

# WAIROA DISTRICT COUNCIL

## CONSOLIDATED BYLAW 2007



### ***Part 8- Trade Waste and Wastewater Bylaw***

The purpose of this Bylaw is to enable the Council as a Wastewater Authority to regulate: (a) the discharge of trade waste to the sewerage system operated by it; (b) the drainage of wastewater from domestic premises into the system operated by it.

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## 1. EXPLANATION

The purpose of this Bylaw is to enable the Council as a Wastewater Authority, to regulate:

- (a) the discharge of trade waste to any sewerage system operated by it.
- (b) the drainage of wastewater from domestic premises into any system operated by it.
- (c) the drainage of wastewater from any domestic premises by way of on-site systems.

The Wairoa District Council (WDC) is empowered by the Local Government Act 2002 and the Health Act 1956 to:

- Protect public health and the security of the public wastewater drainage system.
- Detail the responsibility of both the Council and all occupiers with respect to the public wastewater drainage network.
- Detail acceptable types of connection.
- Encourage waste minimisation.
- Detail breaches and remedies

This Bylaw aims to achieve these purposes and should be read in conjunction with the Acts, Regulations, Codes and Standards listed herein.

This Bylaw makes provision for:

- (a) The management of trade wastes;
- (b) The management of on-site wastewater disposal systems;
- (c) Wastewater discharges to WDC pressure sewer networks from private property (for systems to be established at Mahia Beach and Opoutama); and
- (d) Wastewater discharges to WDC gravity sewer networks from private property (currently at Wairoa and Tuai).

The Bylaw provides that the terms and conditions of the wastewater collection and disposal service supplied and received, including fees and charges payable, are set out in the completed Council application form and constitute a contract between the parties.

The provisions of this Bylaw are separate from and in addition to any requirements under the Resource Management Act 1991, the Building Act 2004 and any other WDC bylaw requirements.

## **2. INTRODUCTION**

### **2.1 SCOPE**

The purpose of this Bylaw is to enable the Council as a Wastewater Authority, to regulate:

- (a) the discharge of trade waste to any sewerage system operated by it.
- (b) the drainage of wastewater from domestic premises into any sewerage system operated by it.
- (c) the drainage of wastewater from any domestic premises by way of on-site systems.

### **2.2. TITLE OF THIS BYLAW**

This Bylaw shall be known and cited as the Wairoa District Council Trade Waste and Wastewater Bylaw 2012 and shall come into operation on the date specified by public notice after the Wairoa District Council makes this Bylaw. For expediency this Bylaw may be referred to in this or other Bylaws as the Trade Waste and Wastewater Bylaw.

### **2.3 ENABLING ENACTMENTS**

This Bylaw is made pursuant and subject to:

- (a) Building Act 2004 and Regulations;
- (b) Fire Service Act 1975;
- (c) Hazardous Substances and New Organisms Act 1996 and regulations;
- (d) Health Act 1956 and regulations;
- (e) Health and Safety in Employment Act 1992;
- (f) Land Transfer Act 1952;
- (g) Land Transport Rule Dangerous Goods 2005, Rule 45001/1
- (h) Local Government Act 2002;
- (i) Local Government (Rating) Act 2002;
- (j) Property Law Act 1952;
- (k) Plumbers, Gasfitters and Drainlayers Act 1976 and
- (l) Plumbers, Gasfitters and Drainlayers Act 2006;
- (m) Resource Management Act 1991;

### **2.4 LIST OF SCHEDULES PASSED IN TERMS OF THIS BYLAW**

Schedule 1:	Trade Waste Forms;
Schedule 1, Appendix A:	Form of Application for Trade Waste Discharge;
Schedule 1, Appendix B:	Form of Description of Trade Waste and Premises;
Schedule 1, Appendix C:	Form of Application for Temporary Discharge;
Schedule 1, Appendix D:	Trade Waste Consent Form;
Schedule 1A:	Permitted Trade Waste Discharge Characteristics;
Schedule 1B:	Prohibited Characteristics;
Schedule 1C:	Trade Waste Charges;

Schedule 1D:	System of Charging in respect of Volume and Strength;
Schedule 2:	Abbreviations;
Schedule 3:	Codes and Standards Applicable to this Bylaw;
Schedule 4:	Waste Minimisation Devices;
Schedule 5:	Wastewater drainage policy for the discharge and acceptance of waste water;
Schedule 5, Appendix A:	Example of a Memorandum of Encumbrance;
Schedule 5, Appendix B:	Example of a Deed of Covenant;
Schedule 5, Appendix C:	Form of Application for Domestic Wastewater Connection;
Schedule 5, Appendix D:	Point of Discharge Location;
Schedule 5, Appendix E:	Layout at Point of Discharge;
Schedule 6:	Level of Service Criteria;
Schedule 7:	Wairoa District Council Wastewater Network Areas;
Schedule 7, Appendix A:	Wairoa;
Schedule 7, Appendix B:	Tuai;
Schedule 7, Appendix C:	Opoutama;
Schedule 7, Appendix D:	Mahia Beach;
Schedule 8:	Pressure Wastewater Collection (PWC) Systems;
Schedule 8, Appendix A:	Standards and Guarantees for PWC Products;
Schedule 8, Appendix B:	PWC Installation Specifications;
Schedule 8, Appendix C:	Form of Producer Statement for PWC System Installation;
Schedule 8, Appendix D:	Form of Application for Approval as a PWC Installer.

## **2.5 ADOPTION, AMENDMENT AND REVOCATION OF SCHEDULES**

The Council may from time to time adopt, amend or revoke by resolution the Schedules of this Bylaw listed in section 2.4

### 3. DEFINITIONS AND INTERPRETATION

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

**ACCEPTABLE DISCHARGE:** Means trade waste and wastewater with physical and chemical characteristics which comply with the requirements of the Council set out in Schedule 1A of this Bylaw.

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

**ALLOTMENT:** Means the same as “Premises” as defined in this Bylaw.

**ANALYST:** Means a testing laboratory approved in writing by the Council.

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

**APPROVED PWC PRODUCT:** Means a PWC system which meets the performance standards and has the guarantees set out in Schedule 8 to this Bylaw which may be amended from time to time by resolution of Council.

**APPROVED PWC INSTALLER:** Means a suitably qualified PWC installer and maintenance technician approved by the Council under Section 5.9 of this Bylaw.

**AS-BUILT PLAN:** Means a plan at scale 1:500 showing the appropriate services in the condition and position that they have been installed, and relevant property information.

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

**Note:** The definition for Biosolids as defined in this Bylaw differs from that used by Hawkes Bay Regional Council. Hawkes Bay Regional Council in their Regional Resource Management Plan does not allow Biosolids to include human waste. Any discharge of Biosolids as defined by this Bylaw outside a public sewer owned and maintained by the Council will require a resource consent from Hawkes Bay Regional Council.

**BOUNDARY KIT:** Means the connection apparatus between the private wastewater infrastructure (such as the PWC system) and the wastewater network owned by the Council. For the avoidance of doubt the boundary kit is part of the wastewater network.

**BURIED SERVICES:** Means all public wastewater pipelines, rising mains, trunk wastewater pipelines and other underground utilities under the control of the Council.

**CERTIFICATE OF TITLE:** Means a certificate registering the freehold ownership of land available to any owner under the Land Transfer Act 1952.

**CHARACTERISTIC:** Means any of the physical or chemical characteristics of wastewater referred to in this Bylaw.

**CLEANER PRODUCTION:** Means the implementation on trade premises of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimize and manage trade waste by:

- (a) using energy and resources efficiently, avoiding or reducing the amount of waste produced; or
- (b) producing environmentally sound products and services; or
- (c) achieving less waste, fewer costs and higher profits.

**CODE OF PRACTICE:** Means the Code adopted by the Council describing how wastewater systems are to be installed operated maintained and renewed; this code is NZS 4404.

**CONDENSING WATER or COOLING WATER:** Means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

**CONDITIONAL TRADE WASTE:** Means trade waste which has conditions placed upon the consent holder by the Council.

**CONNECTION:** Means the lawful and physical connection of a private wastewater pipeline to any Council wastewater network.

**CONSENT:** Means a consent in writing given by the Council and signed by an authorised officer authorising a person to discharge trade wastes to the sewerage system.

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

**CONTAMINANT:** Means any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat:

- (a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
- (b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged; or as described or contained in the Resource Management Act 1991.

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

**CUSTOMER:** Means a person who either discharges, or has obtained a consent to discharge or direct the manner of discharge of wastewater from any premises to the public sewer of the Council.

**DISCHARGE:** Means discharge trade wastes or waste water to, or into a public sewer whether directly or indirectly by means of any private sewer, and “the discharge” has a corresponding meaning.

**Note:** The definition of Discharge as defined in this Bylaw differs from that used by Hawkes Bay Regional Council. Hawkes Bay Regional Council in their Regional Resource Management Plan defines Discharge as “emit, deposit, allow to escape”. Any discharge of sewage or wastewater as defined by this Bylaw outside a public sewer owned and maintained by the Council will require a resource consent from Hawkes Bay Regional Council.

**DISCONNECTION:** Means the physical cutting or sealing of a private wastewater pipeline from any Council wastewater network.

**DEED OF COVENANT:** Means an agreement whereby a party stipulates as to the truth of certain facts, or binds himself to give something to another, or to do or not to do any act.

**DOMESTIC WASTEWATER:** Means either that wastewater which is discharged from premises used solely for residential activities, or wastes of the same character discharged from other premises, with quality parameter limits as specified in Schedule 1A to this bylaw. This includes water from the draining of domestic swimming and spa pools subject to Section 5.5.1 of this part of the Bylaw.

**Note:** Schedule 1A refers to Permitted Discharges. The definition of Permitted Discharge as defined in this Bylaw differs from that used by Hawkes Bay Regional Council. Please refer to the Note included in the definition for Permitted Discharge.

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

**Note:** The definition of Sewage as defined in this Bylaw differs from that used by Hawkes Bay Regional Council. Please refer to the Note included in the definition for Sewage.

**EXFILTRATION:** Means any leakage from within any type of defined pipeline to the outside environment.

**FOUL WATER:** Means the discharge from:

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

**GRAVITY RETICULATION:** Means that part of the wastewater network designed to receive and convey wastewater by gravity.

**GREASE TRAP:** Means a device approved by the Council or an authorised officer that allows kitchen wastewater to cool, and the grease to separate from the wastewater.

**HAZARDOUS MATERIALS:** Means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials, or any materials which when mixed with the wastewater stream, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any person or harmful to the wastewater network.

**HAZARDOUS WASTES or HAZARDOUS SUBSTANCES:** Means hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.

**HBRC:** Means the Hawke's Bay Regional Council.

**INFILTRATION:** Means water entering a public or private wastewater network 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 wastewater pipeline from noncomplying connections or other drain laying faults. It includes stormwater entering through illegal down pipe connections or from low gully traps.

**LEVEL OF SERVICE:** Means the measurable performance standards, set out in Schedule 6, on which the Council undertakes to receive wastewater from its customers.

**LICENSED DRAINLAYER:** Means a tradesperson certified by the Plumbers, Gasfitters and Drainlayers Board under the Plumbers, Gasfitters and Drainlayers Act 1996 and holding such other certifications as the Council may require from time to time.

**MANAGEMENT PLAN:** Means the plan for management of operations on the premises from which trade wastes come, and may include provision for cleaner production, waste minimization, discharge, contingency management procedures, and any relevant industry code of practice.

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

**MAXIMUM CONCENTRATION:** Means the instantaneous peak concentration that may be discharged at any instant in time.

**MEMORANDUM OF ENCUMBRANCE:** Means an agreement for the payment by any person or persons by yearly or periodical payments or otherwise of any annuity, rent charge, or sum of money other than a debt where land owned by the person or persons is legally defined and used as security should failure to pay occur.

**METER:** Means an instrument that is designed to measure liquid flowing through it.

**MONITORING EQUIPMENT:** Means any device or combination of devices considered appropriate by the Council to measure on site or remotely and record any characteristics of trade water and wastewater.

**NEW INSTALLATION:** Means installed after the date on which this Bylaw becomes operative, whether in a new constructed building or during renovation of a new or existing building.

**OCCUPIER:** Means the person occupying premises connected to the sewerage system.

**ON SITE WASTEWATER DISPOSAL SYSTEM:** Means any system (and its constituent parts) designed to utilise chemical or biological processes to break down wastewater into less harmful constituents, with the discharge located on an allotment owned or controlled by the person(s) who own or control the allotment from which the wastewater was generated.

**Note:** The definition of On-Site Wastewater Disposal System as defined in this Bylaw differs in detail from that used by Hawkes Bay Regional Council. In addition to complying with the provisions of this Bylaw, all discharges from On-Site Wastewater Disposal Systems are required to comply with the relevant rules of the Hawkes Bay Regional Council Regional Resource Management Plan. Compliance with the Bylaw does not imply or guarantee compliance with Hawkes Bay Regional Council Rules.

**PERMITTED DISCHARGE:** Means a trade waste or wastewater discharge that has been approved by, or is acceptable to, the Council and has the physical and chemical characteristics which comply with the requirements of the Council standard as defined in Schedule 1A of this Bylaw.

**Note:** Schedule 1A refers to Permitted Discharges. The definition of Permitted Discharge as defined in this Bylaw differs from that used by Hawkes Bay Regional Council (HBRC). HBRC defines a Permitted Discharge as "any discharge which is permitted under a regional rule". Any discharge of sewage or wastewater as defined by this Bylaw outside a public sewer owned and maintained by the Council will require a resource consent from HBRC.

**PERSON:** Means a person or body of persons whether corporate or not corporate, a corporation sole and any successor and includes the Crown.

**POINT OF DISCHARGE:** Means the point on the public wastewater pipeline which marks the boundary of responsibility between the customer and the Council and shall be located as near as practical to one metre inside the boundary of the owner's property as set out in Schedule 5, Appendices D & E of the Bylaw, or as designated in a trade waste consent.

**PWC POINT OF DISCHARGE:** Means the point on the public wastewater pipeline which marks the boundary of responsibility between the customer and the Council and shall be located as near as practical to 300mm outside the boundary of the owner's property and downstream of the PWC, as set out Schedule 8 of the Bylaw.

**PREMISES:** Means either:

- (a) a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or

- (b) a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available;  
or
- (c) land held in public ownership for a particular purpose such as a reserve;  
or
- (d) individual units in buildings which are separately leased or separately occupied.

**PRESSURE WASTEWATER RETICULATION:** Means a wastewater network designed to receive and convey wastewater through a pressurised system of pumps and infrastructure. These areas are shown on the Pressure Wastewater Reticulation Area Plans attached as Schedule 7, Appendices C (Opoutama) and D (Mahia Beach) and which may be amended from time to time by the Council by resolution and publicly notified, as geographical areas become serviced by pressure wastewater reticulation. PWR's currently under construction are located at Opoutama and Mahia Beach.

**PRE-TREATMENT:** Means any processing of trade waste designed to reduce or vary any characteristic in a waste before discharge to the sewerage system in order to comply with a trade waste consent.

**PRIVATE WASTEWATER PIPELINE:** Means that section of pipeline between the owner's premises and the point of discharge through which wastewater is conveyed from the premises to the wastewater network. This section of pipeline is owned and maintained by the consent holder or customer (or group of consent holders or customers).

**PROHIBITED CHARACTERISTICS:** Means those characteristics of wastewater which shall not be discharged into the Council's network, as listed in Schedule 1B to this Bylaw.

**PROHIBITED TRADE WASTE:** Means a trade waste that has prohibited characteristics as defined in Schedule 1B and does not meet the conditions of Schedule 1A. The waste is not acceptable for discharge into the Council's system unless specifically approved by it as conditional trade waste.

**PUBLIC SEWER:** Means the sewerage system (the main public sewer and lateral connections) that carry away waste water and trade waste from the point of discharge. The public sewer is owned and maintained by the Council.

**PWC:** Means an approved pressure wastewater collection & disposal system, for the purpose of delivering domestic wastewater from individual properties to the wastewater network.

**RCEP:** Means the Regional Coastal Environment Plan proposed by the HBRC under the RMA.

**RISING MAIN:** Means a public wastewater main pipe through which wastewater is pumped.

**RMA:** Means the Resource Management Act 1991.

**RRMP:** Means the operative Regional Resource Management Plan of the HBRC under the RMA.

**SCHEDULE OF RATES AND CHARGES:** Means the list of items, terms and prices for services associated with the discharge of trade waste or waste water as approved by the Council.

**SERVICE OPENING:** Means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a public wastewater pipeline.

**SEWAGE:** Means foul water and may include trade wastes.

**Note:** The definition of Sewage as defined in this Bylaw differs from that used by Hawkes Bay Regional Council. Hawkes Bay Regional Council in the Regional Resource Management Plan definition of Sewage excludes trade wastes. Any discharge of Sewage as defined by this Bylaw outside a public sewer owned and maintained by the Council will require a resource consent from Hawkes Bay Regional Council.

**SEWAGE SLUDGE:** Means the material settled out and removed from sewage during the treatment process.

**SEWERAGE SYSTEM:** Means the collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and other related structures operated by or on behalf of the Council and used for the reception, treatment and disposal of waste water and trade waste.

**SIGNIFICANT INDUSTRY:** Means the significant size of a given industry compared to the capacity of the sewerage system (including sewage treatment plant) which services that industry. Industry size relates to volume and/or loads discharging into the sewerage system. Loads can be the conventional loadings of BOD<sub>5</sub> and SS or some other particular contaminant such as boron or chromium which will have an effect or the propensity to have an effect on the sizing of the sewerage system, the on-going system operation and/or the quality of the treated effluent that is discharged.

**STANDARDS FOR ENGINEERING DESIGN AND CONSTRUCTION:** Means the Standards for Engineering Design and Construction adopted by Council resolution and as amended from time to time by resolution of Council; NZS 4404 is the currently adopted standard.

**STORMWATER:** Means all surface water run-off resulting from rainfall.

**Note:** The definition of Stormwater as defined in this Bylaw differs from that used by Hawkes Bay Regional Council. Any discharge of Stormwater as defined by this Bylaw outside a public sewer owned and maintained by the Council will require a resource consent from Hawkes Bay Regional Council.

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

**TANKERED WASTE:** Means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic sewage discharged directly from house buses, caravans, buses and similar vehicles.

**TEMPORARY DISCHARGE:** Means any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from premises subject to an existing consent.

**TRADE PREMISES:** Means:

- (a) any premises used or intended to be used for any industrial or trade purpose; or
- (b) 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
- (c) any other premises from which a contaminant is discharged in connection with any industrial or trade process;
- (d) any premises discharging wastewater to a public sewer exceeding 5 cubic metres per day;
- (e) any other premises discharging other than domestic sewage; and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

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

**TRUNK WASTEWATER PIPELINE:** Means a wastewater pipeline, generally greater than 150 mm in diameter, which forms a part of the principal drainage network of the wastewater network.

**WASTEWATER:** Means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to a wastewater network.

**WASTEWATER NETWORK:** Means all pipelines, pumping stations, sewers, storage tanks, wastewater treatment plants, discharge systems and other related structures vested in, owned by or otherwise under the control of the Council, used for conveying, treating or disposing of wastewater.

**WASTEWATER AUTHORITY:** Means the Council including its authorised agents, responsible for the collection, treatment and disposal of trade waste and waste water.

**WDC:** Means the Wairoa District Council.

In the event that a term contained in this Bylaw is unclear, NZS 4404, NZS 9201 (the Model Bylaw) and legislation such as the Local Government Act 2002 may be used to clarify terms or phrases.

## **4. TRADE WASTE**

### **4.1 SCOPE**

The purpose of Section 4 is to provide for the fulfilment by the Council as a Wastewater Authority of its obligations by:

- (a) acceptance of long-term, intermittent, or temporary discharge of trade waste to the sewerage system;
- (b) establishment of three grades of trade waste:
  - (i) permitted;
  - (ii) conditional; and
  - (iii) prohibited.
- (c) evaluation of individual trade waste discharges against specified criteria;
- (d) managing the correct storage of materials to protect the sewerage system from spillage;
- (e) installation of flow meters, samplers or other devices to measure flow and characteristics of the trade waste discharge;
- (f) specifying any pre-treatment of waste that may be required before acceptance for discharge into the sewerage system;
- (g) sampling and monitoring of trade waste discharges to ensure compliance with this Bylaw;
- (h) operating a procedure to accept or refuse a trade waste discharge;
- (i) setting charges to cover the cost of conveying, treating and disposing of, or reusing, trade waste and the associated costs of administration and monitoring;
- (j) establishment of waste minimization and management programmes (including sludges) for trade waste producers.

### **4.2 TRADE PREMISES AND OTHER USERS TO WHICH THIS SECTION APPLIES**

- (a) Section 4 of this Bylaw shall apply to a premises within the Wairoa District where trade waste is:
  - (i) discharged or is intended or likely to be discharged; or
  - (ii) collected by tanker for intended discharge; into the sewerage system operated by the Council.
- (b) The Council may in its sole discretion refuse to accept any type of trade waste that does not comply with the provisions of this Bylaw.

### **4.3 CONTROL OF DISCHARGES**

#### **4.3.1** No person shall:

- (a) discharge, or allow to be discharged, any trade waste into the sewerage system except in accordance with the provisions of this Bylaw;
- (b) discharge, or allow to be discharged, a prohibited trade waste into the sewerage system;
- (c) add or permit the addition of condensing or cooling water to any trade waste which discharges into the sewerage system unless with the prior written consent of the Council, or
- (d) add or permit the addition of storm water to any trade waste which discharges into the sewerage system unless with the prior written consent of the Council.

#### **4.3.2** When any person fails to comply with Section 4.3.1 and a reasonable alternative method cannot be agreed with the discharging party, the Council may physically prevent discharge into the sewerage system.

### **4.4 STORAGE, TRANSPORT, HANDLING AND USE OF HAZARDOUS SUBSTANCES OR MATERIALS**

#### **4.4.1** Every person on a trade premises shall take reasonable steps to prevent the entry of a hazardous substance or a material listed in section 4.4.3 from entry into the sewerage system as a result of:

- (a) leakage;
- (b) spillage;
- (c) failure to take adequate precautionary measures; or
- (d) other mishap.

#### **4.4.2** No person shall store, transport, handle or use, or cause to be stored, transported, handled or used a hazardous substance or a material listed in section 4.4.3 in a manner that may cause the substance or material to enter the sewerage system.

#### **4.4.3** A material referred to in sections 4.4.1 and 4.4.2 is:

- (a) a product or waste containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or

- (b) likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream; or
- (c) likely to be deleterious to the health and safety of humans or animals or harmful to the sewerage system.

#### **4.5 TRADE WASTE DISCHARGES AND CONSENTS**

##### **4.5.1 RESTRICTION ON DISCHARGE OF TRADE WASTE**

No person shall discharge, or cause to be discharged, a trade waste into the sewerage system except in accordance with the provisions of this Bylaw.

##### **4.5.2 CLASSIFICATION OF TRADE WASTE DISCHARGES**

Trade waste discharge shall be classified as:

- (a) Permitted, in which case the Council may require that prior written consent be obtained; or
- (b) Conditional, in which case the Council shall require that prior written consent be obtained; or
- (c) Prohibited, in which case the Council's consent for discharge will not be granted.

##### **4.5.3 OBLIGATION AND DISCRETION OF THE COUNCIL**

- (a) No person shall be entitled to discharge trade waste into the sewerage system and the Council is not obliged to accept any trade waste.
- (b) An application for the discharge of trade waste shall not be approved when the trade waste discharge contains, or is likely to contain, characteristics which are prohibited in accordance with Schedule 1B of this Bylaw

##### **4.5.4 APPLICATION FOR A TRADE WASTE CONSENT ("THE APPLICATION")**

- (a) Any person who does, proposes to, or is likely to:
  - (i) discharge into the sewerage system any trade waste (either continuously, intermittently or temporarily); or
  - (ii) vary the characteristics of trade waste that is discharged in accordance with an existing consent to discharge; or
  - (iii) vary the conditions of an existing consent to discharge; or
  - (iv) significantly change the method or means of pre-treatment for trade waste discharge under an existing consent.

shall apply to the Council, using the prescribed form, for consent for the discharge, variance or change.

- (b) The Council shall be entitled to deal with the owner or the occupier of the trade premises.

#### **4.5.5 SEPARATE COPIES OF DESCRIPTION OF TRADE WASTE AND PREMISES TO BE SUBMITTED**

Where the trade premises produces trade waste from more than one area, a separate copy of the "Description of Trade Waste and Premises" for each area, as provided for in Schedule 1, Appendix B of this Bylaw, shall be included in the application for trade waste discharge for each area. This applies whether or not the separate areas are part of a single or separate trade process.

#### **4.5.6 RESPONSIBILITY FOR COMPLETENESS OF APPLICATION**

- (a) The application and every document conveying required information, shall contain all the required information, be properly executed and accompanied by the application fee.
- (b) The applicant shall be responsible for the correctness of the content of the application and any annexure thereto, adherence to the prescribed application process and compliance with all the requirements to obtain the trade waste discharge consent.
- (c) Every act or omission done for, or on behalf of, the eventual consent holder (whether for reward or not) in making any such application shall be deemed to be an act of the consent holder.

#### **4.5.7 INDEPENDENT VERIFICATION OF INFORMATION**

The Council may require an application to be supported by an independent report or statement completed by a suitably experienced and external auditor to verify any information supplied by the applicant, and this may include a management plan.

#### **4.5.8 COSTS OF THE DISCHARGE CONSENT**

Every application shall be accompanied by a trade waste discharge consent in accordance with the Schedule of Rates and Charges determined in accordance with clause 4.13.1 of this Bylaw.

#### **4.5.9 PROCESSING OF APPLICATION**

On the receipt of an application, the Council may:

- (a) require the applicant to submit additional information necessary to reach an informed decision;

- (b) require the applicant to submit a satisfactory management plan;
- (c) whenever appropriate, have the discharge investigated and analysed as provided for in sections 4 5.7 and 7.7.3 of this Bylaw.

#### **4.5.10 CONSIDERATION OF APPLICATION**

- (a) The Council shall within twenty working days of receipt of:
  - (i) an application complying with section 2.5.7(a); or
  - (ii) the information required pursuant to section 2.5.10;whichever is the later, decline the application or grant it as:
  - (A) permitted trade waste discharge consent; or
  - (B) conditional trade waste discharge consent.
- (b) When the Council grants an application it shall issue a trade waste discharge consent, in accordance with Schedule 1, Appendix D to this Bylaw, containing the approval and the conditions relating thereto.
- (c) When the Council declines the application it shall inform the applicant of its decision and reasons in writing.
- (d) The Council may extend the period referred to in subsection (a) if necessary.

#### **4.5.11 CONSIDERATION CRITERIA**

In considering an application for a trade waste discharge consent from any premises or tankered waste into the sewerage system and imposing conditions the Council shall consider the quality, volume, and rate of discharge of the trade waste from such premises or tanker in relation to:

- (a) the health and safety of humans or animals or harm to the sewerage system;
- (b) the limits and/or maximum values for characteristics of trade waste as specified in Schedules 1A and 1B of this Bylaw;
- (c) the extent to which the trade waste may react with other waste or foul water to produce settlement of solids, production of odours, accelerated corrosion and deterioration of the sewerage system or other undesirable effects;
- (d) the flows and velocities in, and the material and construction of the sewerage system;
- (e) the capacity of sewerage system and the capacity of any sewage treatment works and other facilities;

- (f) the nature of the sewage treatment process and the degree to which the trade waste is capable of being treated in the sewage treatment works;
- (g) the timing and balancing of flows into the sewerage system;
- (h) enactments relating to
  - (i) the discharge of raw or treated wastewater into receiving waters;
  - (ii) the disposal of sewage sludges;
  - (iii) the beneficial use of biosolids;
  - (iv) the discharge into the atmosphere;
  - (v) resource consents, discharge permits and water classification;
  - (vi) the effect of the trade waste discharge on the ultimate receiving environment; and
  - (vii) the conditions applicable to resource consents for the sewerage system and the residuals from it;
- (k) the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the sewerage system and the environment;
- (l) consideration of other existing or future discharges;
- (m) amenability of the trade waste to pre-treatment;
- (n) existing pre-treatment works on the premises and the potential for their future use;
- (o) cleaner production techniques and waste minimization practices;
- (p) requirements and limitations related to sewage sludge disposal and reuse;
- (q) control of storm water;
- (r) the management plan; and
- (s) tankered waste being discharged at an approved location.

#### **4.5.12 CONDITIONS OF TRADE WASTE CONSENTS**

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

- (a) the public sewer or sewers into which the discharge will be made;
- (b) the maximum daily volume, the maximum rate, and the duration of discharge;
- (c) the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with section 4.6.2;

- (d) the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) the degree of acidity, or alkalinity of the discharge at the time of discharge;
- (f) the range of temperature of the trade waste allowed at the time of discharge;
- (g) the provision by the consent holder at own expense of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- (h) the provision and maintenance by the consent holder at own expense of inspection chambers, manholes or other apparatus or devices to provide reasonable access to sewers for sampling and inspection;
- (i) the provision and maintenance by the consent holder at own expense of a sampling, analysis and testing programme and flow measurement requirements;
- (j) the method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of trade waste charges applicable;
- (k) the provision and maintenance by the consent holder at own expense of meters or devices that may be required to measure the volume or flow rate of any trade waste discharged from the premises, and for the testing of the meters;
- (l) the provision and maintenance by the consent holder at own expense of services, (whether electricity, water or compressed air or otherwise), that may be required to operate meters and similar devices;
- (m) at times specified the provision in the approved format by the consent holder to the Council of all flow and/or volume records and results of analyses, including pre-treatment by-products such as sewage sludge disposal;
- (n) the provision and implementation of a management plan;
- (o) risk assessment of damage to the environment in the event of accidental discharge of a chemical;
- (p) waste minimization and management;
- (q) cleaner production techniques;
- (r) remote control of discharges;
- (s) third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal);
- (t) requirement to provide a bond or insurance in favour of the Council where failure to comply with the consent could result in damage to the Council's sewerage system, its treatment plants, or could result in the Council being in breach of any statutory obligation; and

- (u) remote monitoring of discharges.

#### **4.5.13 DURATION OF CONSENTS**

##### **4.5.13.1 PERMITTED TRADE WASTE DISCHARGE CONSENT**

- (a) A permitted trade waste discharge consent shall remain in force until:
  - (i) it is cancelled under Section 4.3.2 or 4.5.15; or
  - (ii) the quantity and nature of the discharge changes significantly. (Consent for temporary discharges shall be made in accordance with Schedule 1, Appendix C of this Bylaw); or
  - (iii) if in the opinion of the Council the discharge changes or is likely to change to such an extent that it becomes a conditional trade waste discharge or prohibited trade waste discharge in accordance with Section 4.5.2; or
  - (iv) the Council changes the trade waste management procedures by amendment of the conditions provided for in Section 4.5.12 or any amendment to, or replacement of this Bylaw; or
  - (v) the conditions on resource consents held by the Council granted under the RMA for the sewerage system discharge change.
- (b) After consultation with the Council regarding its requirements, the consent holder shall apply within ten working days of the aforesaid change occurring for a conditional trade waste consent, in accordance with Section 4.5.4 of this Bylaw. No discharge of trade waste shall take place until the application for a conditional trade waste consent is approved.

##### **4.5.13.2 CONDITIONAL TRADE WASTE DISCHARGE CONSENT**

Subject to the provisions of Section 4.5.15 and 4.11 of this Bylaw, a consent for conditional discharge of trade waste shall be issued for a period determined by the Council subject to the following conditions:

- (a) A conditional trade waste consent may be issued for a period not exceeding five years to a consent holder who at the time of application satisfies the Council that the:
  - (i) (A) nature of the trade activity; or
  - (B) process design; and/or
  - (C) management of the premises

are such that the consent holder has a demonstrated ability to meet the conditions of the consent during its term; and/or

- (ii) cleaner production techniques are currently and successfully being utilized on the premises, or
  - (iii) that a significant and substantial investment in cleaner production equipment or techniques is being made; and/or
  - (iv) significant and substantial investment in pre-treatment facilities has been made to the extent that a longer period of certainty for the amortizing of this investment is considered reasonable.
- (b) Unless issued in accordance with Section 4.5.13.2(a), a conditional trade waste discharge consent shall not be issued for longer than two years.
- (c) When
- (i) the holder of the consent; or
  - (ii) the owner of the premises; or
  - (iii) the use of the consent changes,
- a new application for a conditional trade waste discharge consent shall be made by the consent holder.
- (d) When the conditions on resource consents for the sewerage system discharge change the Council may review the conditional trade waste discharge consent.

#### **4.5.13.3 REVIEW TRADE WASTE DISCHARGE CONSENT**

The Council may review the conditions of a trade waste consent from time to time for one or more of the following reasons:

- (a) the level of compliance with the conditions of the consent, including any accidents including spills or process mishaps;
- (b) considerations relating to the Council's resource consents for the sewerage system;
- (c) considerations relating to the Council's environmental policies and the intended objectives and outcomes;
- (d) new control and treatment technologies and processes that are implemented by the Council;
- (e) any of the considerations outlined in Section 4.6;
- (f) considerations relating to the Council's legal obligations that affect the conditions of a trade waste discharge consent.

#### **4.5.14 TECHNICAL REVIEW AND VARIATION**

**4.5.14.1** The Council at any time may require that a person undertaking a permitted discharge apply for a consent in accordance with section 4.5.13.

##### **4.5.14.2**

- (a) The Council may at any time during the term of a trade waste discharge consent after consultation with the consent holder vary the conditions of the consent by written notice.
- (b) The variation of the conditions may be due to:
  - (i) new information becoming available to the Council;
  - (ii) meeting additional resource consent requirements imposed on the discharge from the Council's treatment plant, or
  - (iii) legal requirements imposed on the Council.

**4.5.14.3** The conditions of a consent imposed under section 4.5.12 may at any time during the term thereof be amended by the Council upon receipt of a written application by the consent holder to the Council.

**4.5.14.4** When the effect of any amendment made under section 4.5.14.2 to any specification of prohibited waste is to render unlawful the discharge of trade wastes previously discharged with consent of the Council, that consent shall be deemed to lapse 28 days after coming into operation of the amendment.

#### **4.5.15 CANCELLATION OF THE RIGHT TO DISCHARGE**

##### **4.5.15.1 SUSPENSION OR CANCELLATION ON NOTICE**

After following due process, the Council may suspend or cancel any consent or right to discharge trade waste:

- (a) for the failure to:
  - (i) comply with any condition of the consent;
  - (ii) maintain effective control over the discharge; or
  - (iii) limit in accordance with the requirements of a trade waste discharge consent the volume, nature, or composition of trade waste being discharged;
  - (iv) provide, and when appropriate, update a management plan as required for a conditional trade waste disposal consent;

- (v) follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence; or
- (vi) pay any charges under this Bylaw
- (b) in the event of any negligence which, in the opinion of the Council, threatens:
  - (i) the safety of the sewerage system;
  - (ii) to cause damage to any part of the sewerage system or the treatment plant; or
  - (iii) threatens the health and safety of humans or animals;
- (c) if an occurrence happens that, in the opinion of the Council,
  - (i) poses a serious threat to the environment; or
  - (ii) renders it necessary in the public interest to cancel the right to discharge.
- (d) in the event of a breach of a resource consent held by the Council issued under the Resource Management Act 1991;

#### **4.5.15.2**

- (a) Before taking any steps envisaged in section 4.5.15.1 the Council shall give twenty working days written notice of its intention to the holder of a trade waste discharge consent or a right to discharge trade waste.
- (b) During the notice period provided for in section 4.5.15.2 (a) the Council may enter into discussion with the holder of the trade waste discharge consent or the right to discharge trade waste affected by the notice to rectify the defect or to take steps to ensure compliance with the Council's requirements to the Council's satisfaction. .
- (c) If any process changes require more than twenty working days, reasonable time may be given to rectify the defects or comply with the Council's requirements.

#### **4.5.15.3 SUMMARY CANCELLATION**

Notwithstanding the requirements of section 4.5.15.1 and 4.5.15.2, a trade waste discharge consent or discharge may at any time be summarily cancelled by the Council by giving to the consent holder or person discharging written notice of summary cancellation if:

- (a) a prohibited substance is discharged; or
- (b) trade waste is unlawfully discharged; from that person's premises; or

- (c) the continuance of discharge, in the opinion of the Council,
  - (i) may be a threat to the environment or public health;
  - (ii) may result in a breach of a resource consent held by the Council in accordance with the Resource Management Act 1991; or
  - (iii) puts at risk the ability of the Council to comply with conditions of a resource consent issued to it in accordance with the Resource Management Act 1991 or requires identified additional treatment measures or costs to avoid a breach of a resource consent; or
- (d) the Council is lawfully directed to terminate the consent summarily.

## **4.6 TRADE WASTE APPROVAL CRITERIA**

### **4.6.1 PRE-TREATMENT**

- (a) The Council may consent to a trade waste discharge subject to the provision of appropriate pre-treatment system to enable the person discharging trade waste to comply with this Bylaw.
- (b) The pre-treatment system shall be provided, operated and maintained by the person discharging the trade waste at their own expense.
- (c) Except with the prior written consent of the Council, a person shall not use refuse or garbage grinders and macerators to dispose of solid waste from the trade premises to the sewerage system.
- (d) Except with the prior written consent of the Council, a person shall not add or permit the addition of any potable, condensing, cooling or storm water to the trade waste stream in order to vary the level of any characteristics of the waste.

### **4.6.2 MASS LIMITS**

- (a) A conditional trade waste discharge consent may impose controls on trade waste discharged by specifying mass limits for one or more characteristics of the trade waste.
- (b) Unless approved otherwise by the Council, a characteristic permitted by mass limit shall also have its maximum concentration limited to the value scheduled.
- (c) When setting mass limit allocations for a particular characteristic the Council shall consider:
  - (i) the operational requirements of and risk to the sewerage system, and risks to occupational health and safety, public health, and the ultimate receiving environment;

- (ii) whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or sewage sludge;
- (iii) conditions in the sewerage system near the trade waste discharge point and elsewhere in the sewerage system;
- (iv) the extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- (v) whether or not the applicant uses cleaner production techniques within a predetermined period to the satisfaction of the Council;
- (vi) whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
- (vii) any requirements of the Council to reduce the pollutant discharge of the sewerage system;
- (viii) how great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the sewerage system;
- (ix) the total mass of the characteristic allowable in the sewerage system, and the proportion (if any) to be reserved for future allocations; and
- (x) whether or not there is an interaction with other characteristics which increases or decreases the effect of either characteristic on the public sewer reticulation, treatment process, or receiving water (or land).

## **4.7 SAMPLING, TESTING AND MONITORING**

### **4.7.1 FLOW METERING**

#### **4.7.1.1**

(a) Flow metering may be required by the Council:

- (i) on discharges when there is not a reasonable relationship between a metered water supply to the premises, and the discharge of trade waste;
- (ii) when the Council will not approve a method of flow estimation; or
- (iii) when the discharge represents a significant proportion of the total flow/load received by the Council.

**4.7.1.2** The consent holder shall be responsible for the supply, installation, reading and maintenance of any meter required by the Council for the measurement of the rate or quantity of discharge of trade waste. These devices shall be subject to the approval of the Council, but shall remain the property of the consent holder.

**4.7.1.3** Records of flow and/or volume shall be available for inspection at any time by the Council, and shall be submitted to the Council at prescribed intervals by the consent holder in a format approved by the Council.

**4.7.1.4**

- (a) Meters shall be:
- (i) located in a position approved by the Council;
  - (ii) provide the required degree of accuracy; and
  - (iii) shall be readily accessible for reading and maintenance.
- (b) The meters shall be located in the correct position according to the manufacturer's installation instructions.

**4.7.1.5**

- (a) The consent holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and method approved by the Council upon installation and at least once a year thereafter to ensure its performance.
- (b) The meter accuracy should be  $\pm 10\%$  but with no greater a deviation from the previous meter calibration of  $\pm 5\%$ .
- (c) A copy of independent certification of each calibration result shall be submitted by the consent holder to the Council.

**4.7.1.6** Should any meter, after being calibrated, be found to have an error greater than that specified in section 4.7.1.5(b) as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding twelve months, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

**4.7.2 ESTIMATING DISCHARGE**

**4.7.2.1** Where no meter or similar apparatus is warranted, the Council may require that a percentage of the water supplied to the premises, or other basis that it deems reasonable be used for estimating the rate or quantity of flow for the purposes of charging.

**4.7.2.2**

- (a) When a meter is inoperative or removed, the Council shall estimate the discharge for the period since the previous reading of such meter, based on the average of the previous twelve months charged to the person discharging trade waste and that person shall pay according to such estimate.

- (b) When, due to a large variation of discharge due to seasonal or other causes, the average of the previous twelve months is an unreasonable estimate of the discharge, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such an estimate.

**4.7.2.3** Where in the opinion of the Council a meter has been tampered with, the Council, without prejudice to the other remedies available, may declare the reading void and estimate discharge as provided for in section 4.7.2.2.

### **4.7.3 SAMPLING AND ANALYSIS**

**4.7.3.1** As determined by the Council sampling, testing and monitoring may be undertaken to determine if a discharge of trade waste:

- (a) complies with the provisions of this Bylaw;
- (b) is to be classified as permitted, conditional, or prohibited, in accordance with section 4.5.2;
- (c) complies with the provisions of Schedule 1A for permitted discharge and a consent to discharge; and
- (d) are subject to trade waste consent charges.

**4.7.3.2** The taking, preservation, transportation and analysis of the sample shall be undertaken by:

- (a) an authorised officer;
- (b) an agent of the Council, or
- (c) the person discharging

in accordance with accepted industry standard methods or by a method specifically approved by the Council.

**4.7.3.3** The person discharging trade waste shall be responsible for all reasonable costs.

**4.7.3.4** When a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

## **4.8 MONITORING**

### **4.8.1 MONITORING FOR COMPLIANCE**

**4.8.1.1** The Council is entitled to monitor and audit any trade waste discharge for compliance.

**4.8.1.2** Regardless whether for a permitted trade waste discharge consent or a conditional trade waste discharge consent, discharge monitoring may be carried out as follows:

- (a) The Council or its authorised agent will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
- (b) The sampling procedure will be appropriate to the trade waste and the analysis;
- (c) When the occupier has provided a meter, monitoring equipment or other apparatus for measuring the volume or composition of trade wastes passing into a public sewer, due regard shall be had by the Council in making a composite sample, or when it is arriving at the average value from separate samples, for differences in the volume of trade wastes at the time of taking of separate samples.
- (d) The Council will audit the sampling and analysis carried out by a person who monitors their own discharge of trade waste. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- (e) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
- (f) The Council will audit the trade waste discharge consent conditions including any management plans.

**4.8.1.3** The Council may in its discretion determine that the costs of monitoring shall be met by the person who discharges trade waste through direct payment to the laboratory or to the Council.

### **4.8.2 SAMPLING METHODOLOGY**

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

- (a) One portion of the sample goes to the person who discharges the trade waste for appropriate analysis and/or storage;

- (b) A second portion of the sample shall be analysed at a laboratory approved by the Council;
- (c) A third portion of the sample is retained by the Council for twenty working days, calculated from date of the notice to the occupier, for additional analysis if required.

**4.8.2.2** Due consideration will be given to changes that could occur in the trade waste samples and measures to mitigate the changes will be adopted where practicable.

**4.8.2.3** The samples shall be handled in an appropriate manner to ensure that the characteristics being tested for are, as far as reasonably possible, preserved.

**4.8.2.4** Samples shall be preserved, handled, transported and delivered to the approved laboratory according to the best practice and approved standards.

#### **4.9 WASTE IN TANKERS**

**4.9.1** No person shall discharge trade waste from a tanker into the Council's sewerage system unless in compliance with the Liquid and Hazardous Wastes Code of Practice 2003.

**4.9.2** The Council may accept the discharge of trade waste from a tanker at an approved location.

**4.9.3** Tankered waste shall:

- (a) be transported by a consent holder to discharge domestic septic tank or industrial wastes;
- (b) have material safety data sheets (MSDS) supplied to the Council detailing the contents of the trade waste;
- (c) be tested to determine its character if the contents of the trade waste is not known. Provided that specialist advice on pre-treatment or acceptance may be required by the Council, the cost of testing and advice shall be borne by the consent holder;
- (d) not be collected and transported to the disposal site until the appropriate arrangements and method for disposal have been determined by the Council;

**4.9.4** A tanker shall be thoroughly cleaned before the collection of trade waste for disposal into the sewerage system to prevent contamination between different loads.

**4.9.5** At least twenty four hours notice shall be given to the Council by a person intending to discharge trade waste other than from domestic septic tanks into the sewerage system.

**4.9.6** A person who disposes of or causes the disposal of trade waste from a tanker:

- (a) and incorrectly discloses the characteristics or amount thereof; or
  - (b) in to the Council's sewerage system other than at the approved location
- will be in breach of this Bylaw.

#### **4.10 DISINFECTED OR SUPER CHLORINATED WATER**

**4.10.1** Water used during the repair and construction of water mains shall be de-chlorinated prior to the discharge into the sewerage system.

**4.10.2** When a person intends to discharge water into the sewerage system as provided for in section 4.10.1 that person shall apply to the Council for a temporary trade waste discharge consent.

**4.10.3** No water referred to in section 4.10.1 shall be disposed of into a storm water or adjacent water course without the prior written consent of the Council.

#### **4.11 REVIEW OF DECISIONS**

**4.11.1** The provisions of section 4.3 of the Wairoa District Council Consolidated Bylaw – Part 1 Introductory Bylaw shall apply to an appeal against a decision by an authorised officer.

**4.11.2** A person appealing against the decision of an authorised officer shall lodge with the Council a written notice of appeal not later than twenty working days from the date of the decision setting out the grounds of appeal and providing sufficient detail of matter to enable the appeal authority to adjudicate on the issues.

## **4.12 ACCIDENTAL DISCHARGE AND NON-COMPLIANCE WITH SECTION 4 OF PART 4 – TRADE WASTE AND WASTEWATER BYLAW**

**4.12.1** A person who discharges trade waste shall immediately upon becoming aware of:

- (a) an accident relating to;
- (b) spillage of; or
- (c) a defect in the process of discharging

trade wastes that may result in the non-compliance with the standards or processes determined by this Bylaw; inform the Council thereof.

**4.12.2** A person who reports an accident, spillage or defect as provided for in section 4.12.1 shall disclose any information that may contribute to:

- (a) the restoration of the integrity of the trade waste disposal system,
- (b) the cleaning of any spillage; or
- (c) the determination of the risks associated with the trade waste.

**4.12.3** In the event of any accident, spillage or defect referred to in section 4.12.1 occurring when the person holds a conditional trade waste discharge consent, the Council may:

- (a) review the consent under section 4.5.13.3; or
- (b) require the consent holder to review the contingency management procedures and re-submit the management plan to the Council for its approval.

**4.12.4** In the event of any accident, spillage or defect referred to in section 4.12.1 on the premises to which permitted discharge applies, the Council may require the person discharging to apply for a conditional trade waste discharge consent.

## **4.13 CHARGES AND FEES**

### **4.13.1 CHARGES**

**4.13.1.1** The Council may recover fees and charges in accordance with the Act. Schedule 1C outlines a regime of possible charges.

**4.13.1.2** The Council may from time to time in accordance with sections 150 and 151 of the Act determine and amend by resolution the system of charging in respect of volume and strength of trade wastes and special wastes and charges.

#### **4.13.2 INVOICING**

**4.13.2.1** Trade waste charges shall be invoiced in accordance with the Council's standard commercial practice.

**4.13.2.2** The invoice shall contain the information and calculations used to determine the extent of the charges and fees due in regard to trade waste discharges.

#### **4.13.3 CEASE TO DISCHARGE**

**4.13.3.1** The person discharging trade waste shall be deemed to be continuing the discharge until notice of discontinuance is given to the Council.

**4.13.3.2** The person discharging trade waste shall be liable for all charges until the expiry of the period of the notice or the provision of the service to that person is terminated by the Council, whichever is the latter.

#### **4.13.4 FAILURE TO PAY**

**4.13.4.1** Fees and charges payable under this Bylaw shall be recoverable as a debt.

**4.13.4.2** If the person discharging trade waste fails to pay any fees and charges under this Bylaw the Council may cancel that person's right to discharge in accordance with section 4.5.15.1.

#### **4.13.5 ENTRY TO TRADE WASTE PREMISES BY AUTHORISED OFFICERS**

**4.13.5.1** Access to any premises for the purpose of section 4 of this Bylaw shall be in accordance with the provisions of section 171, 172, and 173 of the Local Government Act 2002.

**4.13.5.2** Entry by an authorised officer on to a premises under section 4.13.5.1 shall be in compliance with the health and safety policies of that particular premises.

#### **4.13.6 TRANSFER OR TERMINATION OF RIGHTS AND RESPONSIBILITIES**

**4.13.6.1** A trade waste consent shall be issued in the name of the consent holder.

**4.13.6.2** With the exception of permitted discharges to which this section does not apply, the holder of a consent to discharge trade waste shall not, unless written approval is obtained from the Council:

- (a) transfer to any other party the rights and responsibilities provided for in the trade waste discharge consent or this Bylaw;
- (b)
  - (i) allow a point of discharge; or
  - (ii) allow the sewer to that point to extend by pipe or any other means to serve another premises;
- (c) allow sewage from another party to be discharged at the point of discharge to which the trade waste discharge consent applies.

**4.13.6.3** With the exception of permitted discharges to which this section does not apply, the Council shall not withhold the approval of the renewal of a trade waste discharge consent on when the ownership of the premises change provided that the characteristics of the trade waste discharge remain unchanged.

#### **4.13.6.4**

- (a) The person discharging trade waste shall give 48 hours notice in writing to the Council of that person's requirement for disconnection of the discharge connection and/or termination of the trade waste discharge consent.
- (b) Notwithstanding section (a), when the demolition or relaying of the trade waste discharge sewer is required the person discharging trade waste shall give seven working days notice to the Council.
- (c) When the disconnection is permanent the Council may at its discretion determine that the person discharging trade waste shall be liable for trade waste charges to the end of the current charging period.
- (d) The person discharging shall notify the Council of an address to enable the Council to provide that person with the final invoice or other notices.

#### **4.13.6.5**

- (a) When a person discharging trade waste ceases to occupy premises from which the discharge occurs into the sewerage system the trade waste discharge consent granted shall terminate.
- (b) Notwithstanding section (a) the person discharging trade waste shall remain liable for any obligations existing at the date of termination.

#### **4.14 EXISTING TRADE WASTE CONSENTS - TRANSITIONAL PROVISIONS**

Every trade waste discharge consent existing at the date that this Bylaw is passed shall continue in force as if it were a consent under this Bylaw until it reaches its expiry date provided that no consent shall run beyond *30 June 2013*.

## **5. WASTEWATER**

### **5.1 PURPOSE**

- (a) The purpose of section 5 is to provide for the fulfilment by the Council as Waste Water Authority of its obligations by providing for the acceptance of wastewater drainage from domestic and trade premises to the sewerage system.
- (b) The quality and quantity limits that separate domestic wastewater from trade waste are determined by section 4 (Trade Waste) of this Bylaw.

### **5.2 REQUIREMENT FOR CONNECTION**

Where the certificate of title is within an area served by the wastewater network, as defined in Schedule 7 to this Bylaw, no person shall discharge any wastewater from any premises except into the wastewater network.

### **5.3 ACCEPTANCE OF DISCHARGE**

#### **5.3.1 DOMESTIC WASTE WATER**

Every domestic premise shall be entitled to have its wastewater accepted by the Council subject to:

- (a) the premises lying within an area which is served by the sewerage system;
- (b) payment of the appropriate charges for wastewater services in respect of the premises;
- (c) payment of the appropriate rates and charges due to the Council in respect of that premises in general;
- (d) within pressure wastewater reticulation areas, to the matters set out in Section 5.6 of this Bylaw;
- (e) compliance with the requirements of this Bylaw
- (g) any other relevant matter needing to be taken into account under the provisions of the Local Government Act decision making process.

#### **5.3.2 TRADE WASTE**

The acceptance of trade waste from domestic premises within the sewerage system is subject to the provisions of section 4 of this Bylaw.

## **5.4 APPROVAL TO CONNECT**

### **5.4.1 APPLICATION**

No person may make any connection to or otherwise interfere with any part of the wastewater network, without the prior approval of Council, however in relation to any application for connection:

- (a) Council will consider whether to approve a connection or other work on the wastewater network, following receipt of a properly completed standard Council application form, but may require such further information as is reasonably needed to determine whether to grant approval to a connection.
- (b) Having considered the matters specified in Section 5.3.1 of this Bylaw the Council may approve (with conditions) or refuse connection to, or other work on the wastewater network. No approval may be given until all the information requested has been received.
- (c) Any approval given is subject to any terms and conditions as are attached to the approval and payment of any relevant fees or charges.
- (d) Failure to comply with any of the terms and conditions of a connection approval constitutes interference with the wastewater network without approval and is a breach of this Bylaw.

### **5.4.2 LICENSED DRAINLAYER**

No person, other than a licensed drainlayer, shall without the approval and under the supervision of the Council, make any connection to or otherwise interfere with any part of the Council's gravity reticulation.

### **5.4.3 APPROVED PWC INSTALLER**

No person, other than an approved PWC Installer, shall install, maintain repair and renew a PWC system or otherwise make any connection to or interfere with any part of the Council's pressure wastewater reticulation. Any such activities shall:

- (a) Only use Approved PWC Product;
- (b) Be undertaken in accordance with Council approval;
- (c) Be under the supervision of the Council, unless Council has, in writing, waived the supervision requirement;
- (d) On completion, the Approved PWC Installer shall provide the Council with a Producer Statement (PS3) according to the specifications set out in Schedule 8, Appendix C to this Bylaw.

#### **5.4.4 AS-BUILT PLAN**

For connections to Council's gravity reticulation, an as-built plan showing the connection shall be provided to the Council, no greater than 7 days from installation, showing the connection. As-built plans shall show the dimensions and lengths of all pipes from the nearest downstream manhole to (and including) any new piping installed.

#### **5.4.5 COUNCIL GUIDELINE**

The Council will endeavour to receive wastewater within the guidelines set out in Schedule 6 to this Bylaw.

### **5.5 PREMISES**

#### **5.5.1 FLOW RATE**

The maximum instantaneous flow rate, and the maximum daily volume, discharged from a domestic premise shall not exceed 2.0 litres/sec and 2m<sup>3</sup> per day respectively.

#### **5.5.2 PROHIBITED CHARACTERISTICS**

No person shall discharge into the wastewater network domestic wastewater which exceeds the substance limits or contains the substances prohibited as shown in Schedule 1B of this Bylaw shall be discharged into the sewerage system.

#### **5.5.3 STORMWATER**

The occupier shall prevent any stormwater or groundwater entering the wastewater drainage network by way of inflow or infiltration. This includes roof down pipes, surface water run-off, overland flow, and sub-surface drainage.

#### **5.5.4 WASTE MINIMIZATION**

In order to meet the principles of waste minimisation the Council requires every owner within an area served by a public wastewater network to fit the devices contained in Schedule 4 to this Bylaw on all new installations.

#### **5.5.5 ACCESS**

The occupier shall allow the Council, or its agents, access to land and buildings and about the point of discharge for the purposes of monitoring, testing, and maintenance work on any day.

The Council shall give 24 hours prior notice to the occupier of the intended entry.

Under emergency conditions, or for the purpose of ascertaining whether the drains are being misused or include unauthorised connections, the occupier shall allow the Council or its agent's free access to and about the point of discharge at any hour without prior notice.

### **5.5.6 DISCONNECTION**

**5.5.6.1** An occupier shall give seven (7) working days' notice in writing to the Council of his or her intention to demolish or remove a building connected to the wastewater network. The demolition or removal shall not commence until the property has been disconnected from the wastewater network and inspected by the Council. An application for disconnection shall be made in accordance with Schedule 5, the Policy for the Discharge and Acceptance of Wastewater of this Bylaw, and in particular Section 4 of that Schedule.

**5.5.6.2** All disconnections will be undertaken by a contractor to the Council. The lateral will be disconnected and capped.

**5.5.6.3** An occupier shall give two (2) working days' notice in writing to the Council of his or her requirements for disconnection of the discharge connections if relaying of the private wastewater pipeline is required.

### **5.6 PRIVATE PUMPING STATIONS AND PWC RETICULATED AREAS**

**5.6.1** No person shall install or operate a private wastewater pumping station in an area serviced by or is able to be connected to gravity reticulation unless:

- (a) there are no other reasonable practical alternatives to a gravity discharge to the network; and
- (b) the occupier meets the provisions of the NZ Building Code and NZS 4404; and
- (c) the private wastewater pumping station complies with the operation and maintenance conditions prescribed by the Council.

**5.6.2** In areas serviced by or able to be connected to pressure wastewater reticulation and shown on Plans in Schedule 7, owners and occupiers shall:

- (a) On connection, install and maintain a PWC system in accordance with the provisions of (this) Section 5.6 of this Bylaw; and
- (b) Engage only an Approved PWC Installer, who shall be a licensed drainlayer, to carry out any work on the gravity connection and the private PWC main, under this Bylaw; and

- (c) Not engage any person to undertake an activity which is in breach of this Bylaw or any other law; and
- (d) Meet all the provision, installation, operating and maintenance costs of the PWC system on the property up to but not including the boundary kit connecting to the network; and
- (e) Ensure that the PWC system is operating efficiently at all times; and
- (f) Ensure that maintenance of the PWC system is undertaken in accordance with the manufacturers' specifications, by an Approved PWC Installer; and
- (g) Within 15 working days of receipt of written request from an Authorised Officer, advise Council of the type of PWC system installed, date of the most recent maintenance and the name of the Approved PWC Installer who undertook the maintenance.

**5.6.3** No person, other than an Approved PWC Installer, approved in accordance with Section 5.9 of this Bylaw, shall install, maintain repair or renew a PWC system. Any such activities shall:

- (a) only use Approved PWC Product; and
- (b) be undertaken in accordance with Council approval, unless either the requirements for such approval have been waived (in writing) or the activity is maintenance or repair of a PWC system; and
- (c) be under the supervision of the Council, unless either Council has (in writing) waived the supervision requirement or the activity is maintenance or repair of the PWC system; and
- (d) comply with the standards of NZ 4404.

## **5.7 PUBLIC WASTEWATER DRAINAGE SYSTEM**

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

**5.7.2** No building may be constructed over an existing connection to a public wastewater pipe. Any such connection must be capped off. The new connection must be sited a minimum distance of twice the depth of the pipeline outside the footprint of the proposed building.

**5.7.3** Any damage or blockage to any private or public wastewater pipe affecting or likely to affect the efficient operation of the wastewater network shall be reported to the Council immediately:

- 5.7.4** (a) No person shall, without the approval of Council, build over a public wastewater pipeline, whether on public or private land.
- (b) Retaining walls constructed near to any wastewater pipeline shall be subject to approval on a case-by-case basis.

NOTE: see NZS 4404 for details of requirements.

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

- (a) cause the crushing load imposed on a public wastewater pipeline to exceed that which would arise from the soil overburden plus HN-NO-72 wheel or axle load (as defined by the Transit New Zealand Bridge Manual); or
- (b) remove any existing cover material or place any additional material over or near a public wastewater pipeline; or
- (c) cover any service opening such as manholes, catch-pits or other surface infrastructure, or boundary kits or isolation valves that may need to be accessed in future.

Removal of any covering material or adjustment of the opening shall be at the property owner's expense.

**5.7.6** No person shall excavate or carry out piling or similar work without the prior written approval from the Council:

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

NOTE: see NZS 4404 for details of requirements.

## **5.8 ON-SITE WASTEWATER SYSTEMS**

**5.8.1** All wastewater generated on any allotment not serviced by the Council's wastewater network must be treated and disposed of within the confines of that allotment, or other land for which legal rights for such disposal have been obtained.

**5.8.2** All on-site wastewater treatment systems shall be designed and operated in accordance with AS/NZS 1547:2012 (or revisions) and shall be consistent with and comply with requirements of regional and district plan documents. Design and operation in accordance with this Bylaw as a permitted discharge in accordance with regional and district plan documents.

- 5.8.3** All on-site wastewater treatment and disposal systems must be operated and maintained in accordance with the manufacturers specifications and have suitable access for inspection, repair and where relevant, pumping out.
- 5.8.4** The owner or occupier of an allotment utilising on-site a wastewater treatment or disposal system shall, within 10 working days of receipt of written request from an Authorised Officer provide the following information:
- (a) the make and model of on-site treatment installed, if known; and
  - (b) a copy of any manufacturers maintenance and operation requirements and performance standards; and
  - (c) evidence, to the satisfaction of the officer, that an effective operation and maintenance programme for the system is in place.
- 5.8.4** An Authorised Officer may enter an allotment, in accordance with the provisions of the Act to assess compliance with the on-site wastewater treatment and disposal systems' maintenance and operation requirements.
- 5.8.5** In the event that an onsite wastewater treatment and disposal system is not being operated or maintained correctly an Authorised Officer may serve written notice on the occupier, with a copy forwarded to Hawkes Bay Regional Council, to:
- (a) take appropriate remedial steps within a given time and at the occupier's cost in order to rectify adverse effects on public health or the environment; and/or
  - (b) provide system maintenance records or performance data (pump-out records, flow records, discharge quality data) where there are actual or potential adverse effects on public health or the environment; and/or
  - (c) provide Engineer's statements confirming to the satisfaction of the officer, satisfactory system upgrade and performance;
- 5.8.6** For the avoidance of doubt the provisions of this Bylaw and in particular Section 5.8 applies to all on-site wastewater disposal systems as at the date of coming into effect of this Bylaw.
- 5.8.7** Compliance with the Bylaw does not constitute authorisation under regional plans. All discharges from On-Site systems are required to be regulated by HBRC.

## **5.9 APPROVAL OF PWC INSTALLERS**

**5.9.1** Any person may apply to become an Approved PWC Installer by completing the application form specified in Schedule 8, Appendix D and payment of the required fee.

**5.9.2** In assessing any application Council may require such further information as is reasonably needed to determine whether to grant the application. No approval may be given until all information requested has been received.

**5.9.3** In considering an application Council shall consider the following matters:

- (a) the relevant experience of the person; and
- (b) the relevant training of the person; and
- (c) any breaches by the person of this (or other) Council bylaws; and
- (d) whether there is an Approved PWC Product that the person is licensed to install; and
- (e) whether the person has adequate insurance; and
- (f) any other relevant matter needing to be taken into account under the provisions of the Act's decision making process.

**5.9.4** Council may revoke any persons Approved PWC Installer status for good cause or on the following events:

- (a) receipt of information of a material error in the Approved PWC Installer status application; or
- (b) a breach of any of Council's Water Services Bylaws; or
- (c) cessation of work by an Approved PWC Installer for a continuous period of 6 months or more.

**5.9.5** It shall be an offence against this Bylaw for any person, not an Approved PWC Installer, to publicise themselves as, or purport to be an Approved PWC Installer.

## **5.10 STORAGE OF HAZARDOUS MATERIALS**

**5.10.1** The occupier shall not store any hazardous or other material, likely to adversely affect the Council wastewater network or the health and safety of Council staff and the public, without taking all reasonable steps to prevent entry into the Council wastewater pipeline from leakage, spillage or other mishap.

**5.10.2** The occupier shall immediately notify the Council in the event of any hazardous material entering the wastewater network.

## **5.11 OFFENCES AND PENALTIES**

**5.11.1** Any offence or breach under this Bylaw may be remedied by the Council under the provisions of the Local Government Act 2002.

**5.11.2** Every person who fails to comply with the requirements of this Bylaw, commits an offence and is liable, on summary conviction, to a fine not exceeding \$20,000 or as set out in Section 242 of the Act.

**5.11.3** The Council may apply to the District Court under Section 162 of the Act for an injunction restraining the person from committing a breach of this Bylaw.

**5.11.4** Where it is suspected that any person has committed a breach of this Bylaw, that person shall, on the direction of an Authorised Officer, provide his/her full name, and address.

In compliance with the provisions of the Local Government Act, 2002 and the Bylaws Act, 1910, this Part is passed by the Wairoa District Council on 1 September 2012

THE COMMON SEAL of THE WAIROA DISTRICT COUNCIL was affixed this \_\_\_\_\_ day of \_\_\_\_\_ 2012 in the presence of:

**MAYOR**

**CHIEF EXECUTIVE OFFICER**

**SCHEDULES OF THE TRADE WASTE AND WASTE WATER BYLAW 2012**

**SCHEDULE 1 - APPENDIX A - APPLICATION FOR TRADE WASTE DISCHARGE**

**Wairoa District Council  
APPLICATION FOR TRADE WASTE DISCHARGE  
PLEASE PRINT CLEARLY**

**TRADE NAME & STREET ADDRESS OF TRADE PREMISES**  
Name .....  
Phone .....  
After Hours Contact: .....  
Phone: ..... Fax: .....  
E-mail: .....

**POSTAL ADDRESS OF CUSTOMER FOR CHARGING**  
Name: .....  
Address: .....  
.....

**OWNER OF PREMISES (if different from above)**  
Name: .....  
Address: .....

**ADDRESS FOR SERVICE FOR FURTHER ENQUIRIES CONCERNING THIS APPLICATION**  
Name: .....  
Address: .....  
.....  
Phone: ..... Fax: .....  
E-mail: .....

**TERM OF CONSENT SOUGHT**  
From: .....  
For a period of (please circle one):  
One (1) year Two (2) years Five (5) years  
other (specify) ..... years

**DESCRIPTION OF MAIN TRADE ACTIVITY**  
.....  
.....

**THIS APPLICATION RELATES TO:**

Proposed new discharge

An existing discharge for which no consent exists.  
Current point or place of discharge  
.....

Renewal of a consent

Variation to an existing consent;  
Nature of variation: .....  
.....

**VALUATION NUMBER**  
.....

**LOT NUMBER**  
.....

**DP NUMBER**  
.....

**ARE THE PREMISES ALREADY CONNECTED TO PUBLIC SEWER?**

Yes  No

**CONNECTIONS REQUIRED**  
Size: ..... No: .....  
Size: ..... No: .....  
*Note – minimum size 100mm*

**SIGNATURE BLOCK**

.....  
(Full name)

.....  
(Position)

1. I am duly authorised to make this application.
2. I believe that all the information contained in this application is true and correct.

Signature: .....

Date: .....

**FOR OFFICE USE ONLY**

**APPLICATION NUMBER**

**APPLICATION RECEIVED AND CHECKED BY**

Inspector/Clerk:..... Date: .....

Permitted                      Controlled                      Conditional

**PROPERTY LINK IDENTIFICATION NUMBER**

**BUILDING CONSENT NUMBER**

**TRADE WASTE CONSENT**

Approved By: .....

No: ..... Date: .....

**APPLICATION FEE**

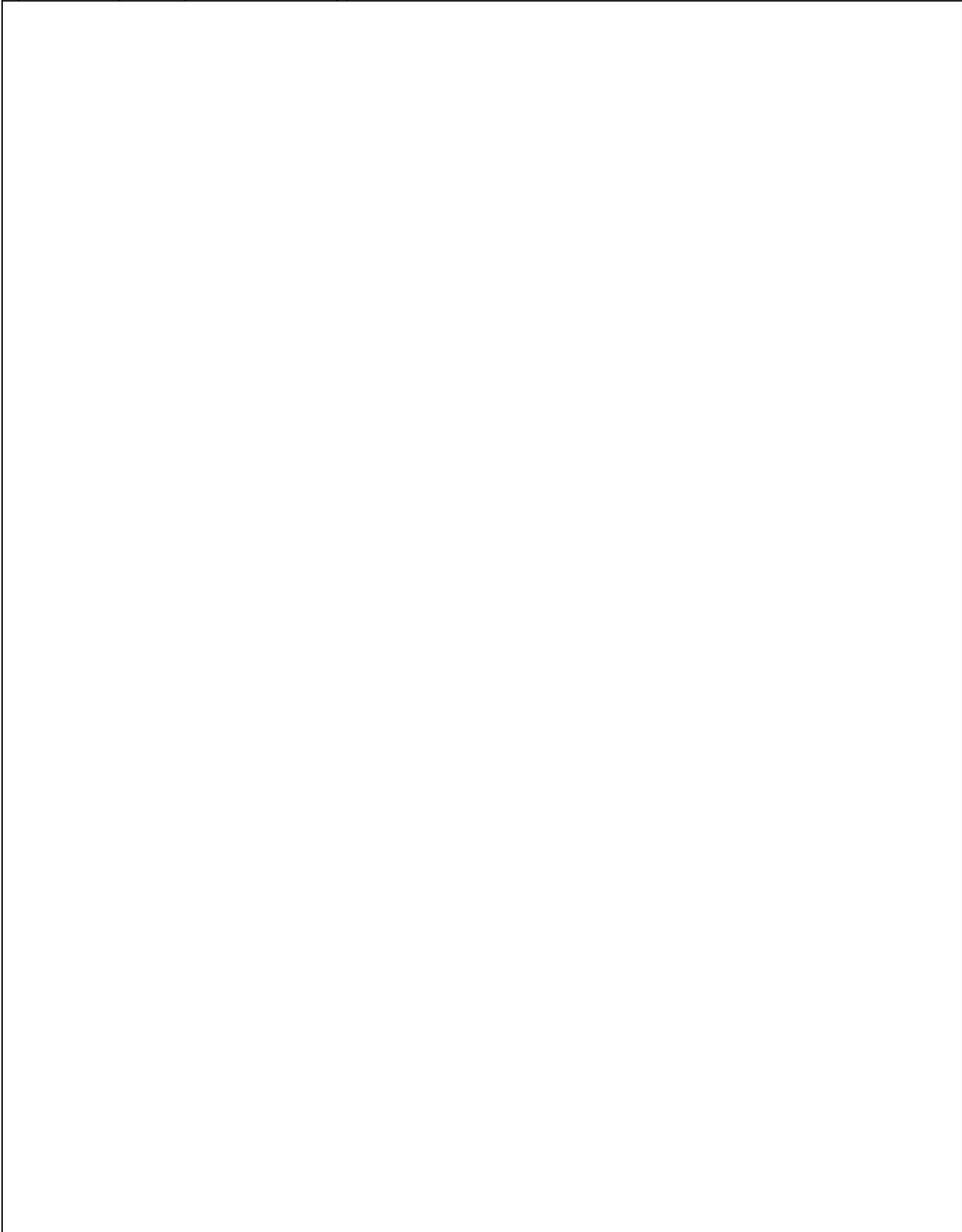
\$ .....

GST\$.....

Total \$ .....

Cashier Receipt: .....

**DIAGRAM FOR CONNECTION LOCATION** (show distances from boundaries, kerbs, buildings)  
(Submit separate plan if necessary)



**SCHEDULE 1 - APPENDIX B - DESCRIPTION OF TRADE WASTE AND PREMISES**

**DESCRIPTION OF TRADE WASTE AND PREMISE  
PLEASE PRINT CLEARLY**

**1.1 Trade name and street address of trade waste premise**

Name: .....  
 Address: .....  
 .....  
 Phone: ..... Fax: .....  
 E-mail: .....

**1.2 Name and Address of owner/occupier**

Name: .....  
 Address: .....  
 .....  
 Phone: ..... Fax: .....  
 E-mail: .....

**1.3 Contact for enquiries (if different from above)**

Name: .....  
 Address: .....  
 .....  
 Phone: ..... Fax: .....  
 E-mail: .....

**1.4 Total volume of wastes:**

Average daily volume .....m<sup>3</sup>  
 Maximum volume in any 8 hr period.....m<sup>3</sup>  
 Maximum daily volume.....m<sup>3</sup>  
 Seasonal fluctuation (range).....

**1.5 General characteristics of wastes:**

	TYPICAL RANGE	
Temperature (°C) .....	.....	.....
BOD <sub>5</sub> (mg/L) .....	.....	.....
COD (mg/L) .....	.....	.....
Suspended solids (mg/L) .....	.....	.....
pH .....	.....	.....
Fat, oil and grease (g/m <sup>3</sup> ) .....	.....	.....
TKN .....	.....	.....
Total Nitrogen (g/m <sup>3</sup> ) .....	.....	.....
Total Phosphorus (g/m <sup>3</sup> ) .....	.....	.....

**1.6 The source of water used on the premises is:**

- (a) from.....Council.....m<sup>3</sup>/working day  
 (b) from other sources (*state source*).....m<sup>3</sup>/working day

**1.7 The wastes do/do not, contain condensing water or storm water and the layout of drains on the premises is/is not, such as to reasonably exclude the possibility of such becoming mixed with trade wastes.**

**1.8 It is/is not proposed that domestic wastewater and trade waste should be discharged at the same point of discharge.**

**1.9 The proposed method for flow measurement is:**

- A permanent installation of suitable flow measuring equipment  
 Based on water usage as measured by meter  
 Other (*specify*)

**1.10 List any substances contained in Schedule 1A or 1B of the Wairoa District Council Trade Waste and Wastewater Bylaw 2012 which are stored, used, or generated on the premises.**

.....  
 .....  
 .....

**Describe mitigation measures employed to prevent accidental spillages of these substances from entering the public sewer or storm water system.**

.....  
 .....

**1.11 Site plans of the premises are attached which clearly show the location of the following as appropriate:**

- |   |   |
|---|---|
| <input type="checkbox"/> Process areas            | <input type="checkbox"/> Flow measuring devices |
| <input type="checkbox"/> Trade waste drains       | <input type="checkbox"/> Emergency spill        |
| <input type="checkbox"/> Stormwater drains        | <input type="checkbox"/> Emergency spill        |
| <input type="checkbox"/> Other ( <i>specify</i> ) |   |

**Main trade waste pre-treatment systems**

- |   |   |
|---|---|
| <input type="checkbox"/> Screens            | <input type="checkbox"/> pH control           |
| <input type="checkbox"/> Flow balance       | <input type="checkbox"/> Grease traps         |
| <input type="checkbox"/> Chemical treatment | <input type="checkbox"/> Biological treatment |

**1.12 Detailed drawings and descriptions for the following are attached as appropriate:**

- Pre-treatment systems  
 Flow measuring devices  
 Emergency spill containment  
 Sampling points  
 Method of flow meter calibration

**1.13 An independent waste audit of the premises has/has not been carried out by:**

.....

**1.14 A discharge Management Plan is/is not attached**

.....

**1.15 The health and safety requirements and security arrangements for wastewater authority staff entering the premises are as follows: (*specify*)**

2. Process  
*(use a separate page for each process and attach copies of typical analyses for wastewater from each separate process)*

2.1 Process name and description:  
 .....  
 .....  
 .....

2.2 Type of product processed:....  
 .....  
 .....

2.3 Volume of wastewater  
 Average daily volume .....m<sup>3</sup>  
 Maximum daily volume:.....m<sup>3</sup>  
 Maximum flow:.....L/s

2.4 If batch discharges:  
 Quantity:.....m<sup>3</sup>  
 Frequency:.....m<sup>3</sup>  
 Rate of discharge:.....L/s

2.5 The wastewater contains the following characteristics which when mixed with other wastewaters and discharged from the premises, are near or in excess of the limits stipulated in Schedule 1B of the Wairoa District Council Trade Waste and Wastewater Bylaw 2007.

(NOTE – the characteristics in table 1.A.2 and table 1.A.3 have a limit of zero unless approval for that particular characteristic is applied for).

.....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

VALUE OF CONCENTRATION			
From process		At point of discharge	
Typical	Max.	Typical	Max.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

2.6 The following steps have been/will be taken to improve the trade process as part of a strategy of cleaner production:  
 .....  
 .....  
 .....  
 .....

Date of improvements:.....

**SCHEDULE 1 - APPENDIX C - APPLICATION FOR TEMPORARY DISCHARGE**

**WAIROA DISTRICT COUNCIL  
APPLICATION FOR TRADE WASTE DISCHARGE**

**PLEASE PRINT CLEARLY**

**APPLICANT**

Phone:.....  
 After Hours Contact:.....  
 Phone:.....  
 Fax:.....  
 Applicant responsible for liquid waste

Transportation  
 Licensed Transporter  
 Generation

**LIQUID WASTE**

Quantity:.....m3  
 Source:.....  
 .....

Process in which waste is produced:.....  
 .....

General characteristics:  
 BOD5:.....(g/m<sup>3</sup>)  
 COD:.....(g/m<sup>3</sup>)  
 Suspended solids: .....(g/m<sup>3</sup>)  
 pH:.....  
 Fat, oil and grease:.....(g/m<sup>3</sup>)  
 TKN:.....(g/m<sup>3</sup>)

Total N:.....(g/m<sup>3</sup>)  
 Total P:.....(g/m<sup>3</sup>)

List any characteristics which are likely to be greater than 50% of concentrations stipulated in Schedule 1A of the Trade Waste Bylaw.....  
 .....

**GENERATOR/TRANSPORTER OF LIQUID WASTE**  
 (delete applicant's responsibility)

Name:.....  
 Company:.....  
 Address:.....

**APPLICATION SOUGHT FOR**

One discharge  
 A number of discharges of the same kind of liquid waste over a period of one year.

**PROPOSED POINT OF DISPOSAL**

.....  
 .....

If from premises to public sewer, which is existing trade waste consent number?  
 .....

**PROPOSED TIMING OF DISPOSAL**

Time:.....  
 Date:.....

**ANALYSIS**

Appended  
 Not required

**DECLARATION**

We hereby certify that the above liquid waste is accurately described

Applicant:.....

**FOR OFFICE USE ONLY**

**APPLICATION NUMBER**  
.....

**TEMPORARY DISCHARGE FEE**

	\$.....
GST	\$.....
TOTAL	.....

**APPLICATION**  
Received  
by:.....Date:.....

Discharge:      Approved   
                    Not approved

By .....  
Date: .....

Cashier Receipt: .....

**TEMPORARY DISCHARGE**

If approved:  
Where discharged:.....  
Time and date:.....

If not approved:  
Where referred to:.....  
.....

File No. ....

**SCHEDULE 1 - APPENDIX D - CONSENT FORM**

**WAIROA DISTRICT COUNCIL  
CONSENT TO DISCHARGE TRADE WASTE  
TO THE PUBLIC SEWER**

To: .....  
(Consent holder trade name)

Address: .....  
(Street address of trade premises)

Phone: ..... Fax: .....

Name: .....  
(Contact name)

Address: .....  
(Address for charging and service of documents)

.....  
(Trade activity)

In response to, and in terms of, the information declared in your application of.....(date) to discharge Trade Waste from the above premises, the consent of the Council is hereby given for the term and subject to the conditions set out below:

1. That this consent relates to a proposed new discharge/an existing non-consented discharge/renewal of a consent/variation to an existing consent.
2. That this is a permitted conditional consent.
3. That the provisions of Wairoa District Council Trade Waste and Wastewater Bylaw 2012 are complied with at all times.
4. That this consent is valid for a period of...years and will expire on.....
5. That the Trade Waste discharged under this consent shall consist only of wastes from the following processes:

.....  
.....

6. That this consent is subject to the specific conditions set out in Schedule 1A which is attached.

For and on behalf of the Wairoa District Council

Authorised Officer:

Name: .....

Signature: .....

Date: .....

**FOR OFFICE USE ONLY**

Consent No:.....  
Application No:.....  
File No:.....

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

### **1A.1 Introduction**

#### **1A.1.1**

The nature and levels of the Characteristics of any Trade Waste discharged to the Council's sewer system shall comply at all times with the following requirements, except where the nature and levels of such Characteristics are varied by the Council as part of an Approval to discharge a Trade Waste.

#### **1A.1.2**

The Council shall take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable Characteristics for individual discharges the Council believes are appropriate.

#### **1A.1.3**

An additional column in tables 1A.a, 1A.2 and 1A.3 for Mass Limits may be added as required.

#### **1A.1.4**

The nature and levels of any Characteristic may be varied to meet any new resource Consents or other legal requirements imposed on the Council, refer to 4.5.13 of the Bylaw.

### **1A.2 Physical characteristics**

#### **1A.2.1** *Flow*

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

#### **1A.2.2** *Temperature*

The temperature shall not exceed 40 °C.

#### **1A.2.3** *Solids*

- (a) Non-faecal gross solids shall have a maximum dimension which shall not exceed 15 mm.
- (b) The suspended solids content of any Trade Waste shall have a Maximum Concentration which shall not exceed 600 g/m<sup>3</sup>.
- (c) The settleable solids content of any Trade Waste shall not exceed 50 mL/L.
- (d) The total dissolved solids concentration in any Trade Waste shall be subject to the Approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste.

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

#### **1A.2.4 Oil and grease**

- (a) There shall be no free or floating layer.
- (b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 200 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage, throughout the range of pH 6.0 to 10.0.
- (c) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 500 g/m<sup>3</sup> when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage, throughout the range of pH 4.5 to 10.0.
- (d) Emulsified oil, fat or grease shall not exceed 100 g/m<sup>3</sup> as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw Sewage throughout the range of pH 4.5 to pH 10.0.

#### **1A.2.5 Solvents and other organic liquids**

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

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

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

#### **1A.2.7 Radioactivity**

Radioactivity levels shall not exceed National Radiation Laboratory Guidelines.

#### **1A.2.8 Colour**

No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the treated Sewage discharge Consent.

### 1A.2.9 Liquid Pharmaceutical Waste

The monthly discharge of pharmaceutical waste shall not exceed the following volumes and concentrations of active ingredients:

Volume Limit	Active Concentration
10 Litres	125mg / 5 ml
5 Litres	250mg / 5 ml
3 Litres	Above 250mg / 5ml

Any discharge above these limits will be a controlled discharge and require a trade waste agreement.

### 1A.3 Chemical characteristics

#### 1A.3.1 pH value

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

#### 1A.3.2 Organic strength

##### 1A.3.2.1

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

Where there is no Council treatment system for organic removal the cBOD<sub>5</sub> shall not exceed 800 g/m<sup>3</sup>. For significant Industry this may be reduced to 600 g/m<sup>3</sup>. Additional limitations to the total daily mass of cBOD<sub>5</sub> discharged and also to the timings of discharges may be necessary in order to reduce the risk of adverse effects upon the Council's Sewage System. Where this is necessary, appropriate limits will be specified in the conditional trade waste consent.

NOTE – For biological process inhibiting compounds see table 5 in the *Guidelines for Sewerage Systems: Acceptance of Trade Wastes* (industrial waste) 12.

#### 1A.3.3 Maximum concentrations

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

**Table 1A.1– General chemical characteristics**  
(Mass limits may be imposed, refer to 4.2)

<b>Characteristic</b>	<b>Maximum concentration (g/m<sup>3</sup>)</b>
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
– free ammonia	45
– ammonium salts	100
Kjeldahl nitrogen	50
Total phosphorus (as P)	15
Sulphate (measured as SO <sub>4</sub> )	500 1500 (with good mixing)
Sulphite (measured as SO <sub>2</sub> )	15
Sulphide – as H <sub>2</sub> S on acidification	5
Chlorine (measured as Cl <sub>2</sub> )	
– free chlorine	5
– hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5

**Table 1A.2 – Heavy metals**  
(Mass limits may be imposed, refer to 4.2)

Metal	Maximum concentration (g/m <sup>3</sup> )	Metal	Maximum concentration (g/m <sup>3</sup> )
Antimony	10	Manganese	20
Arsenic	5	Mercury	0.004
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.5	Selenium	10
Chromium	2	Silver	2
Cobalt	10	Thallium	10
Copper	0.2	Tin	20
Lead	0.2	Zinc	2

**Note:** The concentration for chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than chromium (III), and for a discharge where chromium (III) makes up a large proportion of the Characteristic, higher concentration limits may be imposed.

**Table 1A.3 – Organic compounds and pesticides**  
(Mass limits may be imposed, refer to 4.2)

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

## **SCHEDULE 1B - PROHIBITED CHARACTERISTICS**

### **1B.1 Introduction**

This schedule defines Prohibited Trade Wastes.

### **1B.2 Prohibited characteristics**

#### **1B.2.1**

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

- (a) Interfere with the free flow of Sewage in the Council's Sewage System;
- (b) Damage any part of the Council's Sewage System;
- (c) In any way, directly or indirectly, cause the quality of the treated Sewage or residual Biosolids and other solids from any Sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
- (d) Prejudice the occupational health and safety risks faced by humans;
- (e) After treatment be toxic to fish, animals or plant life in the receiving waters;
- (f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
- (g) Have a colour or colouring substance that causes the discharge from any Sewage treatment plant to receiving waters to be coloured.

#### **1B.2.2**

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

#### **1B.2.3**

A discharge has a prohibited Characteristic if it has any amount of:

- (a) Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
- (b) Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Sewage;
- (c) Asbestos;

- (d) The following organo-metal compounds:  
Tin (as tributyl and other organotin compounds);
- (e) Any organochlorine pesticides;
- (f) Genetic wastes, as follows:  
All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from Premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
- (g) Any health care waste prohibited for discharge to a Sewerage System by NZS 4304 or any pathological or histological wastes; or
- (h) Radioactivity levels in excess of the National Radiation Laboratory Guidelines.
- (i) Any pharmaceutical liquid waste containing cytotoxic ingredients.  
Cytotoxic waste means waste that is contaminated by a cytotoxic drug.

## SCHEDULE 1C - TRADE WASTE CHARGES

Fees and charges are set by Council resolution. This may be done through the annual planning process, fee setting or a similar transparent public process in accordance with the Local Government Act (LGA).

In the following table Council states what categories they will charge, or may charge, under the tenure of this Bylaw.

<b>A. Administrative Charges</b>	
<b>Category</b>	<b>Description</b>
A1 Connection fee	Payable on application for connection to discharge
A2 Compliance monitoring	The cost of sampling and analysis of Trade Waste discharges
A3 Disconnection fee	Payable following a request for Disconnection from Sewage System
A4 Trade Waste application fee	Payable on an application for a Trade Waste discharge
A5 Reinspection fee	Payable for each re-inspection visit by the WWA where a notice served under this bylaw has not been complied with by the Trade Waste discharger
A6 Special rates for loan charges	Additional rates for servicing loans raised for the purposes of constructing or improving the Sewage System
A7 Temporary Discharge fee	Payable prior to receipt of Temporary Discharge
A8 Annual Trade Waste charges	An annual management fee for a Trade Waste discharge to cover the WWA's costs associated with for example: (a) Administration; (b) General compliance monitoring; (c) General inspection of Trade Waste Premises; (d) Use of the Sewage System. This charge may vary depending on the Trade Waste sector and category of the discharger.
A9 Rebates for Trade Premises within the District	Reduction in fees is provided for in s. 150(2). Section 150(4) of the LGA states that the fees prescribed by the Council shall not provide for the Council to recover more than the reasonable cost incurred by the Council for the matter for which the fee is charged. In no event shall the resultant charge be less than the Council's sewage charge for the equivalent period.
A10 New or Additional Trade Premises	Pay the annual fees and a <i>pro rata</i> proportion of the various Trade Waste charges relative to flows and loads
<b>B. Trade Waste Charges</b>	
<b>Category</b>	<b>Description</b>
B1 Volume	Payment based on the volume discharged $\$/m^3$
B2 Flow rate	Payment based on the flow rate discharged $\$/L/s$
B3 Suspended solids	Payment based on the mass of suspended solids $\$/kg$
B4 Organic loading	Biochemical oxygen demand or chemical oxygen demand $\$/kg$
B5 Nitrogen	Payment based on the defined form(s) of nitrogen $\$/kg$
B6 Phosphorous	Payment based on the defined form(s) of phosphorous $\$/kg$
B7 Metals	Payment based on the defined form(s) of the metal(s) $\$/kg$
B8 Transmissivity	A charge based on the inhibiting nature of the Trade Waste to UV light used by the WWA's disinfection process
B9 Screenable solids	Payment based on the mass of screenable solids $\$/kg$
B10 Toxicity charge	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$
B11 Incentive rebate	A rebate for discharging materials beneficial to the WWA's Sewage System $\$/kg$ and/or $\$/m^3$
B12 Depreciation	Operating cost related to capital and normally spread across the volume and mass charges
B13 Capital	Apportioned upfront or term commitment capital cost of specific infrastructure required to accommodate a conditional Consent
<b>C. Tankered Waste Charges</b>	
<b>Category</b>	<b>Description</b>
C1 Tankered Wastes	Set as a fee(s) per tanker load, or as a fee(s) per cubic metre, dependent on Trade Waste category
C2 Toxicity	Payment based on the defined form(s) of the toxic substance(s) $\$/kg$ and/or $\$/m^3$

**SCHEDULE 1D SYSTEM OF CHARGING IN RESPECT OF VOLUME AND STRENGTH OF TRADE WASTES AND SPECIAL WASTES**

1. Trade wastes producers will be charged the actual cost involved in treating the trade wastes received by Council into the sewer or treatment plant.
2. The total cost to Council of receiving, conveying, treating and disposing of wastewater from within its district is made up of capital, maintenance, operating consumables, labour and administration costs.
3. The costs for each Discharger of wastewater are apportioned to volume, Biochemical Oxygen Demand (BOD<sub>5</sub>), Inert Suspended Solids (ISS), Volatile Suspended Solids (VSS), Total Nitrogen (TN), Total Phosphorous (TP) and Total Coliform (TC) of discharged wastewater, and summed to give the total costs of reticulation to, and treatment at, the treatment plant.
4. The average annual volume in cubic metres of all sewage, wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each subsequent financial year, is designated as Q (m<sup>3</sup>/year).
5. The average annual BOD<sub>5</sub> in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as B<sub>w</sub> (kg/year).
6. The average annual ISS in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as D<sub>w</sub> (kg/year).
7. The average annual VSS in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as E<sub>w</sub> (kg/year).
8. The average annual TN in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as F<sub>w</sub> (kg/year).
9. The average annual TP in kilograms of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as G<sub>w</sub> (kg/year).
10. The average annual TC in cfu of all sewage wastes etc. received at the Council's treatment plant where the trade wastes are treated, during each financial year shall be designated as H<sub>w</sub> (cfu/year).
11. The estimated annual cost of receiving and disposing of (but not treatment) all such sewage during each subsequent financial year is designated as C<sub>1</sub> (\$).
12. The estimated annual costs to the Council for treatment of all sewage during each financial year is designated as C<sub>2</sub> (\$), and apportioned to volume, BOD<sub>5</sub>, ISS, VSS, TN and TP on a site specific basis relating to wastewater treatment processes. The estimated apportionment of costs is shown below, however Council reserves the right to amend the basis of apportionment based on actual operational costs incurred in a given financial year.

System	% of total operational treatment cost apportioned to						
	Volume	BOD <sub>5</sub>	ISS	VSS	TN	TP	TC
Wairoa WWTP	30%	45%	10%	5%	5%	0	5%
Tuai WWTP	30%	30%	10%	10%	5%	0	15%
Other WWTP	To be confirmed on an individual basis						

\* to be revised following future upgrades

13. Charges in respect of volume of wastes shall be based on either the measured volume of wastewater discharged from the premises or the volume estimated from

the measured volume of water entering the premises during the period corresponding most closely with each financial year. This volume shall be designated as V (m<sup>3</sup>/year).

14. The charges in respect of BOD<sub>5</sub>, ISS, VSS, TN and TP shall be based on the measured composition of wastewater discharged from the premises during the period corresponding most closely with each financial year. This BOD<sub>5</sub>, ISS, VSS, TN, TP and TC shall be respectively designated B<sub>T</sub>, D<sub>T</sub>, E<sub>T</sub>, F<sub>T</sub>, G<sub>T</sub> (kg/year) and H<sub>T</sub> (cfu/year).
15. The charge provided for in Clause 6.3.1 for each financial year levied by the Council on the Occupier shall be calculated using the following formula:

Annual Trade Waste Charge =

$$\left( C_1 \times \frac{V}{Q} \right) + \left[ C_2 \times \left[ \left( \frac{V}{Q} \times Volume \right) + \left( \frac{B_T}{B_W} \times BOD \right) + \left( \frac{D_T}{D_W} \times ISS \right) + \left( \frac{E_T}{E_W} \times VSS \right) + \left( \frac{F_T}{F_W} \times TN \right) + \left( \frac{G_T}{G_W} \times TP \right) + \left( \frac{H_T}{H_W} \times TC \right) \right] \right]$$

*Where Volume, BOD<sub>5</sub>, ISS, VSS, TN, TP and TC should be replaced by the relevant percentages shown in (12) above.*

In calculating any such charge any domestic sewage discharged from the premises affected shall be deemed to be trade wastes.

16. Pursuant to Clause 5, the Occupier shall also be levied all reasonable costs incurred by Council to measure the discharge volume or characterise the discharged wastewater as required to determine (13) and (14) above.
17. Where the trade waste charge calculated, is less than the uniform water closet/ urinal charge which would be applicable to this property, then the uniform water closet /pan charge will apply.
18. Council reserves the right to amend this trade waste charging system as required to recover actual operational costs relating to wastewater reticulation, treatment and disposal.

## SCHEDULE 2 ABBREVIATIONS

\$/kg	dollars per kilogram
\$/L/s	dollars per litre per second
\$/m <sup>3</sup>	dollars per cubic metre
°C	degrees Celsius
ANZECC	Australian New Zealand Environment and Conservation Council
B	boron
BOD <sub>5</sub>	Biochemical Oxygen Demand
Br <sub>2</sub>	bromine
Cl <sub>2</sub>	chlorine
CN	cyanide
COD	Chemical Oxygen Demand
DAF	dissolved air floatation
DP	deposited plan
DS	dry solids
F	fluoride
FOGs	fats, oils and greases
g/m <sup>3</sup>	grams per cubic metre
GST	goods and services tax
H <sub>2</sub> S	hydrogen sulphide
HAHs	halogenated aromatic hydrocarbons
HCHO	formaldehyde
HCN	hydrogen cyanide
hr	hour
kg/day	kilogram per day
L	litre
L/s	litre per second
LGA	Local Government Act
LTCCP	long term council community plan
m <sup>3</sup>	cubic metre
max.	maximum
MBAS	methylene blue active substances
MfE	Ministry for the Environment
mg/L	milligram per litre
mL/L	millilitre per litre
mm	millimetres
MSDS	material safety data sheets
N	nitrogen
NH <sub>3</sub>	ammonia
NH <sub>3</sub> -N	ammoniacal nitrogen
P	phosphorus
PAHs	polycyclic (or polynuclear) aromatic hydrocarbons
PBBs	polybrominated biphenyls
PCBs	polychlorinated biphenyls
pH	measure of acidity/alkalinity
s	second
s.	section
s. s	sections
SBR	sequencing batch reactor
SO <sub>4</sub>	sulphate

SS	suspended solids concentration
TAs	territorial authorities
UV	ultra violet
UVT	ultra violet transmission
WC	water closet
WWA	Waste Water Authority

### SCHEDULE 3 CODES AND STANDARDS APPLICABLE TO THIS BYLAW

The Council adopts by resolution the following Codes and Standards to apply as a source of reference to activities regulated by the Trade Waste and Waste Water Bylaw.

#### a) CODES AND STANDARDS

REFERENCE	CODES AND STANDARDS	DATE CONFIRMED BY COUNCIL	EFFECTIVE DATE	DATE REVOKED
<b>(i) TRADE WASTE</b>				
New Zealand Standards				
NZS 4304:2002	Management of healthcare waste			
NZS 5465:2001	Self containment for motor caravans and caravans			
NZS 9201:Part 22: 1999	Model General Bylaws: Part 22: Wastewater drainage			
NZS 9201:Part 23: 2004	Model General Bylaws: Part 23: Trade Waste			
Joint Australian/New Zealand Standards				
AS/NZS 5667	Water quality – Sampling Part 1:1998Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples Part 10:1998Guidance on sampling of waste waters			
AS/NZS 1547:2012	On-site domestic wastewater management			
British Standards				
BS 3680	Measurement of liquid flow in open channels			
Part 11A:1992	Free surface flow in closed conduits – Methods of measurement			
Part 11B:1992	Free surface flow in closed conduits – Specification for performance and installation of equipment for measurement of free surface flow in closed conduits			
BS 5728	Measurement of flow of cold potable water in closed conduits			

REFERENCE	CODES AND STANDARDS	DATE CONFIRMED BY COUNCIL	EFFECTIVE DATE	DATE REVOKED
Part 3:1997	Methods for determining principal characteristics of single mechanical water meters (including test equipment)			
BS 6068	Water quality Part 6:- - -Sampling Section 6.10:1993 Guidance on sampling of waste waters			
BS EN 25667-1: 1994	Water quality. Sampling. Guidance on the design of sampling programmes BS 6068-6.1:1981			
BS EN 25667-2: 1993	Water quality. Sampling. Guidance on sampling techniques BS 6068-6.2:1991			
BS EN 5667-3: 2003	Water quality. Sampling. Guidance on the preservation and handling of water BS 6068-6.3:2003 samples			

b) **SOURCES OF REFERENCE**

REFERENCE	SOURCES OF REFERENCE	DATE CONFIRMED BY COUNCIL	EFFECTIVE DATE	DATE WITHDRAWN
<b>(i) TRADE WASTE</b>				
Other Publications	Agricultural and Resource Management Council of Australia and New Zealand (ARMCANZ) and Australia New Zealand Environment and Conservation Council (ANZECC) Guidelines for Sewerage Systems: Acceptance of trade wastes (industrial waste) 12 (1994) <sup>1</sup>			
	American Water Works Association Standard methods for the examination of water and wastewater 20th Edition (1999) <sup>2</sup>			

<sup>1</sup> Document available from Australian Water Association (AWA) [www.awa.asn.au](http://www.awa.asn.au)

<sup>2</sup> Document available from American Water Works Association [www.awwa.org](http://www.awwa.org)

REFERENCE	SOURCES OF REFERENCE	DATE CONFIRMED BY COUNCIL	EFFECTIVE DATE	DATE WITHDRAWN
	Ministry of Business, Innovation and Employment - Building and Housing Group New Zealand Building Code (NZBC) 1992 and Approved Documents <sup>3</sup>			
	Ministry for the Environment (MfE) Landfill Acceptance Criteria (2004) The New Zealand Waste Strategy (2002) <sup>4</sup>			
	National Radiation Laboratory (NRL) NRL C1 Code of safe practice for the use of unsealed radioactive materials (1996). <sup>5</sup>			
	New Zealand Water and Wastes Association (NZWWA) Guidelines for the Safe Application of Biosolids to Land in New Zealand (2003) Liquid and Hazardous Wastes Code of Practice (2003) <sup>6</sup>			
	New Zealand Water Environment Research Foundation (NZWERF) New Zealand Municipal Wastewater Monitoring Guidelines (2002) <sup>7</sup>			
	Sydney Water Corporation Trade Waste Policy (2004) <sup>8</sup> <sup>9</sup>			
	United States Environment Protection Agency (US EPA) Method 9095A Paint Filter Liquids Test (1996) <sup>10</sup>			

<sup>3</sup> Document available from Ministry of Business, Innovation and Employment - Building and Housing Group (formerly Department of Building and Housing) [www.dbh.govt.nz](http://www.dbh.govt.nz)

<sup>4</sup> Documents available from Ministry for the Environment New Zealand [www.mfe.govt.nz](http://www.mfe.govt.nz)

<sup>5</sup> Document available from National Radiation Laboratory [www.nrl.moh.govt.nz](http://www.nrl.moh.govt.nz)

<sup>6</sup> Documents available from New Zealand Water & Wastes Association (NZWWA) [www.nzwwa.org.nz](http://www.nzwwa.org.nz)

<sup>7</sup> Document available from New Zealand Water Environment Research Foundation (NZWERF) [www.nzwerf.org](http://www.nzwerf.org)

<sup>8</sup> Document available from Sydney Water Corporation [www.sydneywater.com.au](http://www.sydneywater.com.au)

<sup>9</sup> Document available from United States Environmental Protection Agency [www.epa.gov](http://www.epa.gov)

## SCHEDULE 4 WASTE MINIMIZATION DEVICES

TABLE 1.1 –

Device	Value
Dual flush cistern	Flush 1 - 3 litres Flush 2 - 6 litres
Low flow shower heads	Max. - 10 litres/min
Urinal flushing control	On-demand controller

For details of water reduction measures that may be considered, refer to AS/NZS 1547:2012.

## **SCHEDULE 5 WASTEWATER DRAINAGE POLICY FOR THE DISCHARGE AND ACCEPTANCE OF WASTE WATER**

### **1. Introduction**

The definitions contained within Section 3 of the Wairoa District Wastewater Bylaw 2012 ("the Bylaw") apply to this Policy unless otherwise stated.

The discharge and acceptance of wastewater is subject to a number of Acts, Regulations, Bylaws, Codes and Standards.

The relevant Acts are listed in Section 2.3 of this Bylaw.

The relevant Codes and Standards are listed in Schedule 3 to this Bylaw.

### **2. Definitions of Wastewater**

#### **2.1 Domestic Wastewater**

Domestic wastewater, as defined in the Wairoa District Council Trade Waste and Wastewater Bylaw, shall include wastewater produced by the draining of domestic swimming and spa pools subject to a maximum discharge restriction (refer Section 13.6 of this policy) and Section 5.5.1 of the Bylaw.

Where part of a residential premises is used as an office or other trade related activity from which no Trade Waste could be produced, and which no other persons apart from those living at those premises use, then it shall be treated as domestic premises.

No domestic wastewaters shall:

- a) Exceed the substance or flow limits detailed in the Bylaw;
- b) Contain substances prohibited as defined in the Bylaw.

#### **2.2 Trade Wastes**

Where part of domestic premises is used as an office or other trade related activity from which no trade waste could be produced, and which no other persons apart from those living at those premises use, then it shall be treated as domestic premises. Any trade activity which produces or has the potential to produce a wastewater shall be treated as being from trade premises.

### **3. Acceptance and Duration**

**3.1 General.** Council shall continue to accept wastewater from premises once an approved connection to the public sewer has been made. Disconnection of the sewer, or restriction of the water supply are not options available in the event of non-compliance with the law and/or Bylaws by the customer. Refer to Section 15 of this policy for remedies which are available. For the customer's obligations refer to Section 13 of this policy.

**3.2 Change of Ownership.** In the event of premises changing ownership, the new owner shall automatically become the new customer of that premise.

**3.3 Trade Wastes.** For acceptance of trade wastes, refer to Section 4 of the Bylaw.

#### **4. Application to Connect**

**4.1 Application for Domestic Wastewater Connection.** Every application for a wastewater service connection shall be made in writing on the form prescribed in Schedule 5, Appendix C to the Bylaw, together with payment of the prescribed charges. The applicant shall provide all the details required by the Council. An application shall be made whether or not a public sewer has already been laid up to the point of discharge. Where an application has been accepted by the Council, which requires a new public sewer connection to be constructed from the existing public sewer to the point of discharge, the customer shall pay such charges as fixed by the Council for this work. The Council shall supply and install the public sewer up to the point of discharge except as provided for in Section 4.3 of this policy. Refer to Section 14 of this policy for payment of connection charges.

In the case of an application to disconnect from a wastewater system, the application should be lodged in writing on the form prescribed in Schedule 5, Appendix C to the Bylaw.

**4.2 Application Procedure for Trade Waste Discharges.** Refer to Section 4 of the Bylaw, and the four appendices to Schedule 1.

**4.3 Subdivision.** Where a new public sewer is required as part of a subdivisional development, the developer shall provide all the drainage works subject to approval by the Council of the design and construction of the works. These will be addressed by way of the RMA and Rules in the District Plan; Chapter 27 of the District Plan addresses subdivisions.

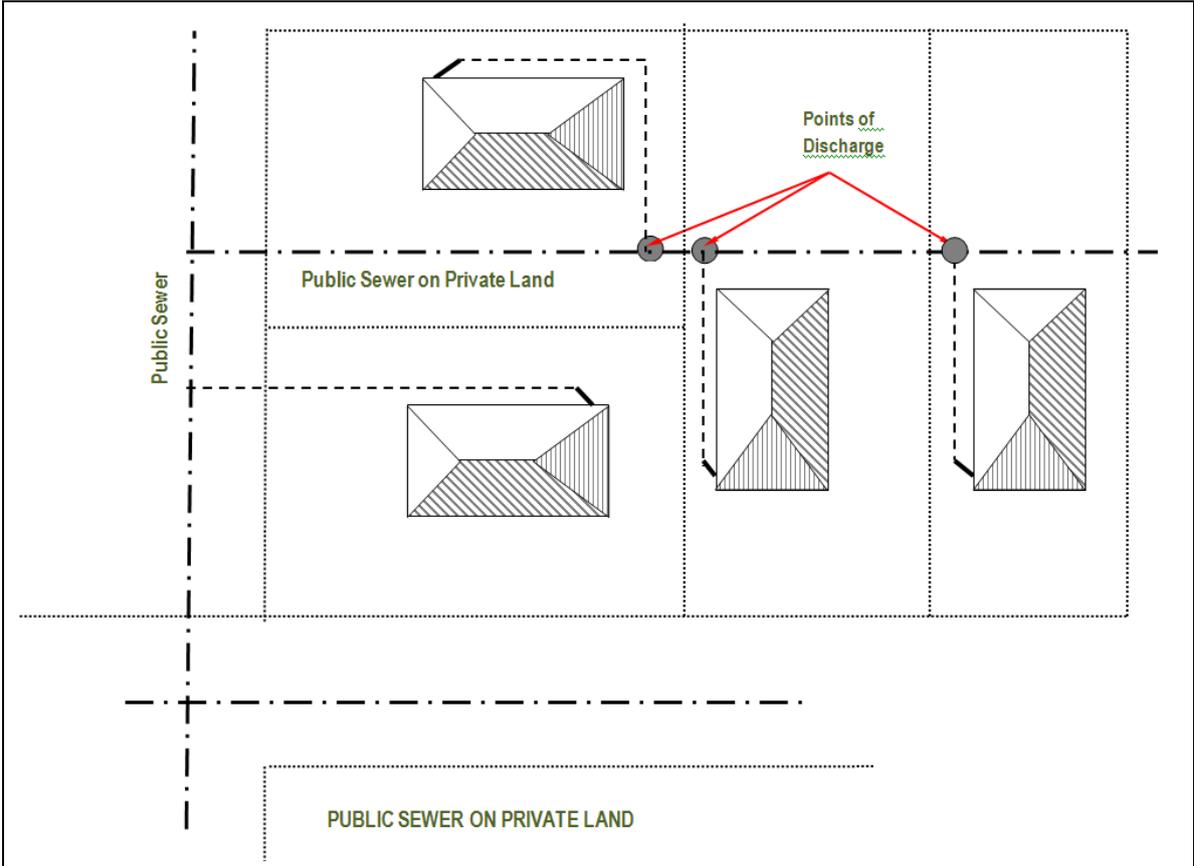
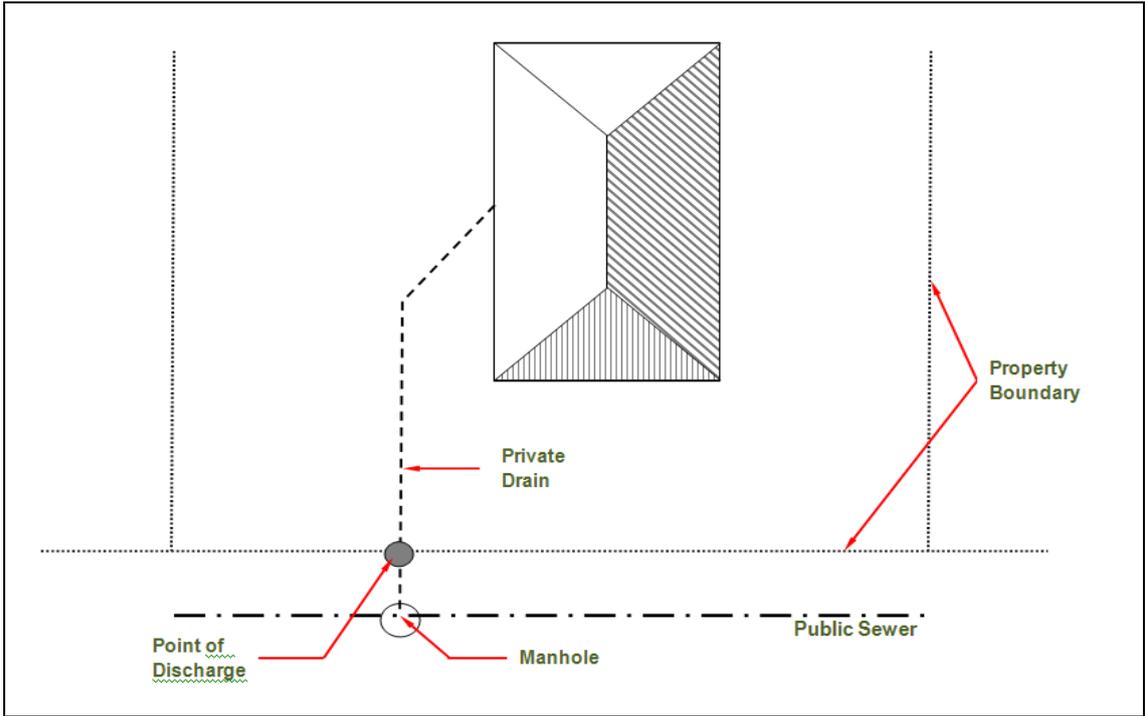
#### **5. Point of Discharge**

**5.1 General.** The point of discharge from a customer shall be the point on the public sewer, which marks the boundary of responsibility between the customer and the Council, irrespective of property boundaries. Unless otherwise approved there shall be one point of discharge only for each premises, and any private sewer shall not extend by pipe or any other means to serve another premises unless it is a common private sewer.

**5.2 Single Ownership.** For single dwelling units the point of discharge shall be located at the point of physical connection to the public sewer, whether it be within a road, other public lands, or private land. The approval of more than one point of discharge must be by the Council and also recorded on the drainage plan (refer to Section 12 of this policy).

Where a private sewer discharges into a public sewer on that same private property, the point of discharge shall be the upstream end of the pipe fitting which forms the junction with the public sewer or at the upstream end of the boundary kit for a Pressure Water Collection system.

Figure 2.1 - Point of discharge location - single dwelling units



### 5.3 Layout

The typical layout at a point of discharge is shown in figure 2.2.

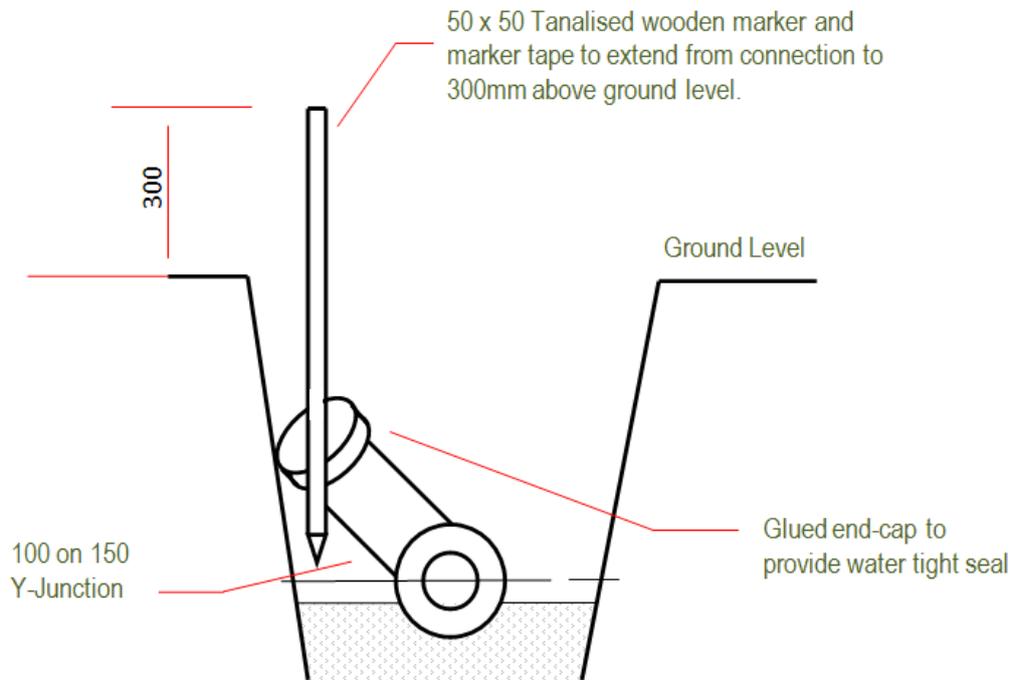
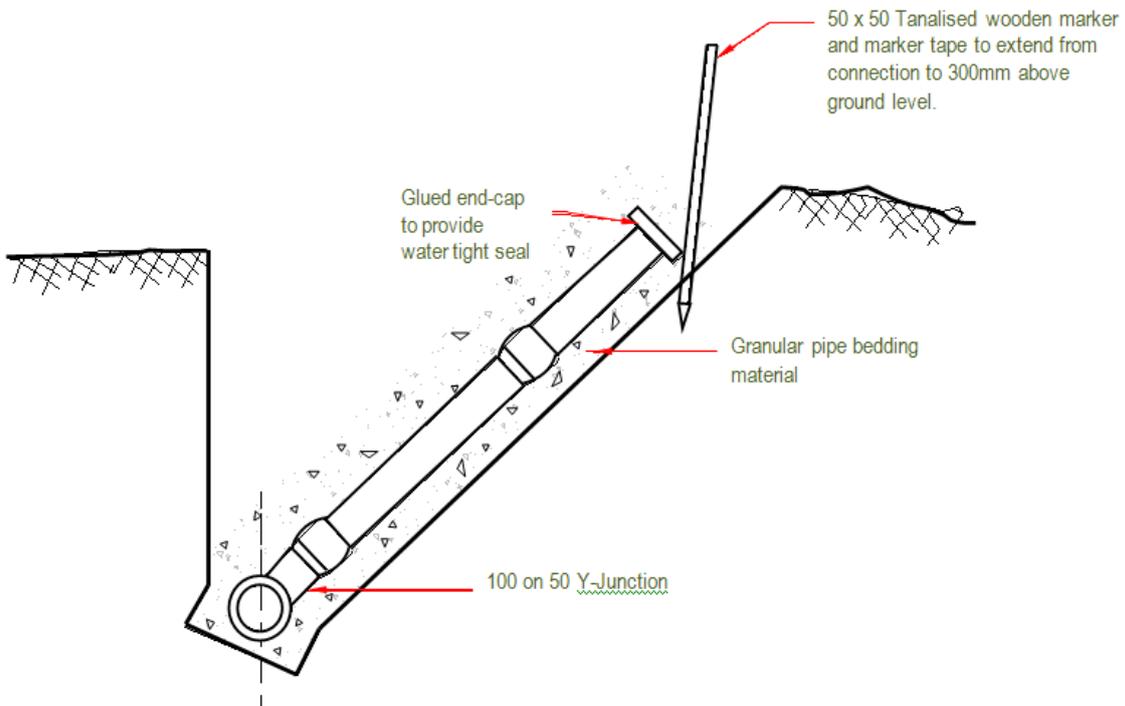


Figure 2.2 - Typical layout at point of discharge



**5.4 Multiple Ownership.** The point of discharge for the different forms of multiple ownership of premises and/ or land shall be as follows:

- a) For company share/block scheme (body corporate), as for single ownership;
- b) For leasehold/tenancy in common scheme (cross lease), strata title, and unit title (body corporate). Where practicable each owner shall have an individual drain with the point of discharge determined by agreement with the Council. If not practicable there shall be a common private sewer which shall be incorporated as an additional provision in the lease agreement. In specific cases other arrangements will be acceptable subject to individual approval. Each owner's point of discharge must be approved by the Council and recorded on the drainage plan. Other arrangements shall be considered only where there are advantages to the Council.

**5.5 Common Private Drains.** Common private drains will only be permitted by agreement with the Council. They may serve up to a maximum of five single dwelling units, and may also have one point of discharge only (in common). Under section 461(2) of the Local Government Act 1974, Common drains shall be covered by a certificate from the Council recording the rights of each party, which is registered against the Certificate of Title.

## **6. Level of Service**

The Council shall provide wastewater services in accordance with the level of service contained in Council's Long Term Council Community Plan, and as listed in Schedule 6.

## **7. Liability**

The Council shall not be liable for any loss, damage or inconvenience, which the customer (or any person within the premises) may sustain as a result of deficiencies in the wastewater collection system.

## **8. Emergency**

Natural hazards (such as floods or earthquakes) or accidents beyond the control of the Council, which result in disruptions to the ability of the Council to receive wastewater, will be deemed an emergency, and are exempted from the levels of service requirements of Clause 6 of this policy.

During an emergency the Council may restrict or prohibit the discharge of wastewater for any specified purpose, for any specified period, and for any or all of its customers.

Such restrictions shall be publicly notified. The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Council, or where immediate action is required the officer of the Council authorized for that purpose subject to subsequent Council ratification.

## **9. Maintenance and Repair**

Where it is not practical to notify the customer of a maintenance interruption to the point of discharge before work commences, the Council may shutdown the point of discharge without notice, and the customer shall be advised as soon as possible.

## **10. Blockages**

A customer whose gully trap is overflowing or who has other reasons to suspect a blockage, shall contact the Council immediately. The Council will arrange to check the public sewer, and to clear and remove the blockage, and clean up all affected areas. If the blockage is within the customer's private drain the customer shall be charged in accordance with the Council current schedule of rates and charges. If the blockage is found to be within the public sewer, then provided that the blockage has not been forced downstream into the public sewer in an act of clearing it from the private drain, or that the customer has not been negligent in discharging a non-acceptable wastewater, then the Council shall cover all costs. If otherwise, the Council shall recover the costs of the unblocking work from the customer.

## **11. Trees**

In the event of the roots of any tree on any private property causing or being likely to cause damage, interference to the flow, or blockage to a public sewer the Council shall follow the procedure set out in sections 171 to 173 of the Local Government Act 2002.

Note that the law does not differentiate between a sewer on private or public land, i.e. the occupier or owner cuts down or removes the tree at their expense with no compensation payable.

## **12. Working Around Buried Services**

**12.1 Drainage Plans.** The Council shall use its best endeavours to keep and maintain drainage plans of the location of its buried services. This information shall be available for inspection during normal business hours at no cost to the user. Reasonable charges may be levied to cover the costs of making copies available.

**12.2 Location.** Any person proposing to carry out excavation work shall view the as-built information to establish whether or not Council services are located in the vicinity. At least three days notice in writing shall be given to the Council of an intention to excavate in the vicinity of the buried services. Where appropriate the Council may mark out to within  $\pm 1.0$  metre on the ground the location of its services, and may nominate in writing any reasonable restrictions on the work it considers necessary to protect the buried services.

**12.3 Damage to Existing Services.** When excavating and working around buried services due care shall be taken to ensure the services are not damaged, and that bedding and backfill is reinstated in accordance with the appropriate Council specification. Excavation within roadways is also subject to the permit process of the appropriate roading authority.

**12.4 Damage Reporting.** Any damage which occurs to a buried service or other Council asset shall be reported to the Council immediately. Repair costs may be charged for.

### **13. Customer's Drainage System**

**13.1 General.** The customer's drainage system is governed by the Building Act from inside the building to the point of discharge. The Council may not impose anything on the customer, which is more onerous than is contained in the New Zealand Building Code.

The customer's drainage system shall be designed, installed and maintained, both in its component parts and in its entirety, to ensure that it complies with the Building Act and the New Zealand Building Code.

Drainage from premises constructed, or for which construction was commenced, prior to the coming into force of the Building Act, does not need to be upgraded to meet the requirements of the New Zealand Building Code. If however any work is required on the customer's drainage system, arising from:

- (a) The issuing of a defect notice;
- (b) Alteration to the premises;
- (c) Change of use of the premises;

then any such work shall meet the requirements of the New Zealand Building Code. Customers with discharges from premises not covered by the Building Act and the New Zealand Building Code shall nevertheless have a drainage system, which complies with the Building Act and New Zealand Building Code.

**13.2 Waste Minimisation.** In order to meet the principles of sustainable management as promoted by the RMA, the Council will encourage customers to fit the waste minimisation devices contained in Schedule 4 on all new installations.

**13.3 Inflow and Infiltration.** Stormwater shall be excluded from the wastewater system by ensuring that:

- a. There is no direct connection of any stormwater pipe or drain to the wastewater;
- b. Gully trap surrounds are set above stormwater ponding levels (refer New Zealand Building Code), or secondary overland flow path flood levels;
- c. Inspection covers are in place and are appropriately sealed.

For large impervious areas (e.g. stock yards or truck washing facilities), specific provision shall be made for a permanent barrier which will prevent water from outside the confines of the facility from entering the wastewater system. This could be by way of a nib wall, speed humps, or appropriately graded surrounds.

Where it is impractical to cover a large impervious area, consideration shall be given to a system which detains run-off from the "first foul flush" for ultimate disposal to the wastewater system, with subsequent run-off disposal as stormwater.

Private drains shall be kept and maintained in a state which is free from cracks and other defects which may allow infiltration.

### **13.4 Pump Stations.**

General: Private wastewater pump stations will be approved only where there are no practical alternatives for a gravity flow discharge to the public sewer.

Single ownership: A private wastewater pump station for a single dwelling unit represents an alternative solution in terms of the Building Act. As such, the customer (owner) will be required to demonstrate that the pump station complies with the provisions of the New Zealand Building Code when seeking a consent.

Multiple ownership: A private wastewater pump station serving more than one residential dwelling unit requires a compliance schedule as well as an annual building warrant of fitness in order to meet the requirements of the Building Act.

A "Common Pump Station Agreement" shall be required between the parties, including appropriate maintenance of rising mains. It shall be registered against the Certificate of Title of each party.

The combined rate of discharge to the public sewer shall not exceed the rate specified by the Council.

- 13.5 Pressure Wastewater Collection Systems.** Council will maximise the benefits of new technology to restrict the quantity of stormwater entering the public wastewater system and to minimise the risk of wastewater overflows discharging to the environment. Pressure wastewater systems (PWC) will be installed in environmentally sensitive areas and where new gravity systems are impractical or will potentially overload the existing infrastructure.

"Pressure wastewater reticulation" means that part of the wastewater network designed to receive and convey wastewater through a pressurised system of pumps and infrastructure. These areas are shown on the Wastewater Reticulation Area Plans attached as Appendices to Schedule 7, which may be amended from time to time by the Council by resolution and publicly notified, as geographical areas become serviced by pressure wastewater reticulation.

Note; Decisions on which areas to provide with wastewater services, and the type of reticulation to receive and convey wastewater (pressure or gravity) are made by Council in accordance with the decision making provisions of the Act and will comply with its statutory consultation requirements.

As a consequence of the foregoing once a decision on PWC servicing has been made the Council will timetable the provision of service and resolve to update the Plans in Schedule 7 of the Bylaw.

Approved PWC Installers. Council will ensure that qualified suppliers and technicians are available to residents for the supply installation and maintenance of PWC systems on the property. It will also keep current a Code of Practice for PWC systems in its Standards for Engineering Design and Construction.

- 13.6 Swimming Pools.** Customers with swimming or spa pools shall be required to demonstrate that the pool drain has been fitted with a flow limiting device to ensure the discharge does not exceed the maximum instantaneous flow requirement of 2.0 litres per second.

## **14. Payment**

Payment for the discharge of wastewater and related services shall be in accordance with the Council schedule of rates and charges.

## **15. Breaches and Remedies**

**15.1 Powers.** Powers to enforce penalties relating to the discharging of wastewater by customers are given to the Council by a number of acts. The Local Government Act 2002 deals specifically with Trade Wastes.

Other relevant pieces of legislation are more indirect in application. The Local Government (Rating) Act 2002 allows for action to be taken when rates are unpaid. The relevant legislation includes:

- \_ Local Government Act 2002;
- \_ Local Government (Rating) Act 2002;
- \_ Health Act 1956 Part II; and
- \_ Building Act 2004.

**15.2 Failure to Pay.** Any money owing for rates for wastewater services becomes a charge on the land.

**SCHEDULE 5 APPENDIX A - EXAMPLE OF A MEMORANDUM OF ENCUMBRANCE**

**MEMORANDUM OF ENCUMBRANCE FOR SECURING A SUM OF MONEY**

.....of..... (hereinafter together with his/her successors, assigns and personal representatives called "**the Owner**") being registered as proprietor of an estate in fee simple subject however to such encumbrances, liens and interest as are notified by Memorandum underwritten in that parcel of land containing by admeasurement.....square metres more or less being Lot .....Deposited Plan.....and being all the land comprised and described in Certificate of Title.....

**AND** desiring to render the land available for the purpose of securing to and for the benefit of the **WAIROA DISTRICT COUNCIL** the rent charge hereinafter mentioned does hereby encumber the land for the benefit of the **WAIROA DISTRICT COUNCIL** with the annual rentcharge of **TEN THOUSAND DOLLARS** (\$10,000) (plus GST) to be raised and paid at the times and in the manner following, that is to say in one (1) annual sum on the 1st day of.....20.....and on the 1st day of.....in every year thereafter **PROVIDED ALWAYS** that if during the twelve (12) months immediately preceding the 1st day of.....in any year there shall have been no breach of any of the obligations of the Owner under the Deed, a copy of which is attached hereto, then the annual rentcharge payable on such 1st day of.....shall be reduced to **ONE DOLLAR** (\$1.00) **AND** the Owner covenants that he/she shall at all times perform and observe all the obligations and covenants as set out in the Deed

**AND PROVIDED ALSO** that if and whenever the obligations of the Owner under the Deed shall have been duly and wholly complied with or shall by effluxion of time or otherwise become no longer enforceable then this Memorandum of Encumbrance shall be wholly discharged by the **WAIROA DISTRICT COUNCIL**.

**AND PROVIDED ALWAYS** that if and when the said.....or the registered proprietor for the time being of the land sells, transfers or transmits their interest in the land or any part thereof, then all liability of the said.....or the said registered proprietor thereof for the time being shall immediately cease and he/she or they shall be released as from the date of the said sale, transfer or transmission to the intent

**SCHEDULE 5 APPENDIX B - EXAMPLE OF A DEED OF COVENANT**

**THIS DEED** made the.....day of.....20...

**BETWEEN** .....of.....

(hereinafter together with his/her successors, assigns and personal representatives to be called "**the Owner**") of the first part

**AND THE WAIROA DISTRICT COUNCIL**

(hereinafter with its successors and assigns called "**the Council**") of the second part

WHEREAS

- A** The Owner is the registered proprietor of an estate in fee-simple in the land described in the Schedule hereto ("the land") and
- B** A carport has been erected on part of the land and
- C** A stormwater public sewer and a foul public sewer of the Council runs through the land and partly under the area over which the carport has been erected
- D** The carport's position partly over the said sewers is a contravention of and constitutes a continuing breach of the bylaws of the Council as the Owner does hereby admit and by reason thereof the Council would not ordinarily agree for the carport to remain in its present position but has nevertheless agreed for the carport to remain in consideration of the Owner entering into these premises in manner hereinafter appearing.

**NOW THIS DEED WITNESSES** that in consideration of the aforesaid premises the Owner hereby agrees with the Council as follows:

- 1 THE** carport covering the said sewers shall remain in its present position and shall not at any time be covered in. The Owner shall not make any alterations or modifications to the said carport except pursuant to this Deed or in accordance with a permit issued by the Council.
- 2 EXCEPT** in the case of an emergency (as determined in the sole and absolute discretion of the Council), any work carried out by the Council pursuant to this Deed will be carried out during the normal working hours of employees of the Council.
- 3 THE** granting of the permission by the Council for the said carport to remain in its position is on the strict condition that all the agreements and provisions hereof on the part of the Owner shall be complied with faithfully in all respects and is without prejudice (in the event of any default by the Owner hereunder) to the right of the Council to exercise all or any of the rights, powers and remedies whether civil or criminal conferred upon the Council by the Council's bylaws or by statute or otherwise.
- 4 THE** Owner hereby agrees to indemnify the Council from and against all costs (including costs as between Solicitor and client), damages and expenses, claims, actions and proceedings of or against the Council in consequence of or arising out of any breach by the

Owner of the agreements and provisions hereof and/or the exercise by the Council of any rights, powers and remedies available under this Deed.

- 5 **IN** addition to clause 4 hereof the Owner accepts that the Council will not be liable for any damage to the said carport arising directly or indirectly from a partial or total collapse of either or both the sewers, and will be responsible for the removal of the carport or parts thereof in the event of any such damage as requested by the Council.
- 6 **ALL** costs (including costs as between solicitor and client) of and incidental to this Deed (including the preparation thereof) and the Memorandum of Encumbrance aforesaid (including the preparation and registration thereof against the Title of the land) shall be borne by the Owner and shall be paid prior to and as a condition of the Council's granting of the permit aforesaid.
- 7 **IT** is hereby acknowledged and declared by the Council that if and when the said .....or the registered proprietor for the time being sell, transfer or transmit their interest in the land or any part thereof, then all liability of the said .....or the said registered proprietor thereof for the time being shall immediately cease and he/she or they shall be released as from the date of the said sale, transfer or transmission **TO THE INTENT** that the liability under this Deed of Covenant and Memorandum of Encumbrance made in pursuance thereof is only to run with the Owner for the time being of the said land or part thereof.

**IN WITNESS WHEREOF** these presents have been executed the day and year first before written.

**THE COMMON SEAL of THE WAIROA DISTRICT COUNCIL**

was affixed this \_\_\_\_\_ day of \_\_\_\_\_ 2012 in the presence of:

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

**SCHEDULE 5 APPENDIX C – APPLICATION FORM**

**THE WASTEWATER AUTHORITY OF THE  
WAIROA DISTRICT COUNCIL  
APPLICATION FOR DOMESTIC WASTEWATER SERVICE CONNECTION**

**PLEASE PRINT CLEARLY**  
*Use and attach additional sheets as required*

**ADDRESS OF PREMISES**

.....  
.....  
.....

**POSTAL ADDRESS OF OWNER**

Name:.....  
Address:.....  
.....

**ARE THE PREMISES ALREADY CONNECTED TO PUBLIC SEWER?**

Yes  No

**CONNECTIONS REQUIRED**

Size:..... No:.....  
Size:..... No:.....  
*Note: Minimum size 100m*

**DESCRIPTION OF DEVELOPMENT**  
(e.g.house,3 townhouses on cross lease title,block of flats, etc)

.....  
.....

**DIAGRAM FOR CONNECTION LOCATION**

See overleaf

**VALUATION NUMBER**

.....

**LOT NUMBER**

.....

**DP NUMBER**

.....

**CONTACT NAME FOR FURTHER ENQUIRIES CONCERNING THIS APPLICATION**

Name:.....  
Phone:..... Fax:.....  
CONNECTION WITH DEVELOPMENT  
(e.g. owner, builder, drainlayer)

**APPLICATION MADE BY**

Name:.....  
 Owner  Authorized Agent  
Signed..... Date.....

**DATE CONNECTION REQUIRED BY**

.....

**FOR OFFICE USE ONLY**

**APPLICATION**

Received by:..... Date:.....  
Evidence of Agents Authority  Sighted  
 Not applicable  
Referred to..... Date:.....  
Connection   
 Not  
Approved  
By..... Date.....

**PROPERTY LINK IDENTIFICATION NUMBER**

.....

**BUILDING CONSENT NUMBER**

.....

**CONNECTION COSTS**

No:.....@ \$.....=.....  
No:.....@ \$.....=.....  
Total Fee/Advance Payment (*Delete as appropriate*)

Cashier  
Receipt.....  
File  
No.....

**DIAGRAM FOR CONNECTION LOCATION**  
(Show distances from boundaries, driveways)

**SCHEDULE 5 APPENDIX D – POINT OF DISCHARGE LOCATION**

**Figure D1 – Location of points of discharge**

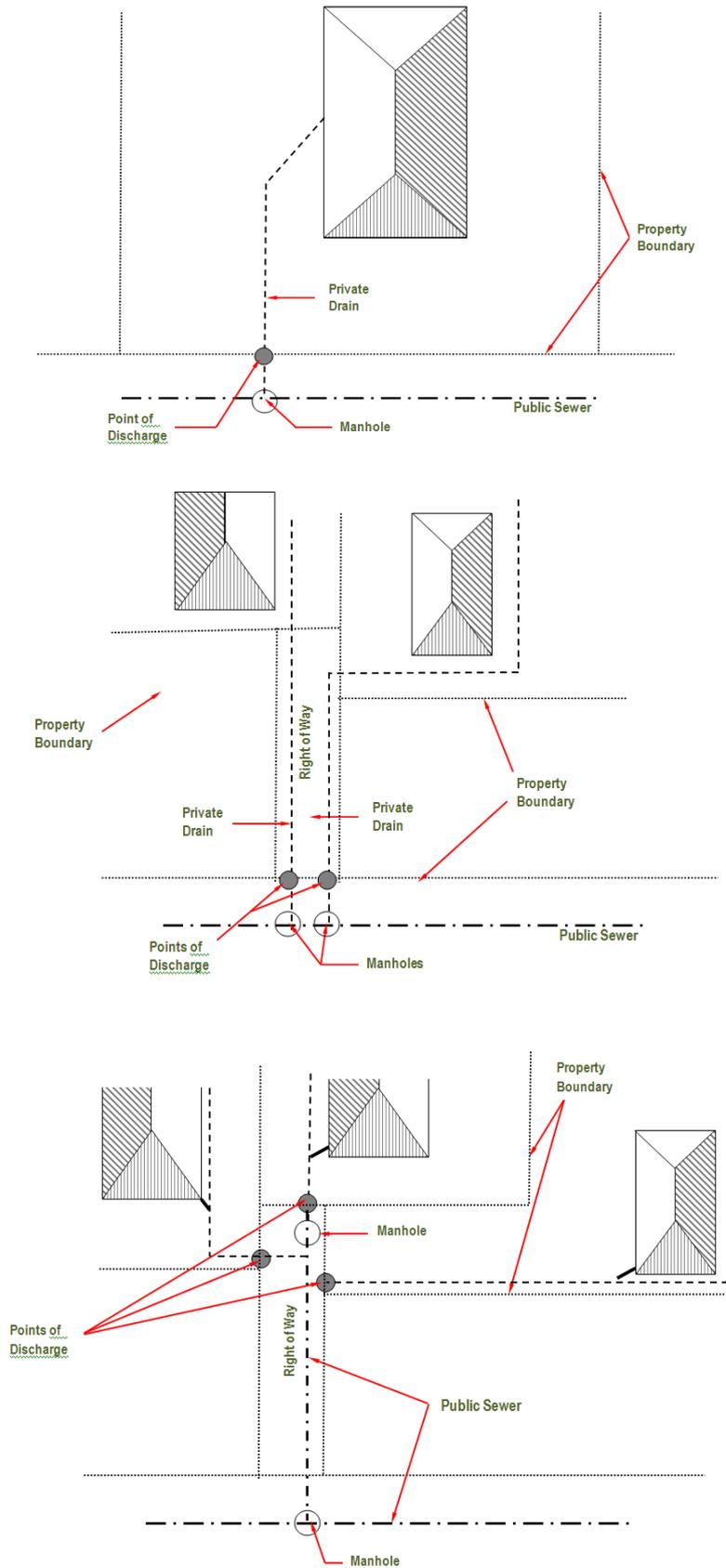
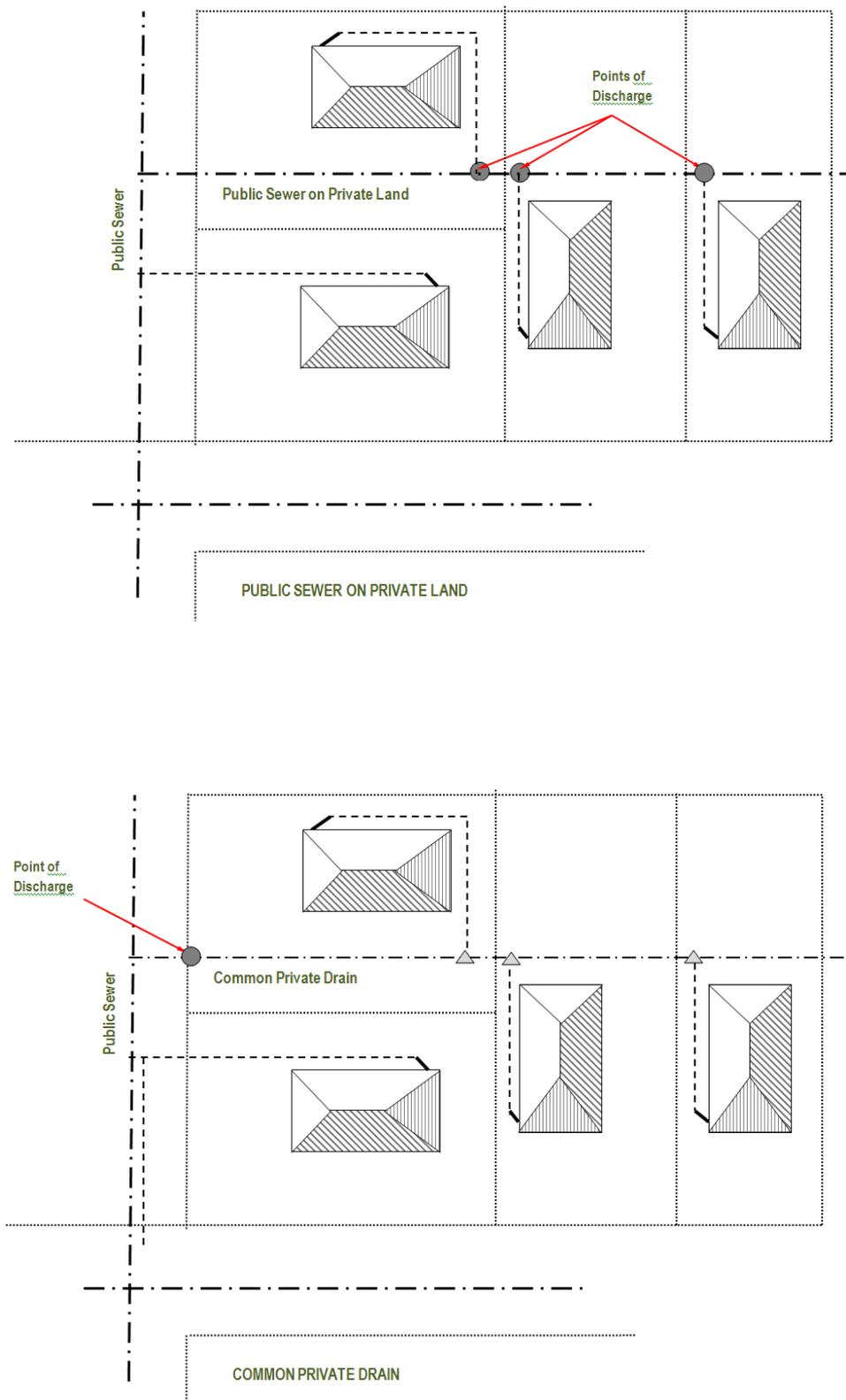
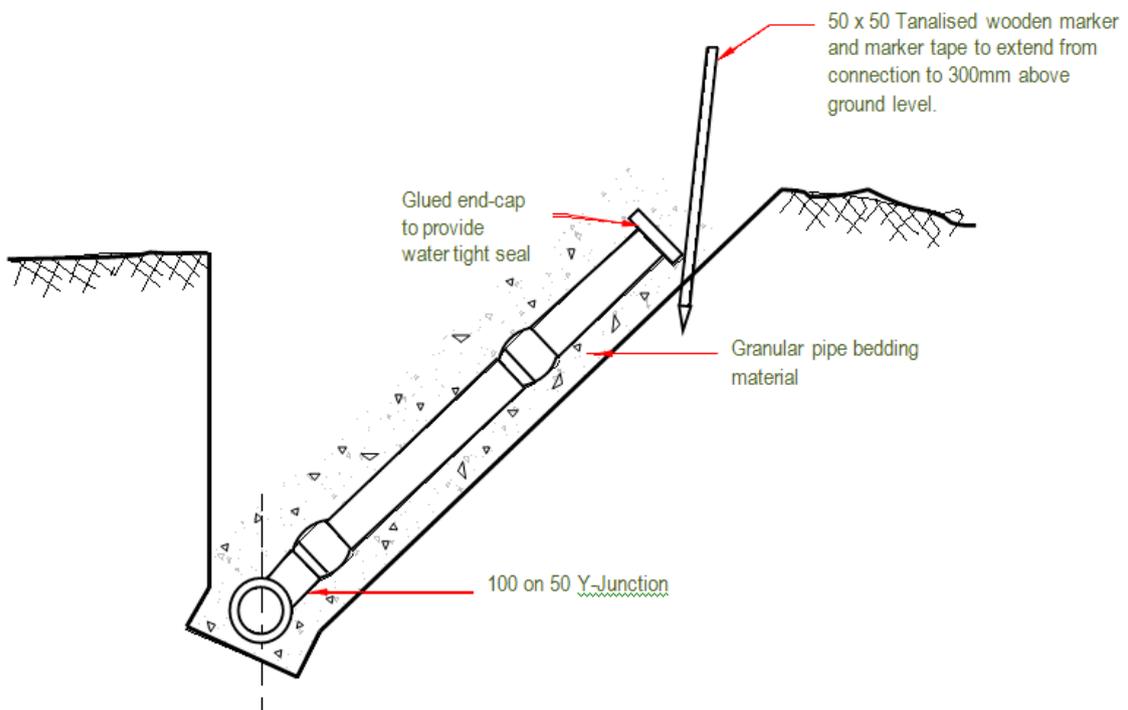
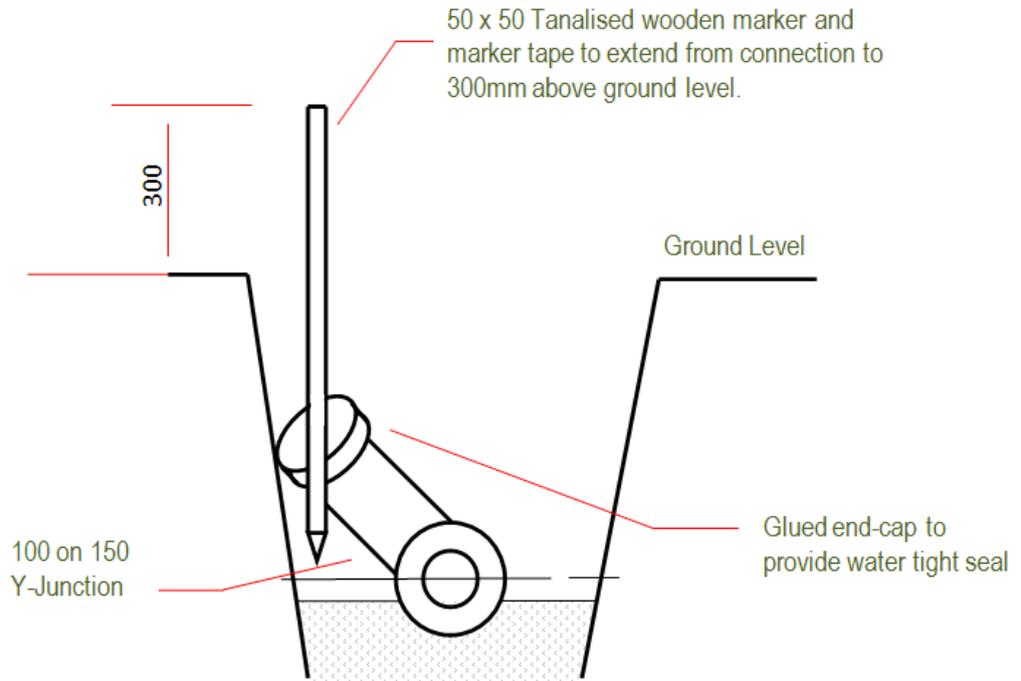


Figure D2 – location of points of discharge

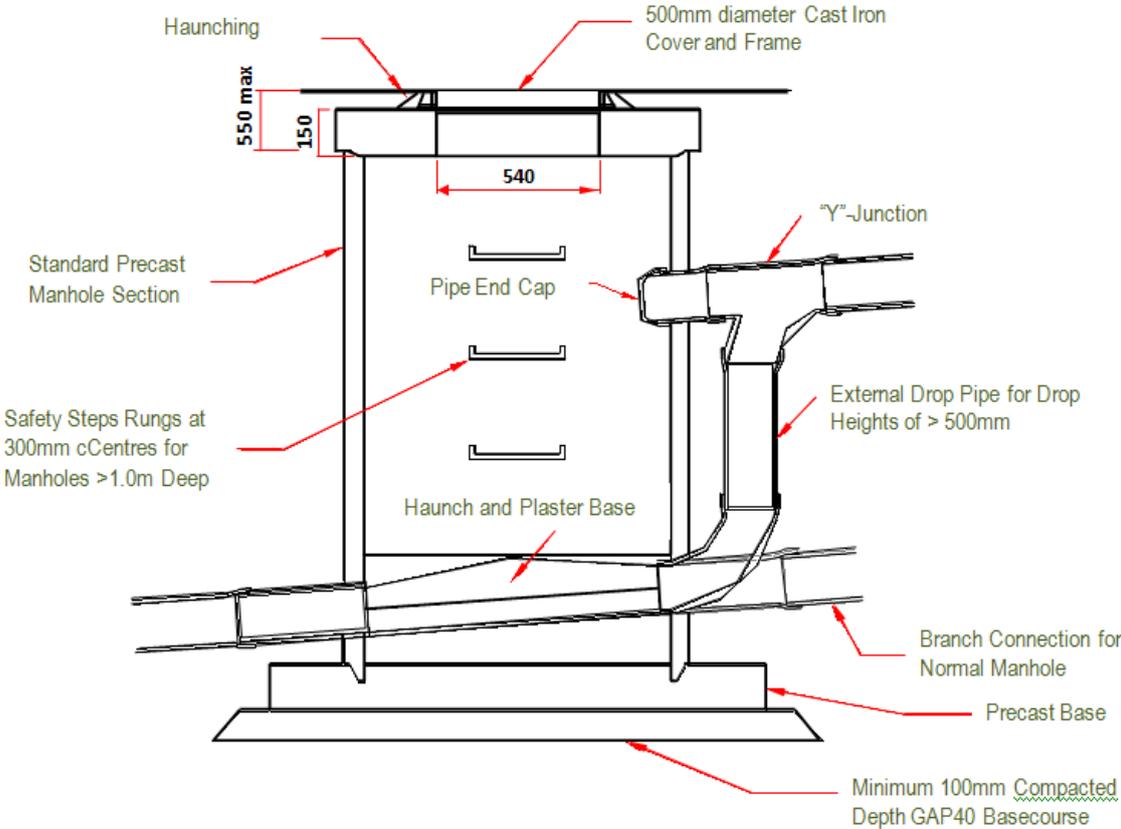


**SCHEDULE 5 APPENDIX E – LAYOUT AT POINT OF DISCHARGE**

**FIGURE E1 – layout at point of discharge**



**FIGURE E2 – layout at point of discharge**



## SCHEDULE 6: LEVEL OF SERVICE CRITERIA AND GUIDELINE VALUES

The following table contains a schedule of level of service criteria together with indicative guideline values:

<b>Criterion</b>	<b>Guideline Values</b>
Notification of scheduled maintenance shut down.	Minimum of 24 hours written notice delivered through letter box.
Customer complaint.	Any complaint responded to within 24 hours and resolved within ten working days.
Response to call out for blockage in public sewer.	On site within 2 hours of call out; cleared within 8 hours.
Wastewater overflow caused by a fault in a public wastewater system.	Not more than once in five years to any one premise.
Continuity of acceptance, minimum percentage of time available.	95%, ie not more than 44 hours per year not available.
New customer connection to existing reticulation.	Within 20 working days of application and fee payment.
Engineering standards for design and construction, including code of practice for PWC systems.	Keep standards current and available at all times.

**SCHEDULE 7: WAIROA DISTRICT COUNCIL WASTEWATER NETWORK AREAS**

**APPENDIX A: WAIROA**

**Wairoa North**



**SCHEDULE 7: WAIROA DISTRICT COUNCIL WASTEWATER NETWORK AREAS**

**APPENDIX A: WAIROA**

**Wairoa South**



**SCHEDULE 7: WAIROA DISTRICT COUNCIL WASTEWATER NETWORK AREAS**

**APPENDIX B: TUAI**



**SCHEDULE 7: WAIROA DISTRICT COUNCIL WASTEWATER NETWORK AREAS**

**APPENDIX C: OPOUTAMA**



**SCHEDULE 7: WAIROA DISTRICT COUNCIL WASTEWATER NETWORK AREAS**

**APPENDIX D: MAHIA BEACH**



## **SCHEDULE 8: PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS**

### **APPENDIX A: STANDARDS AND GUARANTEES FOR APPROVED PWC PRODUCTS**

#### **GENERAL DESCRIPTION OF PWC UNITS**

##### **OVERALL REQUIREMENTS**

The pumping units are to be complete systems comprising:

- specifically designed storage tanks,
- semi-positive displacement pumps,
- macerating device,
- electrical controls,
- alarms,
- pressure/level switches,
- pump protection devices, etc.

The pumping units are to be manufactured to an appropriate quality control standard and must comply with all relevant New Zealand or Australian Standards and NSF/ANSI 46:2005.

##### **PUMPS**

The pump equipment shall be fitted with a 240 volt, single phase motor suitable for connection to a domestic power supply.

The pump motors must be provided with suitable overload protection and low voltage protection.

##### **PIPEWORK AND FITTINGS**

Pumps are to be supplied with all discharge pipework up to and including connection to the boundary kit discharge point generally in 25 to 40mm (OD) HDPE.

The fittings shall include:

- Non-return valve;
- Quick coupling connector or dismantling joint;
- Associated bends and fittings;
- Lifting lug and/or chain/rope, as appropriate, for pump removal which is rated for the load being lifted.

##### **CONTROL PANEL (ELECTRICAL SWITCHBOARD)**

A Control Panel is to be provided for each pumping installation;

The Control Panels must be weather proof and rated to appropriate New Zealand Standards;

The Control Panel must be lockable by padlock to prevent unauthorised access;

The Control Panel must contain a separate enclosure to store plans of the electrical power lines;

An insulated cover must be provided inside all Control Panels over the electrical components to protect against electrical shocks. Refer AS/NZS 3000.2000 - Wiring rules 2.9.6 Access to live parts & 1.4.14 Authorised persons.

##### **ALARMS**

An alarm system shall be provided to raise an alert should the level of sewage in the reservoir exceed normal operating levels.

## STORAGE TANK

The pump-well/storage tank shall be constructed from fibreglass, polyethylene, concrete or other approved material.

Tank volume for domestic use shall be as provided for in the Council's Standards for Engineering Design & Construction.

The tanks are to be adequately vented. The vent stacks are to be incorporated within the station. Above ground or obtrusive venting is not permitted.

Storage tanks must be supplied with an appropriately sized inlet grommet. The grommet must be self-sealing.

The installer will determine and install the inlet service connection pipe to the tank on site.

Tanks are to be provided with watertight covers. Covers are to be lockable and have minimal visual impact. The covers must be capable of passing load tests appropriate to at least Class A, but preferably Class B access covers, as defined in Australian Standard AS 3996 "Metal access covers, road grates and frames".

Tanks must be provided with a suitable arrangement to prevent floatation. Details are to be provided for the required amount and arrangement of ballast for each pump unit.

The storage tank must be certified as being leak proof and structurally adequate in accordance with the supplier's quality system, and the requirements of this specification.

The pump units must be child-proof and not accessible to the resident.

## SPECIFIC TECHNICAL REQUIREMENTS

In addition to the above general standards, to achieve status as a PWC Approved Product, the PWC System shall comply with the following specific standards to the satisfaction of the Wairoa District Council.

### A) PUMP

ITEM	STANDARD
Operating Head	Up to 45 metres
Operating Flow	Up to 1 litre per second
Shut-off head	Pumps shall be fitted with a shut-off facility that will prevent the pump from operating at pressures above 80 metres head.
Electrical	Electrical systems shall comply with the appropriate New Zealand or Australian Standards. The installation shall include low voltage (brownout) protection.
Data acquisition	Provision shall be made for data acquisition of simply pump statistics which can be recovered from a plug in facility at the control box.
Materials Standards	All materials shall be approved for use in a wastewater environment and shall comply with the appropriate New Zealand or Australian Standards.
Performance Standards	PWC systems are required to have complied with NSF/ANSI 46:2005 prior to 1 July 2010 or status as "Approved Product" will be withdrawn
Controller Panel	The control panel shall be clearly marked with the contact details of a 24 hour service provider.
Service Life	Pumps shall have a deomonstrated 20 year life.

## PUMP CHAMBER AND FITTINGS

ITEM	STANDARD
Tank Lid	Lids shall be fitted with suitable anti-tampering devices for safety. UV protection is required. Lids must also be sealed in such a way as to prevent water entering the tank.
Anti Flotation	Tanks shall have design provision to ensure that units do not float.
Valves	Shall be 316 stainless steel.
Fittings	Shall be 316 stainless steel or an alternative that can demonstrate a 50 year design life to WDC's satisfaction.
Connections	Pipe connections to the tanks shall have suitable flexible joints to prevent damage from differential settlement.
Expected Life	All pump tanks and associated fittings shall be designed for a service life of 50 years. Suppliers shall be expected to demonstrate this to the satisfaction of WDC.

## WARRANTIES

ITEM	STANDARD
Insurance	Approved PWC Product suppliers shall demonstrate that they will maintain adequate public liability and other insurance for all installed locations..
Warranties	A product lifetime Warranty shall be provided that will reimburse the purchaser for all costs in the case of failure as a result of faulty construction or installation. Warrantors shall be substantial agencies to the satisfaction of WDC.
Service Agreements	Approved PWC product suppliers shall demonstrate a binding service agreement with an "Approved PWC Installer" to provide a seamless warranty arrangement to the purchaser.
Parts	Approved PWC product suppliers shall demonstrate that they will be maintaining adequate spares stocks to ensure that immediate repairs to faulty pumps can be made.

## **SCHEDULE 8: PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS**

### **APPENDIX B: PWC INSTALLATION SPECIFICATIONS**

#### **TECHNICAL STANDARDS**

Pressure Wastewater Collection (PWC) systems on private properties serviced by a Wairoa District Council pressure system shall comply with the following requirements:

- a) The design shall comply with the Council's Standards for Engineering Design and Construction for PWC systems;
- b) The equipment installed shall be an Approved PWC product under Schedule 8, Appendix A to this Bylaw;
- c) The equipment shall be installed by an Approved PWC Installer, approved by the Council under Section 5.9 of this Bylaw.

#### **MATERIALS AND EQUIPMENT**

Only Approved PWC Products under the Bylaw may be installed on private properties serviced by a Council wastewater pressure system. New materials and equipment must be similarly specifically approved prior to installation on any property.

#### **PRODUCER STATEMENT**

The Approved PWC Installer shall provide the Council with a Producer Statement, on the form prescribed by Schedule 8, Appendix C to this Bylaw, certifying that the requirements of this Specification have been complied with. This shall be provided prior to commissioning the equipment.

#### **AS BUILT INFORMATION**

The Approved PWC Installer shall provide accurate "As Built" drawings in sufficient detail as to identify the exact location of installed equipment, electrical supply cables and pipelines. Specific measurements shall be provided from readily identified features such as property boundaries, buildings or other permanent features.

**SCHEDULE 8: PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS**

**APPENDIX C: FORM OF PRODUCER STATEMENT FOR PWC SYSTEM INSTALLATION**

**INSTALLATION OF A PRESSURE WASTEWATER COLLECTION SYSTEM (PWC)  
ON A PRIVATE PROPERTY**

**FORM OF PRODUCER STATEMENT**

ISSUED BY.....  
(Approved PWC Installer)

TO: WAIROA DISTRICT COUNCIL IN RESPECT OF:

.....  
(Description of Works)

AT:.....  
(Address)

.....  
a duly authorised representative of:.....

certifies that I am an “Approved PWC Installer” in terms of Wairoa District Council’s District Trade Waste and Waste Water Bylaw 2012, and that this installation complies with the following requirements:

- The materials and equipment comply with the Council’s Engineering Design and Construction Standards for PWC Systems;
- The materials and equipment have been installed by an “Approved PWC Installer”;
- The workmanship has been in accordance with accepted practice and in accordance with WDC standards;
- The pump system and controls have been checked to ensure effective operation.

.....  
(Signature of authorised agent)

Date.....

.....  
(Name of “Approved PWC Installer”)

.....  
(Address)

**SCHEDULE 8: PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS**

**APPENDIX D: FORM OF APPLICATION FOR APPROVAL AS A PWC INSTALLER**

**THE WASTEWATER AUTHORITY OF THE  
WAIROA DISTRICT COUNCIL  
APPLICATION FOR APPROVAL AS WAIROA DISTRICT COUNCIL  
AUTHORISED PRESSURE WASTEWATER COLLECTION (PWC) INSTALLER**

<p>NAME OF APPLICANT ..... (Person who wishes to become authorised WDC PWC Installer)</p> <p>COMPANY NAME: ..... (Company Applicant Works For)</p> <p>COMPANY CONTACT DETAILS: .....</p> <p>ADDRESS :.....</p> <p>PHONE: ..... MOBILE: .....</p> <p>FAX: ..... EMAIL: .....</p>	<p>PLEASE ATTACH RECENT PHOTOGRAPH OF APPLICANT</p>
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**Please indicate type(s) of work you wish to carry out**

Installation of submains (pipes up to an including 50mm diameter)	<input type="checkbox"/>
Installation of mains (pipes 100mm diameter and above)	<input type="checkbox"/>
Connections to the PWC network	<input type="checkbox"/>

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**DECLARATION**

I, ..... (Name of Applicant)

- Apply to become a Wairoa District Council Authorised PWC Installer
- Confirms that all the details set out in and/or attached to this application are complete and accurate in all respects.
- If approved, agree to be bound by the terms and conditions set out in the 'Specification for working as a Wairoa District Council Authorised PWC Installer'.

.....  
(Signature of applicant)

Date.....