (in the

case of Prohibited Trade Waste) a Trade Waste Discharge Consent. If the discharge is a Permitted Trade Waste, an Approval Notice will be issued and must be complied with.

- b) A Trade Waste Discharge Consent granted in accordance with this clause may be subject to conditions, including but not limited to conditions of the kind referred to in Part E of the Administration Manual.
- c) A Trade Waste Discharge Consent granted in accordance with this clause may be controlled and /or conditional on the implementation of appropriate pre-treatment systems.
- d) Trade Waste Discharge Consents are explicit to the applicant at specific Premises and are not transferable to a new Occupier or different Premise except as provided for in clause E8.

E7 Review of Trade Waste Consent

- a) The Council may at any time during the term of a Trade Waste Discharge Consent, by written notice to the Consent Holder review the Trade Waste Discharge Consent and vary any condition of the Consent where a change to a condition is necessary:
 - i. following a review of the performance of pre-treatment devices or processes;
 - ii. to meet any new resource consent imposed on the discharge from the Wastewater Network; and/or
 - iii. to comply with any other legal requirements that must be met by the Council.

E8 Transfer of Trade Waste Consent

- a) A Trade Waste Consent to discharge will be issued in the name of the given Consent Holder.
- b) The Consent Holder may not, unless written approval is obtained from Council:
 - i. transfer to any other party the rights and responsibilities provided for under this Bylaw, and under the Consent; or
 - ii. 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.
- c) Transfer of a Trade Waste Consent on change of ownership of a Premises must not be unreasonably withheld if the characteristics of the Wastewater remain unchanged.
- d) When an Occupier ceases to occupy Premises from which Trade Waste is discharged into the Wastewater Network, any Trade Waste consent will terminate, unless a transfer is effected prior to vacating the Premises.
- e) The Consent Holder remains liable or in the event the former Consent Holder is no longer in existence the Owner is liable for the failure to meet any obligations existing at the date of termination notwithstanding termination of the Trade Waste consent.

E9 Cancellation of Trade Waste Consent

- a) The Council may suspend or cancel any Trade Waste Consent to discharge at any time following not less than 20 working days' notice, to the Consent Holder or person discharging or person allowing a discharge of any Trade Waste, where in the opinion of a Council enforcement officer the Consent Holder:
 - i. has failed to comply with any condition of the Trade Waste Consent;

- ii. has failed to maintain control over the discharge;
 - iii. is discharging or allowing the discharge of any Prohibited Trade Waste;
 - iv. has failed to provide and when appropriate update a Trade Waste Management Plan as required for a Conditional Trade Waste Consent; and/or
 - v. has failed to pay any applicable fees.
- b) The Council may suspend or cancel any Trade Waste Consent to discharge at any time where in the opinion of an Authorised Officer:
- i. any breach of a resource consent held by the Council, has arisen from (whether wholly or partly) the Trade Waste discharge;
 - ii. any act or omission of the Consent Holder is, or is likely to:
 - a. adversely affect the safety of the Wastewater Network;
 - b. damage to any part of the Wastewater Network;
 - c. adversely affect the health of any person;
 - d. adversely affect the safety of any person; or
 - e. adversely affect the environment; and/or
 - iii. it is necessary for the Council to comply with any other legal requirement.

E10 Duration of Trade Waste Consent

- a) A Permitted Trade Waste authorised by an Approval Notice is able to be discharged indefinitely.
- b) Subject to clauses E12 to E17 inclusive, Controlled and Conditional Trade Waste Consents remain in force until they expire at the end of the term prescribed in the Trade Waste Consent, being a term of no more than two years. However, the Trade Waste Consent may be granted for a term not exceeding five years where a Consent Holder, at the time of the 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 Trade Waste Consent during its term; and/or
 - ii. Cleaner production, pollution prevention and waste minimisation techniques are successfully being utilised, or 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 amortization of this investment is considered reasonable.

E11 Accidents and Non-Compliance

- a) The Consent Holder must inform the Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of this Bylaw or Trade Waste or associated Stormwater Consents.

- b) In the event it becomes evident that discharges occurring on the Premises of a Permitted Trade Waste are no longer complying with Schedule A of the Administration Manual, the Council may require the Occupier discharging to apply for an appropriate Trade Waste Consent.

E12 Control of Trade Waste discharges

- a) The Council may approve a Controlled and/or a Conditional Trade Waste subject to the provision of appropriate pre-treatment system(s) to enable the Occupier discharging to comply with the Bylaw. Such pre-treatment systems must be provided, operated and maintained by the discharger at their expense. Operation and servicing of commercially supplied equipment must be in accordance with the supplier's recommendations. Further guidance on specific activities and associated requirements for Controlled Trade Waste (including pre-treatment requirements) along with guidelines for pre-treatment of other discharges, are set out in Table 1, clause E13 of the Administration Manual.
- b) All dental facilities require a consent, which must include an approved amalgam trapping and disposal system where relevant.
- c) Where the Trade Waste includes, or is likely to include, fats, grease or oils in excess of 100 grams per 1000 litres each day:
- i. grease traps must be installed at the Trade Premises; and
 - ii. Occupiers must use and maintain the grease traps to a standard that complies with the discharge limit for fats, oil and grease as set out in the Bylaw and Part E of the Administration Manual.
- d) Where the Trade Waste includes hydrocarbons, automobile oil and silts, the Trade Premises will require an, oil and water, and/or oil and grit interceptor to comply with the Wastewater discharge parameters as set out in the Bylaw.
- e) Clause E13 below and clause E8 of the Administration Manual set out the requirements for grease traps and oil and grit interceptors.

E13 Discharges Via Grease Traps, Oil and Grit Interceptors

- a) All grease traps and oil/grit interceptors must be maintained in an operable condition in accordance with the following criteria:
- i. All traps and/or interceptors must be serviced at a frequency to ensure compliance with Schedule A of the Administration Manual.
 - ii. To comply with Trade Waste discharge parameters, servicing schedules must be set up to maintain operational efficiency of the trap. Scheduled servicing should be undertaken at a time that minimises the risk to public health and safety and prevents a public nuisance.
 - iii. All servicing must be conducted by an approved liquid waste operator who is in possession of a Council Trade Waste Consent should the discharge be to a Council facility.
 - iv. The Occupier must retain satisfactory records of servicing of grease traps and oil/grit interceptors and these records must be readily available for inspection by Council if required.
 - v. Oil and grit interceptors for wash-down bays, with a greater working surface area than set out in Council's Land Development and Subdivisions Code of Practice, must be roofed or installed with a first flush system.

- a) Discharges via Enzyme Based Grease Converters must meet the following criteria at all times:
 - i. The converter is fitted with an automatic enzyme dosing apparatus that is in use at all times. The converter must be maintained as per the manufacturer's instructions.
 - ii. The Occupier is able to provide satisfactory records of purchase of enzymes of a type and quantity that will treat the discharge to the required standard as stipulated in Schedule A of the Administration Manual.
 - iii. The Council is satisfied that there is no risk to the Wastewater Network by using of the converter.
- b) Discharge via a mechanical grease trap must comply with the following criteria at all times:
 - i. The mechanical grease tap must be serviced and maintained as per the relevant manufacturer's instructions. The Occupier must provide satisfactory records of all services and maintenance as required by the manufacturer.

E14 Control of Trade Waste from Commercial and Other Food Premises

- a) Refuse or garbage grinders and macerators must not be used to dispose of solid waste from commercial food Premises to the Wastewater Network unless approved by Council.
- b) Clause E10 of the Administration Manual includes a list of Premises that also prepare and serve food but are not commercial Premises. Such Premises must apply for a Trade Waste Consent and may be required to fit grease traps based on Council's risk based assessment.

Explanatory note: *Examples from the list include premises such as Marae, churches, public halls and facilities, school catering facilities or kitchens etc.*

E15 No Dilution of Trade Waste

- a) No Occupier may add or permit the addition of any potable, Condensing, Cooling Water or Stormwater to any Trade Waste discharge in order to vary the characteristics of the waste, unless the Council has granted a Trade Waste Consent allowing such activities.

E16 Discharge or Storage of Hazardous Materials

- a) No Occupier may discharge Hazardous Waste into the Wastewater or Stormwater Network.
- b) No Occupier may store at any Trade Premises raw material, products or waste containing:
 - i. corrosive, toxic, biocidal, radioactive, flammable, or explosive materials; or any material which, when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous; or
 - ii. any other material likely to be harmful to the Wastewater and Stormwater Network or the health and safety of people; without taking all reasonable steps to prevent entry into the Wastewater and Stormwater Network from leakage, spillage or other mishap.
- c) All Codes of Practice developed by the New Zealand Government's Environmental Protection Agency; the Hazardous Substances and New Organisms Act 1996, and related guidelines or other industry organisations must be followed to store Hazardous Waste on site. Clause A3 of the Administration Manual lists a number of relevant documents. This list is not exhaustive and is expected to be subject to changes from time to time.

E17 Tankered Wastes

- a) Any Tankered Waste operator intending to discharge to a Council facility must have a current Trade Waste Consent and offensive trade license. Tankered Waste operations are classified as a Conditional Trade Waste.
- b) Tankered Waste must not be discharged into the Wastewater Network by any person or Consent Holder not compliant with the Liquid and Hazardous Wastes Code of Practice and Council's accepted tracking system.
- c) Council may accept Tankered Waste for discharge at an approved location.
- d) Tankered Waste must:
 - i. be transported by a Consent Holder to discharge domestic septic tank or industrial wastes;
 - ii. have Safety Data Sheets (SDS) supplied to Council detailing the contents of a waste. If an SDS meeting Worksafe New Zealand's requirements is not available, alternative information acceptable to Council shall be made available in written or electronic form.
 - iii. be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice must be borne by the Consent Holder.
 - iv. be randomly tested to determine the characteristics of the waste. The cost of random tests will be paid by the Council.
- e) To prevent cross-contamination between tanker loads, the tanker must be thoroughly washed prior to collecting a load for disposal into the Wastewater Network.
- f) The discharger of Tankered Waste must give 48 hours' notice to Council for the disposal of wastes other than those sourced from domestic septic tanks.
- g) Tankered Waste, including Hazardous Waste transported out of Council's District, must be recorded by the liquid waste operator in accordance with the Liquid and Hazardous Wastes Code of Practice and records provided to Council on request.

E18 Mobile Facilities and Vendor Operations

Discharge to the Wastewater Network from vehicles including trucks and caravans and other types of mobile facilities, such as food vendors, and container waste from mobile cleaning activities must be discharged into the Wastewater Network at a location and in a manner approved by Council-

E19 Trade Waste Management Plans

Clause E11 of the Administration Manual sets out the requirements for a Trade Waste Management Plan.

E20 Duty to Control Discharges

- a) No Occupier may discharge Wastewater or Trade Waste into the Wastewater Network, in a manner contravenes this Bylaw and Administration Manual.
- b) No Occupier may discharge Wastewater to the Wastewater Network with physical characteristics that exceed the parameters specified in Schedule A of the Administration Manual.

- c) No Occupier may discharge Trade Waste with constituents or characteristics that exceed the parameters specified in Schedule A of the Administration Manual unless a Trade Waste Consent has first been obtained.
- d) No Occupier may discharge solid waste or Construction Debris into the Wastewater Network.
- e) No Occupier may discharge Wastewater or Trade Waste with constituents or characteristics in a manner that contravenes the Bylaw and Administration Manual.
- f) No Occupier may discharge, or allow to be discharged Tankered Waste into the Wastewater Network other than at an approved location.
- g) No Occupier may make any false or inaccurate statement or disclosure as to the contents of any Tankered Waste or any Trade Waste.
- h) No Occupier may discharge Wastewater or Trade Waste with constituents or characteristics that are specified as prohibited in Schedule B of the Administration Manual. Any Occupier who causes or allows the discharge of Wastewater with prohibited characteristics as set out in Schedule B of the Administration Manual to the Wastewater Network must:
 - i. immediately take all practicable steps to stop the imminent entry or further entry of this substance to the Wastewater Network; and
 - ii. inform an Authorised Officer as soon as reasonably practicable.
- i) The Council may prohibit the discharge of Trade Waste which contravenes this Bylaw by removing, closing or modifying the connection access point in a manner that prevents a discharge of Wastewater from the Premises.
- j) The Occupier of a Trade Premises must maintain service and maintenance contracts for pre-treatment devices at the Occupier's expense.
- k) The Occupier must, at its expense, use processes, equipment or storage facilities to control:
 - i. the quality, quantity and rate of Trade Waste discharged from the Trade Premises and other Trade operations; and
 - ii. the constituents, or characteristics in Trade Waste in accordance with any Trade Waste Consent conditions; prior to the point of discharge into the Wastewater Network.