

## WAIMATE DISTRICT CONSOLIDATED BYLAW 2018

### CHAPTER 14

#### 14 WATER SERVICES

##### Scope

The purpose of this chapter of the Bylaw is to enable Council to meet its statutory duties and obligations and to set standards of supply, installation, and control of water and waste water services to ensure the maintenance of a healthy community. There are six parts to this chapter of the Bylaw:

Part 1	General Conditions, applicable to all Network Infrastructure Services.
Part 2	Urban Water Supply
Part 3	Rural Water Supply
Part 4	Stormwater Drainage
Part 5	Sewerage
Part 6	Trade Waste

This chapter of the Bylaw provides for the:

- (a) Setting of requirements and procedures for applications, continuances and disconnections for Water Services within the Waimate District;
- (b) Conditions and circumstances of supply of public water.
- (c) Regulation and control of discharges of Wastewater and Stormwater.
- (d) Specification and determination of discharges of Trade Waste.
- (e) Recovery of costs incurred by Council in monitoring, auditing, treatment and disposal of discharges;
- (f) Licensing and regulation of the collection, transportation and disposal of Tankered Wastes;
- (g) Sampling and analysis of Trade Waste discharges;
- (h) Administrative mechanisms for the operation and enforcement of this chapter of the Bylaw

**PART 1: GENERAL CONDITIONS****1401 Application**

1401.1 This chapter of the Bylaw applies to areas serviced by Network Infrastructure Services throughout the District.

**1402 Application for Supply of Service**

1402.1 Every Person who proposes to:

- (a) draw water from the Water Network Infrastructure; or
- (b) discharge sewage to the Sewer Network Infrastructure; or
- (c) discharge Stormwater to the Stormwater Network Infrastructure; or
- (d) discharge to the Sewer Network Infrastructure any Trade Waste (either continuously, intermittently or temporarily); or
- (e) vary the Characteristics of a Consent or approval to discharge that has previously been granted; or
- (f) vary the conditions of Consent or approval that has previously been granted; or
- (g) vary the location of the point of supply or discharge that has previously been granted; or
- (h) significantly change the method or means of pre-treatment for discharge under an existing consent; or
- (i) disconnect from any Network Infrastructure Service.

shall complete an application on an Approved Form for the supply of such service, together with payment of any prescribed charges. The applicant shall provide all of the details required by Council.

1402.2 Council may approve or decline any application.

**1403 Continuity of Supply of Service**

1403.1 Council does not guarantee an uninterrupted or constant level of service (flow, pressure, quantity or quality), or that an existing service which is in excess of minimum operating parameters is not altered.

**1404 Liability**

1404.1 Council will endeavour to provide Network Infrastructure Services in accordance with minimum operating parameters, but shall not be liable for any loss, damage or inconvenience which any Person may sustain as a result of deficiencies in, or interruptions to any Network Infrastructure Service.

**1405 Transfer of Rights and Responsibilities**

- 1405.1 No Person may transfer to any other Person the rights and responsibilities provided under this chapter of the Bylaw.
- 1405.2 No Person shall extend any Network Infrastructure Service by hose, pipe, or any other means beyond the Customers property.
- 1405.3 No Person shall provide any Network Infrastructure Service to any other party without Approval from Council.

**1406 Demand Management**

- 1406.1 All Persons shall comply with any supply and usage restrictions and prohibitions which may be imposed from time to time by Council in order to manage supply or demand issues. Such restrictions may be publicly notified.
- 1406.2 No Person shall in case of any such restriction or prohibition be entitled to any payment or compensation.

**1407 Wastage of Water**

- 1407.1 A Person who is supplied with water by, or on behalf of, Council shall not waste the water or allow it to be wasted.

**1408 Flow Metering**

- 1408.1 Council reserves the right to require a water meter to be installed and may set Water Supply and wastewater discharge fees and charges accordingly, where it considers that water use or wastewater disposal is or is likely to be excessive. A Water Supply deemed to be an Extraordinary Supply shall normally be Metered and charged for.
- 1408.2 Water meters shall be supplied, installed and maintained by Council at the Customers expense. Ownership of the meter is retained by Council.
- Installation of the meters shall be in accordance with Councils requirements.

**1409 Interceptor Traps**

- 1409.1 Council reserves the right to require that an interceptor trap be installed at any property where Council considers that a Contaminant is likely to enter any Drain or Sewer which is likely to be deleterious to the Sewer or Stormwater Network Infrastructure or the health and safety of Council staff and/or the public.

**1410 Disconnection of Service**

- 1410.1 A Customer who proposes to disconnect from any Network Infrastructure Service shall complete an application on an Approved Form for such disconnection, including an intention to demolish or remove a building. The demolition or removal shall not commence until the property has been disconnected to the Approval of Council.

1410.2 The Owner of any Premises within which there is a disused private Drain shall arrange for it to be disconnected and sealed in an Approved manner.

**1411 Approval to Connect, Disconnect or Interfere**

1411.1 No Person other than an authorised agent of Council, shall without Approval make any connection or disconnection to or otherwise repair, alter, modify, tamper or interfere with any part of any Network Infrastructure Service.

1411.2 Without prejudice to its other rights and remedies, Council shall be entitled to estimate and charge for any additional Network Infrastructure Service allowed to pass or not recorded where a meter or flow control device has been tampered with, and may recover from the Customer any costs incurred by Council.

**1412 Power of Entry and Removal of Works**

1412.1 Any appropriately warranted Officer or Person contracted to supply services to Council, may enter onto any land and enter into any building (not being a dwelling house) for the purpose of inspecting all or any of the fittings, pipes, and other apparatus connected directly or indirectly with the Network Infrastructure Services

1412.2 If any such Council Officer or contracted Person is refused entry or obstructed by any Person in the course of undertaking such an inspection; that Person commits an offence under this chapter of the Bylaw.

1412.3 Without prejudice to Council's ability to prosecute any Person for refusing entry to or obstructing an appropriately warranted Officer or contracted party, Council may also restrict the Water Supply to the property for which inspection has been denied.

1412.4 If any inspection conducted in accordance with sub clause 1412.1 discloses any fitting or works that contravene the provisions of this chapter of the Bylaw, then the said fitting or works may be altered or removed by Council Officer or contracted party in order to achieve compliance with this chapter of the Bylaw. Notice of such alteration or removal shall be given to the Owner or Occupier of the property as soon as is reasonably practicable.

**1413 Breaches**

1413.1 Where Council considers a breach of this chapter of the Bylaw, or statutory or any other legal requirements is such that it is necessary to alter, disconnect, reduce or limit the Network Infrastructure Service for environmental or health or safety considerations or where there is unacceptable risk of consequential damage to Council assets, Council may take immediate action necessary in order to make good the breach, and recover all reasonable costs.

**1414 Vegetation**

1414.1 In the event of any Vegetation causing or being likely to cause interference to the flow of water within, or block or damage to a Network Infrastructure Service, Council may require the Customer to remove the

Vegetation at the Customer's expense with no compensation payable by Council.

## **1415 Protection of Network Infrastructure Services**

### **1415.1 Building Over or Adjacent to Network Infrastructure Services**

- (a) No structure shall be located over a Network Infrastructure Service, whether on public or private land, unless otherwise approved by the Council's Engineer.
- (b) The minimum horizontal separation distance between the structure and the service shall be 1 metre or a distance equal to the maximum depth of the service, whichever is greater, from the nearest face of the service.
- (c) Subject to Approval, a building developer may meet the cost of diverting the Network Infrastructure Service in accordance with Council standards.
- (d) Where (a), (b) and (c) above are found to be impractical and the structure cannot be sited elsewhere on the property or modified to conform with the above conditions, and it is essential for the proposed structure to be built on that part of the property, Approval may be granted subject to the building developer meeting the cost of any specific requirements. These requirements may include the provision of access manholes, pipe strengthening, ducting, additional support of the structures' foundations and relocatable construction. The Network Infrastructure Service shall be registered by the property Owner by a Memorandum of Encumbrance and Deed of Covenant against the Certificate of Title of the property.

### **1415.2 Loading of Material Over a Network Infrastructure Service**

- (a) No Person shall cause the crushing load imposed on a Network Infrastructure Service to exceed that which causes damage to the Service.
- (b) No Person shall without Approval place any additional material over or near to a Network Infrastructure Service so that the Network Infrastructure Service is further buried.
- (c) Points of Supply and Service Openings to a Network Infrastructure Service shall be maintained free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access by Council or its appointed contractor or agent. Removal of any covering material or adjustment of the opening shall be at the property Owner's expense.

### **1415.3 Excavation Near Network Infrastructure Services**

- (a) No Person or Owner or Occupier shall without Approval from Council allow or carry out excavation, or use trenchless technology, or carry out piling or similar type of work closer than 2 metres from the nearest face of any Network Infrastructure Service. In granting any Approval Council may impose conditions on the carrying out of

any such work. Damage occurring to a Network Infrastructure Service as a result of any such works shall be reported to Council immediately by the Person undertaking and/or in charge of such work. Council shall be entitled to recover any costs incurred as a result of such damage.

#### 1415.4 **Excavation in a Road Reserve or Public Place**

No Person shall carry out excavation work in a Road Reserve or Public Place without Approval from Council.

#### 1415.5 **Protection of Sewer and Stormwater Network Infrastructure**

Unless authorised by Council, no Person shall:

- (a) Cause, permit or allow the entry into any Drain or fitting any earth, stones, sand, silt, refuse, night soil, or material except such matter as is normally discharged through a house Drain;
- (b) Enter any Council Drain, pumping station building or appurtenance, or any Sewage or Stormwater treatment area;
- (c) Operate, remove or interfere with any cover of any manhole, inlet or other appurtenance of any Drain;
- (d) Damage, interfere with or cause to be inoperative any machinery or plant in any pumping station or treatment works or any appurtenance of any pumping station or treatment works;
- (e) Obstruct, impede, or cause to be impeded the flow in any Drain nor interfere with the free discharge of ventilation thereof nor clog up any appurtenance thereof;
- (f) Cover, or allow to remain covered, any manhole, master trap, silt trap, grease trap, or similar structure. If the level of the ground adjacent to a manhole is raised above the manhole top and in the opinion of Council access to or use of the manhole is impeded thereby, then the property Owner shall either raise the manhole top to the new ground level or make other approved provision to provide for the removal of the lid and use of the manhole;
- (g) Break, injure, damage or interfere with any Drain whether by excavating or otherwise, such that pipes are broken or loosened, foundations are disturbed, sand, earth, or water are admitted, or take any other action prejudicial to the proper and efficient functioning of the Drain;

#### 1416 **Discharge or Storage of Hazardous Substances**

1416.1 No Person shall allow or cause to be allowed inadvertently or otherwise the discharge of Hazardous Substances to a Network Infrastructure Service unless permitted by a Consent.

1416.2 No Person shall store raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive material, or any material in a manner which in the opinion of Council when mixed with

a Network Infrastructure Service stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to Council's Network Infrastructure Service or the health and safety of Council staff and the public, without taking all practicable steps to prevent such entry into the Network Infrastructure Service.

1416.3 Council may require any Person to protect the Network Infrastructure Service by such methods and/or systems Council considers necessary to prevent an unapproved and prohibited discharge.

1416.4 Council shall be immediately notified of the details of a discharge of hazardous or prohibited substances.

#### **1417 Fees and Charges**

1417.1 Council may from time to time set fees or charges for the supply and services of Network Infrastructure Services.

1417.2 Council may, under the provisions of Section 175 and Section 176 of the Local Government Act 2002, recover any cost incurred by Council in remedying any damage arising from a wilful or negligent breach of this chapter of the Bylaw.

**PART 2: URBAN WATER SUPPLY****1418 Types of Supply****1418.1 On-Demand Supply**

An On Demand Supply is a supply that is available on demand directly from the Point of Supply.

**1418.2 Urban Tank Supply**

An Urban Tank Supply is defined as one where a flow is supplied across an Air Gap Separation into an on-site Water Storage Tank from which the supply of water is drawn. Sufficient storage shall be provided by the Customer to meet demand fluctuations. Urban Tank Supplies may be required for properties within designated areas, or under such conditions as are set by Council from time to time.

**1418.3 Categories of Supply**

The two categories of urban Water Supply are defined as:

**(a) Ordinary Supply**

The supply of water to a Customer which is used solely for domestic purposes in a dwelling unit. Such purposes shall include the use of a hose (subject to the provisions of this chapter of the Bylaw) for:

- (i) Washing down
- (ii) Garden watering by hand.
- (iii) Garden watering by a portable sprinkler
- (iv) Garden watering by a micro-jet system

**(b) Extraordinary Supply**

All other purposes for which water is supplied other than Ordinary Supply shall be deemed to be an Extraordinary Supply and may be subject to conditions and limitations. Such purposes shall include:

- (i) Domestic - spa or swimming pool in excess of 10m<sup>3</sup> capacity, or fixed irrigation systems.
- (ii) Commercial Business - including farming purposes.
- (iii) Trade and Industrial.
- (iv) Fire protection systems - including sprinkler systems, fire hose reels and hydrants.
- (v) Out of district use
- (vi) Temporary supply.
- (vii) Non-residential zones supply

**1418.4 Change of Use**

Where the supply category changes from an Ordinary to an Extraordinary type or vice versa or where a change in the use of water supplied is proposed, a new application for supply of service is required.

**1418.5 Fire Protection**

Any proposed connection for fire protection shall be the subject of a separate application for supply on the Approved Form.

Where a connection has been provided to supply water to a fire protection system (including hydrants), it shall be used for no other purpose other than fire fighting and testing the fire protection system.

**1419 Backflow Prevention**

1419.1 Council reserves the right to require an assessment of the risk of Backflow from any property and to require an appropriate Backflow prevention device or system to be installed at the Customer's expense at the Point of Supply.

**1420 Fire Hydrants**

1420.1 The right to gain access to, and draw water from, fire hydrants shall be restricted to:

- (a) Council or its authorised agents;
- (b) New Zealand Fire Service;
- (c) Fire hydrant permit holders, during the period for which a permit has been issued and then only in accordance with any conditions imposed.

1420.2 Without prejudice to other remedies available, Council may remove and hold any equipment used to gain unauthorised access to, or draw water from, a fire hydrant.

**PART 3: RURAL WATER SUPPLY****1421 Types of Supply****1421.1 Rural Tank**

A Rural Tank Supply is defined as one where a flow is supplied across an Air Gap Separation into an Approved on-site Water Storage Tank from which the supply of water is drawn. Sufficient storage shall be provided by the Customer to meet demand fluctuations.

Rural Tank Supplies may be required for properties within designated areas, or under special conditions, set by Council from time to time.

**1421.2 Restricted Flow Supply**

A Restricted Flow Supply is defined as a water flow which is supplied through a flow control device, and where storage is provided by the Customer to cater for demand fluctuations. The supply shall be provided on the basis of the number of units litres/day of water allocated to the connection, supplied at a relatively uniform flow rate.

Restricted Flow Supplies may be required for properties within designated areas, or under special conditions, set by Council from time to time.

**1421.3 Categories of Supply**

The two categories of rural Water Supply are defined as:

*(a) Ordinary Supply*

- i) Stock – Stock water supplied on a calculated entitlement as set by Council from time to time.
- ii) Domestic – Water supplied which is used exclusively for domestic and household requirements (subject to the provisions of this chapter of the Bylaw), and approved at the sole discretion of Council, at an allocation as set by Council from time to time.

*(b) Extraordinary Supply*

All other purposes for which water is supplied other than Ordinary Supply shall be deemed to be an Extraordinary Supply and may be subject to conditions and limitations.

**1421.4 Change of Use**

Where the supply category changes from an ordinary to an extraordinary type or vice versa and/or where a change in the use of water supplied is proposed, a new application for supply of service is required.

**1422 Flow Control Device**

1422.1 Flow Control Devices for restricted flow supplies shall be supplied and installed at the Customers cost. Maintenance of the filter and frost plugs shall be the responsibility of the Customer. These devices shall remain the property of Council.

**1423 Modification, Tampering or Interference**

1423.1 Any Owner or Occupier of a property, where an item of Council owned infrastructure is found to be modified, tampered or interfered with, without the authority of Council or its authorised agent, commits an offence under this chapter of the Bylaw.

1423.2 It is a defence to any charge prosecuted by Council in relation to clause 1423.1 hereof if the defendant establishes, on the balance of probabilities:

- a) the modification, tampering or interference to the flow control device was necessary for fire fighting purposes and was reasonable in the circumstances; or
- b) that the modification, tampering or interference to the flow control device was due to an event beyond the control of the defendant, including mechanical failure or sabotage, and in each case the intervening event could not have been reasonably foreseen or been prevented by the defendant.

**1424 Backflow Prevention**

1424.1 All supply connections shall be fitted with an approved Backflow prevention system.

1424. Every tank used for the storage of water for any purpose other than flushing a water closet shall be provided with an overflow warning pipe of not less than 12mm internal diameter which shall be designed and installed so that the overflow is easily able to be seen and so that the discharge is not into any gutter, down-pipe or Drainpipe or inside any building.

**1425 Frost Protection**

1425.1 No Person shall reduce the cover over any Water Network Infrastructure so as to make it more susceptible to frost damage.

**1426 Water Storage**

1426.1 The Customer shall be responsible for maintaining water storage in an efficient, watertight and potable condition.

**1427 Fire Fighting**

1427.1 Where it is necessary to obtain water for fire fighting purposes it shall be allowable for the restrictor to be removed from the flow control device. The Customer shall notify Council within 24 hours of such action being taken.

**PART 4: STORMWATER DRAINAGE****1428 Acceptance of Stormwater Connections and Discharges**

1428.1 A Premises or property may be entitled to have its Stormwater accepted for discharge into Council's Stormwater Network Infrastructure provided that:

- (a) The Premises or property is within an area serviced by a Stormwater Network Infrastructure; and
- (b) Payment is made in full of the appropriate rates and charges levied in respect of that Premises or property for general and Stormwater services; and
- (c) There is compliance with the requirements of this chapter of the Bylaw; and
- (d) Any connection to the Stormwater Network Infrastructure Service shall be only upon application and Council Approval to discharge Stormwater which may include specific requirements; and
- (e) Council may require the provision and maintenance of any Pre-treatment works as necessary to regulate the quality, quantity and rate of Stormwater discharge, or other Constituents or Characteristics of the Stormwater discharges, prior to the Point of Discharge. The provision and maintenance of such Pre-treatment works shall be at the Customers expense.

**1429 Prohibited Stormwater Characteristics**

1429.1 No Person shall allow, cause or permit the discharge either directly or indirectly into any part of the Stormwater Network Infrastructure:

- (a) Contaminants, Sewage or Trade Wastes in breach or contravention of an Approval to discharge Stormwater; or
- (b) Any Contaminants which in the opinion of Council have the potential to cause a breach of Council general authorisations or discharge consents; or
- (c) Prohibited Characteristics, given in Schedule 2 of this chapter of the Bylaw, or as determined from time to time by Council.

**1430 Cancellation of Approval to Discharge**

1430.1 Council may at any time cancel any Approval to discharge to the Stormwater Network Infrastructure by giving the Customer written notice of that cancellation and Disconnection where:

- (a) The Customer discharges to any Stormwater Network Infrastructure in breach of this chapter of the Bylaw, or, in the opinion of Council, causes damage to any part of the Stormwater Network Infrastructure or endangers the health and safety of any Person as a result of such a discharge; or

- (b) The Customer discharges any Prohibited substance into the Stormwater Network Infrastructure; or
- (c) The Customer fails to comply with any condition of any Approval to discharge to the Stormwater Network Infrastructure which in the opinion of Council may cause Council to be in breach of any general authorisation or discharge consent; or
- (d) The existence of any other circumstance which, in the opinion of Council renders the cancellation of any Approval necessary in the public interest.

**PART 5: SEWERAGE****1431 Acceptance of Discharge**

1431.1 Every domestic Premises shall be entitled to have its Domestic Sewage discharged to the Sewer Network Infrastructure provided that:

- (a) The Premises is within an area which is served by a Council Sewer Network Infrastructure; and
- (b) Payment is made in full of the appropriate rates and charges levied in respect of that property for general and Sewage services; and
- (c) There is compliance with the requirements of this chapter of the Bylaw; and
- (d) There is compliance with Council requirements for connection and discharge to Sewer Network Infrastructure.

1431.2 Unless authorised by Council no Person shall allow, cause or permit any Contaminant to be discharged to the Sewer Network Infrastructure with a Characteristic (excluding flow) in excess of the Allowable Discharge Characteristics stipulated in Schedule 1 of this chapter of the Bylaw.

1431.3 Unless authorised by Council no Person shall allow, cause or permit any water from a water pipe, artesian well or other hydraulic appliance to enter the Sewer Network Infrastructure.

**1432 Flow Rate**

1432.1 The maximum instantaneous flow rate discharged from a Domestic Premises, including from swimming or Spa Pools, shall not exceed 2.0 liters/second without prior approval from Council.

**1433 Prohibited Characteristics**

1433.1 No Person shall allow, cause or permit Wastewater with Prohibited Characteristics as given in Schedule 2 in this chapter of the Bylaw to be discharged into Sewer Network Infrastructure.

**1434 Prevention of Inflow and Infiltration**

1434.1 The Customer shall not permit Stormwater or groundwater to enter the Sewer Network Infrastructure. This includes Stormwater from roof down pipes, surface water runoff, overland flow, and sub-surface Drainage.

**PART 6: TRADE WASTES****1435 Control of Trade Waste Discharges**

1435.1 No Person shall:

- (a) Discharge or cause or allow to be discharged any Trade Waste to the Sewer Network Infrastructure except in accordance with the provisions of this chapter of the Bylaw; or
- (b) Discharge or allow to be discharged, a Prohibited Trade Waste into the Sewer Network Infrastructure.

**1436 Classification of Trade Waste Discharges**

1436.1 Trade Waste discharges shall be classified as one of the following types:

- (a) Permitted (where Consent is required if so decided by Council);
- (b) Conditional (where Consent is required and the Trade Waste may require pre-treatment or conditioning to ensure discharge complies with Council requirements); or
- (c) Prohibited (Consent shall not be issued).

**1437 Application for Trade Waste Discharge Consent**

1437.1 Every Person who does, proposes to, or is likely to discharge Trade Waste shall complete an application on the Approved Form for the Consent of Council to the discharge of that Trade Waste.

1437.2 Council is not obligated to accept any Trade Waste. No application for a Trade Waste Consent shall be approved where the Trade Waste will contain, or is likely to contain, Characteristics which constitute Prohibited Trade Waste.

**1438 Conditions of Trade Waste Consent**

1438.1 Any Trade Waste Consent to discharge may be granted subject to such conditions Council may impose, including but not limited to:

- (a) The particular Sewer Network Infrastructure system to which the Trade Waste discharge can be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified Constituent or Characteristics of the discharge, including Mass Limits and Maximum Concentrations;
- (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 any discharge;
- (f) The temperature of the Trade Waste at the time of discharge;

- (g) The provision, operation and maintenance of pre-treatment, apparatus, devices and services for any Trade Waste that is required, at the Customers expense;
  - (h) The duration of any Consent given;
  - (i) The provision and maintenance of a sampling, analysis, testing and flow measurement programme, at the Customers expense;
  - (j) The production, implementation, and maintenance of a Management Plan including spill control plans, Cleaner Production and waste minimisation strategies; and
  - (k) A requirement to provide a bond or insurance in favour of Council where failure to comply with the Consent could result in damage to the Sewer Network Infrastructure, or could result in Council being in breach of any statutory obligation.
- 1438.2 Customers with pre-treatment devices installed in any Trade Premises shall maintain at all times a current service and maintenance contract and records for those pre-treatment devices. Copies of the service and maintenance contracts and records shall be held at the Premises and be readily available for inspection by an Authorised Officer of Council. Failure to comply with this clause is a breach of this chapter of the Bylaw.
- 1438.3 No Customer discharging to the Sewer Network Infrastructure shall, unless approved in writing by Council, add or permit the addition of any Potable, Condensing Water, Cooling Water, or Stormwater to any Trade Waste stream in order to vary the level of any of the Characteristics of the Trade Waste stream.
- 1438.4 The Customer shall ensure that at all times the Characteristics of their Trade Wastes remain within the specifications provided for in their Trade Waste Consent.
- 1439 Mass Limits**
- 1439.1 A Conditional Trade Waste Consent may impose controls for a Trade Waste discharge by specifying Mass Limits for any Constituent or Characteristic.
- 1439.2 Any Constituent or Characteristic Permitted by Mass Limit may also have its Maximum Concentration limited.
- 1440 Tankered Wastes**
- 1440.1 **Tankered Waste Discharge Conditions**
- Discharge of tinkered Waste to the Waimate District Council sewer network infrastructure is not permitted unless in emergency maintenance situations where the contents of the waste pumped out from the sewer network itself by an approved and licensed contractor under the supervision of Council staff.

**1440.2 Illegal Disposal of Tankered Wastes**

It shall be a breach of this chapter of the Bylaw for any Person to dispose of or cause to be disposed to the Sewer Network Infrastructure any Tankered Waste other than in accordance with 1440.1

**1441 Technical Review and Variation of Consent**

1441.1 Council may at any time require a Person undertaking a Permitted discharge activity to apply for a Trade Waste Consent.

1441.2 Council may at any time during the term of a Trade Waste Consent, by written notice to the Consent Holder, vary any condition to such extent as Council considers necessary following a review of technical issues, due to new information, or imposition of a new discharge resource consent or other legal requirements.

1441.3 A Consent Holder may at any time during the term of a Consent, by written application to Council, seek to vary any conditions of Consent.

**1442 Suspension or Cancellation of Consent to Discharge**

1442.1 Council may suspend or cancel any Consent or right to discharge at any time following 20 working days notice to the Consent Holder or Person discharging any Trade Waste on the event of one or more of the following:

- a) The failure to comply with any condition of the Consent;
- b) The failure to maintain effective control over the discharge;
- c) The failure to limit in accordance with the requirements of a Consent the volume, nature, or composition of Trade Waste being discharged;
- d) The event of any negligence which, in the opinion of Council, threatens to cause damage to any part of the Sewer Network Infrastructure or threatens the health or safety of any Person;
- e) Any occurrence happens that, in the opinion of Council poses a serious threat to the environment;
- f) The event of any breach of a resource consent held by Council;
- g) The failure to provide and when appropriate update a Management Plan as required for a Conditional Consent;
- h) The failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- i) The failure to pay any charges under this chapter of the Bylaw; or
- j) Any other circumstances which arise that, in the opinion of Council, render it necessary in the public interest to cancel the right to discharge.

1442.2 If any process changes require more than 20 working days, reasonable time may be given to comply with the Consent conditions.

**1443 Summary Cancellation of Consent to Discharge**

1443.1 Any Consent to discharge may at any time be summarily cancelled by Council on giving to the Consent Holder or Person discharging written notice of summary cancellation where:

- (a) A Prohibited substance is discharged;
- (b) Council is lawfully directed to withdraw or otherwise terminate the Consent summarily;
- (c) Trade Waste is unlawfully discharged;
- (d) The continuance of discharge is, in the opinion of Council, a threat to the environment or public health;
- (e) The continuance of discharge may, in the opinion of Council, result in a breach of a resource consent held by Council.

**1444 Sampling, Testing and Monitoring****1444.1 Wastewater Flow Metering**

Wastewater flow metering may be required by Council where:

- (a) A consistent relationship between water used and Trade Waste discharges does not exist; or
- (b) There is no suitable method of flow estimation; or
- (c) In the opinion of Council, the discharge represents a significant proportion of the total flow/load received by Council.

**1444.2 Responsibility for the Wastewater Flow Meter**

The Consent Holder shall be responsible for the supply and installation of any meter required by Council, along with any costs associated with the reading and maintenance of the meter. Installed devices shall remain the property of the Consent Holder.

**1444.3 Wastewater Flow Meter Location**

Meters shall be located in a position approved by Council.

**1444.4 Wastewater Flow Meter Calibration**

The Consent Holder shall arrange for the calibration of flow metering equipment and instrumentation upon installation and at any other time specified by Council.

**1444.5 Estimating Discharge**

Where a wastewater flow meter or similar apparatus is not required, Council may require that a percentage of the water supplied to the Premises be used for estimating the rate of quantity of flow for the purpose of charging.

Where a meter is out of repair or ceases to register or is removed, Council may estimate the discharge for the period and charge according to such estimate.

Where in the opinion of Council a meter has been tampered with, Council, without prejudice to the other remedies available, may declare the reading void and estimate discharge.

Where the accuracy of any flow meter following calibration is found to be unacceptable, Council may at its discretion make an adjustment back-dated for a period not exceeding 12 months, and the Consent Holder shall pay or be credited a greater or lesser amount according to such adjustment.

#### **1444.6 Compliance Monitoring and Analysis**

- (a) Council may require the Consent Holder to monitor any discharges of Trade Waste under the terms of its Consent.
- (b) Council may monitor and audit the compliance of the Consent Holder within the terms and conditions of their consent.
- (c) Compliance monitoring shall be undertaken in accordance with approved procedures and analytical methods and using an Approved Independent Analyst.

#### **1445 Accidents and Incidents**

The Consent Holder shall inform Council as soon as practicable on discovery of any accident or incident involving spillage or process mishaps, which could have an adverse effect on a discharge.

#### **1446 Transfer of Rights and Responsibilities**

1446.1 A Trade Waste Consent shall not be transferred from the Consent Holder to any other Person without written Approval from Council.

1446.2 Transfer of a Trade Waste Consent on change of Ownership of a Premises may be granted where the Characteristics of the discharge remain unchanged.

#### **1447 Transitional Provisions**

1447.1 Every existing Trade Waste Consent shall continue in force as if it were a Consent under this chapter of the Bylaw until it reaches its expiry date provided that no Consent shall run for a period greater than 36 months from the date of this chapter of the Bylaw coming into effect.

**WAIMATE DISTRICT CONSOLIDATED BYLAW 2008****CHAPTER 14****WATER SERVICES****FIRST SCHEDULE****BYLAW POLICY****ACCEPTANCE OF DISCHARGE**

**SUBJECT:** Clause 1431.1 – Allowable Discharge Characteristics

**Physical Characteristics****1 Flow**

- (i) The 24-hour flow volume shall be not more than 5m<sup>3</sup>.
- (ii) The maximum instantaneous flow rate shall be not more than 2.0 L/sec.

**2 Temperature**

- (i) The temperature shall not exceed 40°C

**3 Solids**

- (i) Non-faecal gross solids shall have a maximum dimension not exceeding 15mm.
- (ii) The suspended solids content of any trade wastes shall have a Maximum Concentration not exceeding 600g/m<sup>3</sup>.
- (iii) The settleable solids content of any wastewater shall not exceed 50mL/L.
- (iv) The total dissolved solids concentration in any trade waste shall be subject to the Approval of Council having regard to the volume of the waste to be discharged, and the suitability of the Sewer Network Infrastructure to accept such trade wastes

**4 Oils and Grease**

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

- (iv) Emulsified oil, fat or grease shall not exceed 100g/m<sup>3</sup> as a 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 to a factor of 10 by raw sewage throughout a range pH 4.5 to 10.0.

## 5 Solvents and Other Organic Liquids

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

## 6 Emulsions of Paint, Adhesive, Rubber or Plastic

- (i) Where such emulsions are not treatable they may be discharged into the Sewer provided the total suspended solids do not exceeding 1000g/m<sup>3</sup>.
- (ii) Pre-treatment of emulsions will be required where the emulsion wastewater interferes with the operation of the Sewer Network Infrastructure.
- (iii) Emulsions, of both treatable and non-treatable types, may 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.

## 7 Radioactivity

- (i) Radioactivity levels shall not exceed the National Radiation Laboratory Guidelines. Refer National Radiation Laboratory *Code of safe practice for the use of unsealed radioactive materials* NRL.C1/

## 8 Colour

- (i) Trade Waste shall not have colour or colouring substances that cause the discharge to be coloured to the extent that it impairs the Sewerage process or compromises the final effluent discharge consent.

## Chemical Characteristics

### 1 pH Value

- (i) The pH shall be between pH 6.0 and 10.0 at all times.

### 2 Organic Strength

- (i) Where there is no treatment system for organic removal the BOD<sub>5</sub> shall not exceed 1000g/m<sup>3</sup>. For significant industry this limit may be reduced to 600g/m<sup>3</sup>

### 3 Maximum Concentrations

The Maximum Concentrations permissible for the chemical Characteristics of an acceptable discharge are set out in the following tables:

<b>Table 1 - Allowable Discharge Characteristics for: General Chemicals</b>	
<b>Characteristic</b>	<b>Maximum Concentration (g/m<sup>3</sup>)</b>
MBAS (Methylene Blue Active Substances)	500
Ammonia (as N)	
- Free ammonia	50
- Ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (as SO <sub>4</sub> )	500
(with good mixing)	1500
Sulphite (as SO <sub>2</sub> )	15
Sulphide – as H <sub>2</sub> S on acidification	5
Chlorine (as Cl <sub>2</sub> )	
- Free chlorine	3
- Hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br <sub>2</sub> )	5
Fluoride (as F)	30
Cyanide – weak acid dissociable (as CN)	5

<b>Table 2 - Allowable Discharge Characteristics for: Heavy Metals</b>	
<b>Metal</b>	<b>Maximum Concentration (g/m<sup>3</sup>)</b>
Antimony	10
Arsenic	5
Barium	10
Beryllium	0.005
Cadmium	0.5

<b>Table 2 - Allowable Discharge Characteristics for: Heavy Metals</b>	
<b>Metal</b>	<b>Maximum Concentration (g/m<sup>3</sup>)</b>
Chromium <sup>1</sup>	5
Cobalt	10
Copper	10
Lead	10
Manganese	20
Mercury	0.05
Molybdenum	10
Nickel	10
Selenium	10
Silver	2
Thallium	10
Tin	20
Zinc	10

<b>Table 3 - Allowable Discharge Characteristics for: Organic Compounds and Pesticides</b>	
<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) Polychlorinated biphenyls (PCBs) Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general)+ (includes insecticides, herbicides, fungicides and excludes organophosphates and organochlorine)	0.02 in total
Organophosphate pesticides+	0.1

+ *These compounds may be accepted up to the given maximum concentration only when specifically Approved.*

<sup>1</sup> The concentration from 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 the large proportion of the characteristic, higher concentration limits may be acceptable. Specialist advice will be required.

**WAIMATE DISTRICT CONSOLIDATED BYLAW 2008****CHAPTER 14****WATER SERVICES****SECOND SCHEDULE****BYLAW POLICY****PROHIBITED CHARACTERISTICS**

**SUBJECT:** Clause 1433.1 – Prohibited Characteristics

- 1 Any discharge where any component 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 Sewer Network Infrastructure;
  - (b) Damage any part of the Sewer Network Infrastructure.
  - (c) Either 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 is discharged to breach the conditions of any Consent, water right, permit or other compliance requirement;
  - (d) Prejudice the health and safety of Council employees or its contractors.
  - (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.
- 2 A discharge having any Characteristics which exceed the concentration or other limits specified in Schedule 1 unless specifically Approved.
- 3 A discharge has a Prohibited Characteristic if it has any amount of:
  - (i) Harmful solids, including dry waste solids and materials which combine with water to form a cemented mass.
  - (ii) Liquid, solid or gas which is flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1), calcium carbide, and any other material which is capable of giving rise to fire or explosion either spontaneously or in combination with Sewage;
  - (iii) Asbestos;
  - (iv) The following organometallic compounds:
    - Tin (as tributyl and other organotin compounds)

- Mercury (as organic compounds)
  - Cadmium (as organic compounds)
  - Chromium (as organic compounds)
  - Halogenated organometallic compounds
  - Metallic alkyls
- (v) Any organochlorine pesticides;
- (vi) Genetically modified wastes, being any wastes that contain or are likely to contain material from genetically modified organisms.
- (vii) Any healthcare or medical waste as defined in NZS 4304:2000 Management of Healthcare Waste as being prohibited for discharge; or
- (viii) Radioactive wastes in excess of the National Radiation Laboratory Standards
- (ix) Fibrous, woven, or sheet film or any other materials which may adversely effect the free flow of Sewage into the Sewer Network Infrastructure.

