

WAIROA DISTRICT COUNCIL

CONSOLIDATED BYLAW



PART 8 – WASTEWATER BYLAW 2022

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INTRODUCTION

1.1 TITLE

This bylaw is the Wairoa District Council Wastewater Bylaw 2022 and may be referred to in this or other bylaws as the Wastewater Bylaw.

1.2 COMMENCEMENT

This bylaw shall come into force on the (date) 2022.

1.3 REPEAL

This bylaw supersedes and repeals the Wairoa District Council Part 8: Trade Waste and Wastewater Bylaw 2012. This Part 8 bylaw has been split and is replaced by two separate bylaws being Part 8: Wastewater Bylaw and Part 9: Trade Waste Bylaw.

1.4 APPLICATION OF BYLAW

This bylaw shall apply to the Wairoa District.

1.5 PURPOSE

The purpose of this bylaw is to enable the Council as a Wastewater Authority to regulate the discharge of wastewater from domestic premises into either the Council's wastewater systems, or into private on-site systems.

Note: The discharge of trade waste to the Council's wastewater systems is regulated under the Trade Waste Bylaw.

This bylaw will assist in achieving a holistic and integrated approach to three waters management in the district that is consistent with Council's District Plan, other Policies, Plans, Strategies and Objectives and also reflect the principles of Te Mana o Te Wai. The following overarching purposes have been set for all four water services bylaws (Water Supply, Stormwater, Wastewater and Trade Waste).

- 1. Meet Legislation Requirements.** Proactively meet all Council's statutory requirements relating to the provision of three waters services.
- 2. Te Mana o Te Wai.** Give effect to the fundamental concept of Te Mana o Te Wai as prescribed under the National Policy Statement for Freshwater Management 2020. This

states that the hierarchy of obligations in Te Mana o Te Wai prioritises first, the health and well-being of water bodies and freshwater ecosystems; second, the health needs of people; and third, the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future.

- 3. Tangata Whenua Status.** Recognise the status of tangata whenua as Treaty Partners of the Council, and Kaitiaki for the purposes of this bylaw.
- 4. Integrated Approach.** Adopt an integrated and holistic approach, ki uta ki tai, to the Three Waters (water supply, wastewater including trade waste and stormwater) that recognises the interconnections between each of the waters and promotes their sustainable management.
- 5. Environmental Responsibilities.** Facilitate environmentally responsible practices by raising awareness of how the three waters services interact and affect the district's natural environment. Additionally, ensure that Council meet its own responsibilities in terms of resource consent requirements set by the Hawke's Bay Regional Council.
- 6. Sustainable Practices.** Encourage and incentivise the community and businesses to adopt practices that lead to the enhancement of the environment and the sustainable management of water resources including water and product stewardship, rainwater harvesting, waste minimisation and cleaner production.
- 7. Support Sustainable Growth.** Support the sustainable provision of three waters infrastructure to enable future growth while minimising or eliminating impacts on the environment.
- 8. Durable Infrastructure.** Develop and maintain durable and resilient infrastructure that achieves Council's levels of service in an efficient and cost-effective manner.
- 9. Safety and Health.** Ensure the protection, safety and health of Council staff and the community when using or operating the water supply system, and the wastewater and stormwater networks.
- 10. Obligations.** Define the obligations of residential occupiers and businesses including trade waste occupiers and the public at large in relation to the Council's water supply, wastewater, and stormwater networks.
- 11. Discharge Controls.** Regulate wastewater and stormwater discharges, including trade waste, and hazardous substances, into the wastewater and stormwater networks.
- 12. Equitable Costs.** Provide a system for the equitable sharing of Council's water services costs between trade waste dischargers, other businesses, and domestic customers.

1.6 OBJECTIVES

Further to the overarching Purpose, the specific objectives for this part of the bylaw are to promote and protect the health of communities and the environment, and to protect the wastewater system from damage and misuse.

1.7 CONTEXT

1.7.1 General

Council has responsibility to provide reliable, safe, effective, and efficient collection, management and disposal of wastewater and trade waste to ensure that the capacity of available facilities is optimised and that neither public health nor the environment are compromised.

Wairoa District currently has four public wastewater collection and treatment systems which are located in Wairoa township, Tuai, Opoutama/Blue Bay and Mahia Beach. Wastewater is collected or pumped from public, commercial and private premises within these areas into the respective public sewer systems. This wastewater is then conveyed to each wastewater treatment plant (WWTP) for treatment and is then discharged to the environment. The Schedule 1 maps show the reticulation areas.

Wairoa, Tuai and Opoutama/Blue Bay have gravity sewer networks, while Mahia Beach has a pressurised sewer network. Each WWTP discharge is covered by a resource consent, and compliance with these resource consents is monitored, and includes reporting to Hawke's Bay Regional Council.

1.7.2 Wairoa township

The Wairoa township wastewater is gravity reticulated from residential and commercial connections to a series of pump stations. These are known as the Alexandra Park, North Clyde and Kopu Road pump stations, which each lift the wastewater into a gravity sewer trunk main feeding into the Fitzroy Street pump station. This final pump station then lifts the combined flows up to the wastewater treatment plant (WWTP) located near Rangihoua (Pilot Hill), on Whakamāhia Road. The wastewater is treated in oxidation ponds before being discharged by gravity into the Wairoa estuary at the end of Fitzroy Street during out-going tides at night-time. The discharge port is located sub-tidally, approximately 150 metres from the nearest shoreline.

1.7.3 Tuai

The wastewater network for Tuai is gravity reticulated to large Council holding tanks. Liquid is discharged from these tanks to the Tuai WWTP for biological sand filter treatment before being discharged into the Kahutangaroa Stream. The solids in the holding tanks are tankered to the Council landfill as required.

1.7.4 Opoutama/Blue Bay

The wastewater network for Opoutama and Blue Bay is gravity reticulated, with Council pump stations to the WWTP located at Blue Bay. This treatment plant then discharges to ground soakage at the former Blue Bay package plant. A few low-lying properties require a holding tank and private pump stations to lift their wastewater up to their gravity network connection. These properties own and maintain their own macerating pump and drainage system up to the point of discharge into the Council network. See Schedule 3 for diagrams.

1.7.5 Mahia Beach

The Mahia township wastewater scheme differs from all the other schemes as it is a pressurised reticulation system and not gravity driven. It comprises a Council pressurised sewer reticulation network servicing a a STEP (Septic Tank Effluent Pumping) system at each property. This pressure wastewater collection and disposal system (PWC) takes clear effluent from the top of each STEP tank and pumps it to the Council pressurised reticulated system.

PWC systems are installed in environmentally sensitive areas and where new gravity systems are impractical or will potentially overload the existing infrastructure. Customers purchase their system and are each required to periodically empty the solids from their STEP tank. These STEP tanks essentially operate as septic tanks with primary and secondary biological processes, but have a three-float system that pumps out the clear effluent on top rather than discharging to a soakage field. Council inspects and monitors each private system and pump in a partnership arrangement. See the Schedule 3 diagrams.

The pressurised Council reticulation discharges to a centralised Council pump station that feeds a rising main to the WWTP. The WWTP is a series of three ponds which provide treatment and storage prior to irrigation to the adjacent plantation. This WWTP and irrigation system are accessed from Kinikini Road.

1.7.6 Other Settlements and Rural

Privately owned on-site septic tank systems are used on all properties in other settlements and rural locations which do not have reticulated wastewater schemes, for example Frasertown, Mahanga, Nuhaka, Morere, Raupunga and Mohaka. Composting toilets provide an alternative means of disposal and need to comply with Hawkes Bay Regional Council rules.

1.8 DEFINITIONS

Reference should be made to Part 1 Introductory Bylaw and to the legislation referred to for any other definitions not included in this clause. For the purpose of this bylaw, unless inconsistent with the context, the definitions below apply. In the event that a term contained in this bylaw is unclear, NZS 4404: Land development and subdivision, NZS 9201 Model General Bylaws - introduction and legislation such as the Local Government Act 2002 may be used to clarify terms or phrases.

Access Point means a place at ground level where access may be made to a public or private sewer for inspection (including sampling or measurement), cleaning or maintenance, and may be located within private property. The location of the access point must be in accordance with the New Zealand Building Code. See Schedule 3 for a diagram.

Approved or **Approval** means approved in writing by the Council either by resolution of Council or by any authorised officer of Council.

Approved PWC Product means a Pressure Wastewater Collection system which meets the performance standards and has the guarantees set out in Schedule 4 of this bylaw and which may be amended from time to time by resolution of Council.

Approved PWC Installer means a suitably qualified Pressure Wastewater Collection system installer and maintenance technician approved by the Council under Clause 4 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.

Authorised Officer means any officer of the Council or other person authorised by the Council to administer and enforce its bylaws in accordance with the Local Government Act 2002.

Biosolids means sewage/wastewater sludge derived from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land and does not include products derived solely from industrial wastewater treatment plants. The word is used generically in this bylaw and the Trade Waste Bylaw to include products containing biosolids (e.g. composts).

Note: The definition for Biosolids in this bylaw differs from that used by Hawkes Bay Regional Council (HBRC). HBRC 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 a PWC system) and the wastewater network, and owned by the Council. A boundary kit typically consists of a non-return valve and an open/close ball valve. For the avoidance of doubt the boundary kit is part of the Council's wastewater network and allows a private system to be isolated from the public system.

Branch Line means that part of the Council's sewer system that services the customer. Both branch lines and main sewer lines form the Council wastewater network.

Buried Services means Council owned assets and infrastructure that are located below ground.

Cleaner Production is also called pollution prevention, and is to continuously apply an integrated preventive strategy to processes, products, and services to increase overall efficiency and reduce risks to humans and the environment. For domestic premises, the goal is to reduce or eliminate any contamination of the wastewater.

Code of Practice means the engineering code adopted by the Council describing how wastewater systems are to be installed, operated, maintained, and renewed.

Composting Toilet means a type of dry toilet that treats human waste by the biological process of composting. See Clause 6.11.

Conditions of Discharge means the terms and conditions determined by the Council in accordance with this bylaw.

Connection means the lawful and physical connection of a private wastewater pipeline to any Council wastewater network.

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
- (c) as described or contained in the Resource Management Act 1991.

Council. The Wairoa District Council, or any officer authorised by Council or delegated to act on its behalf.

Council Approved Contractor means a tradesperson certified by the Plumbers, Gasfitters and Drainlayers Board under the Plumbers, Gasfitters and Drainlayers Act 1976 and 2006 and holding such other certifications as the Council may require from time to time and approved by Council to carry out work on Council networks.

Customer means a person who either discharges or directs the manner of discharge of wastewater from any premises to the Council 's public sewer. This also includes a tanker discharge.

Developer means a person undertaking development.

Development in relation to land, means any building or construction requiring a connection to the wastewater network, subdivision or change of use.

Discharge means to discharge wastewater to, or into a public sewer whether directly or indirectly by means of any private sewer. The discharge has a corresponding meaning.

Note: The definition of Discharge in this bylaw differs from that used by Hawkes Bay Regional Council (HBRC). HBRC in their Regional Resource Management Plan defines Discharge as “emit, deposit, and 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 HBRC.

Disconnection means the physical cutting off or sealing of a private wastewater pipeline from any Council wastewater network.

Domestic Wastewater 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 wastewater system. Domestic wastewater may include water from the draining of domestic swimming and spa pools subject to a maximum discharge restriction as in Clause 3.1 of this bylaw.

Note: The definition of wastewater (sewage) in this bylaw differs from that used by Hawkes Bay Regional Council. Any discharge of sewage or wastewater as defined by this bylaw outside a public sewer owned and maintained by the Council may require a resource consent from HBRC.

Exfiltration means any leakage from within any type of defined pipeline to the outside environment.

Fees and Charges means the list of items, terms and prices for services associated with wastewater and trade waste disposal as adopted by the Council in accordance with the Local Government Act 2002.

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 minimised, 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.

Hazardous Substances and 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.

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.

Inspection Bend means a point on a public or private sewer for inspection, cleaning, or maintenance, and may be within private property. The location of the inspection bend is generally buried and must be in accordance with the New Zealand Building Code. See Schedule 3 for a diagram.

Level of Service means the measurable performance standards, set out in Clause 7.1, which the Council undertakes for discharges from its customers, and as found in the Council's Long-Term Plan.

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.

Occupier means the person occupying premises connected to the wastewater system. This may be the owner of the premises, lessee, squatter, or any other person on or using the premises.

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 a property owned or controlled by the person(s) who own or control the premises from which the wastewater was generated.

Note: The definition of On-Site Wastewater Disposal System in this bylaw differs in detail from that used by Hawkes Bay Regional Council (HBRC). In addition to complying with the provisions of this bylaw, all discharges from on-site sewage treatment systems are required to comply with the relevant rules of the HBRC Regional Resource Management Plan. Compliance with the bylaw does not imply or guarantee compliance with HBRC rules.

Permit means a permit in writing given by the Council and signed by an authorised officer authorising a person to discharge wastewater from a tanker to a wastewater treatment plant. See the application form in Schedule 5.

Permit Holder means a person who holds a permit to carry wastewater by tanker to a Council wastewater treatment plant. See the application form in Schedule 5.

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 the Wastewater Bylaw and the Trade Waste Bylaw.

Note: Any discharge of sewage or wastewater as defined by this bylaw outside a public sewer owned and maintained by the Council may require a resource consent from HBRC.

Person means any natural person, the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate.

Point of Discharge means the point which marks the boundary of responsibility between the customer and the Council, usually defined by a manhole or access point or inspection bend. At this point the private wastewater pipeline enters the public sewer or public branch line at a manhole,

or this point is defined as the last access point or inspection bend in the private line before it enters the public line. See Schedule 3 diagrams.

Point of Discharge PWC System means the point downstream of the STEP system and just prior to the boundary kit, as set out Schedule 3 of the bylaw. There is some shared responsibility between Council and the property owner for the STEP system.

Point of Discharge for a Private Pumped System means the point on the public wastewater pipeline which marks the boundary of responsibility between the customer and the Council. This point is downstream of the private pump, at the property boundary.

Premises include the following:

- (a) A property or allotment which is held under a separate record of title or for which a separate record 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 record of title is available; or
- (c) A building or dwelling house for which a separate supply of water and wastewater discharge is provided; or
- (d) Individual units in buildings which are separately leased or separately occupied, or
- (e) Land held in public ownership (e.g. reserve) for a particular purpose.

Pressure Wastewater Collection (PWC) System means an approved pressure wastewater collection and disposal system, for the purpose of delivering domestic wastewater from individual properties to the wastewater network.

Pressure Wastewater Reticulation (PWR) means a wastewater network designed to receive and convey wastewater through a pressurised system of pumps and infrastructure. A PWR network is currently operating at Mahia Beach as shown in Schedule 1.

Private Wastewater Pipeline or Private Drain means that section of pipeline between the owner's dwelling/building 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 customer or group of customers.

Public Notice means as defined in section 5 of the Local Government Act 2002.

Public Sewer means the wastewater system (the main public sewer and lateral connections) that carry away wastewater and trade waste from the point of discharge. The public sewer is owned and maintained by the Council.

PWC. See Pressure wastewater collection systems.

Record of Title means a record of title created under section 12 of the Land Transfer Act 2017.

Restricted Works means building works which are carried out closer than the specified distance to a Council asset as specified in Clause 2.2.2.

Rising Main means a public wastewater main pipe through which wastewater is pumped.

Service Opening means a manhole, or similar means for gaining access for inspection, cleaning, or maintenance, of a public wastewater pipeline.

Sewage means the same meaning as wastewater, and includes foul water and may include trade wastes.

Note: The definition of sewage and wastewater in this bylaw differs from that used by Hawkes Bay Regional Council (HBRC). HBRC in the Regional Resource Management Plan definition of wastewater does not include trade wastes. Any discharge of wastewater as defined by this bylaw outside a public sewer owned and maintained by the Council may require a resource consent from HBRC.

Sewage Sludge means the material settled out and removed from sewage during the treatment process at the wastewater treatment plant.

Sewerage System means the same meaning as wastewater network.

Stormwater means all surface water run-off resulting from precipitation.

Note: The definition of Stormwater in this bylaw differs from that used by Hawkes Bay Regional Council (HBRC). Any discharge of stormwater may require a resource consent from HBRC.

Stormwater 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.

Tanker Waste means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic wastewater discharged directly from house buses, caravans, buses, and similar vehicles.

Trade Premises means:

- (a) Premises used or intended to be used for any industrial or trade purpose; or
- (b) 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) Other premises from which a contaminant is discharged in connection with any industrial or trade process;
- (d) Premises discharging wastewater to a public sewer exceeding 2 cubic metres per day;
- (e) Other premises discharging other than domestic wastewater; and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.
- (f) A tanker truck or any other vehicle capable of receiving, storing, transporting or discharging trade waste.

Trade Waste means any liquid, with or without matter in suspension or solution, that is or may be discharged from a business or trade premises to the Council's wastewater system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing or cooling waters, stormwater which cannot be practically separated, or domestic wastewater. Also see Clause 3.2 of this bylaw, and the Trade Waste Bylaw.

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 system.

Wastewater means water or other liquid waste, including tankered waste, wastewater and waste matter in solution or suspension, discharged from a premise to a wastewater network (also called sewage).

Wastewater Authority means the Council including its authorised agents, responsible for the collection, treatment and disposal of trade waste and wastewater.

Wastewater Network means all pipelines, pumping stations, sewers, storage tanks, wastewater treatment plants, discharge systems, outfalls, and other related structures vested in, owned by or otherwise under the control of the Council, used for conveying, treating, or disposing of wastewater.

Zone of Influence is where a building or structure is located close to Council buried infrastructure and could affect the integrity of that infrastructure. See Clause 2.2.3 and Schedule 2.

2.0 PROTECTION OF WASTEWATER SYSTEM

2.1 PROTECTION OF COUNCIL ASSETS

2.1.1 Access to system

No person, other than Council and its authorised agents, may make any connection to, or otherwise interfere with, any part of the wastewater system without the written approval of the Council.

2.1.2 Dumping, spillage, and adverse events

- (a) The dumping of any substance, including hazardous substances into a wastewater network is strictly prohibited.
- (b) In the event of a spillage, or other event which has released or is likely to release hazardous substances into the wastewater network, the Council shall be advised of the details immediately.

2.2 PROTECTION OF BURIED SERVICES

2.2.1 Working around Buried Services

No person may carry out restricted works or works within the zone of influence except in accordance with an approval granted by Council, and any conditions attached to that approval. See the Schedules for an application form.

Note 1: The Council shall keep accurate permanent records (as-builts) of the location of its buried services, where these are known, on public or private land. This information is available for inspection. Costs may be charged to provide copies of this information.

Note 2: As-built plans held by Council are correct to the best of the Council's knowledge and information received from external parties. Council takes no responsibility for inaccurate information or unknown infrastructure. Council will not be liable for any damages or loss whatsoever from the use of information held by Council.

2.2.2 Restricted Works

- (a) Restricted works are works of the following types which are carried out closer than the specified distance to the asset type set out in the following table, except for the work within the zone of influence as specified in Clause 2.2.3:

Type of Works	Type of water supply network	Specified distance from Council asset **
General excavation	Pipes 300mm in diameter and greater, including connected manholes and structures.	10 metres
	Pipes less than 300mm in diameter, including connected manholes and structures.	2 metres
Piling	Pipes 300mm in diameter and greater, including connected manholes and structures.	10 metres
	Pipes less than 300mm in diameter, including connected manholes and structures.	2 metres
Blasting	All pipes, including connected manholes and structures.	15 metres

**** Restricted works lie within these distances from the Council asset, and must take into account the Zone of Influence in Clause 2.2.3.**

- (b) Every person carrying out restricted works must, before commencing the works:
 - (i) Notify Council of their intention in writing at least ten (10) working days prior, and
 - (ii) Obtain written approval from Council for the works, which may include conditions Council considers appropriate to protect the wastewater network. The Council may charge for this service.

- (c) 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 according to the Council Engineering Standards or other specifications advised in writing by Council. Excavation within road reserves also requires a permit process with the appropriate roading authority.

- (d) Council may, where appropriate, mark out to within ± 0.5 metres the location of its services.

- (e) A developer will meet the cost of diverting or sleeving the public pipe (including any ancillary structures) in accordance with Council standards unless approval to the contrary is provided by Council. Additional manholes or access points may be required.

- (f) Any damage which occurs to a Council service shall be reported to the Council immediately. The person causing the damage will be required to reimburse the Council with all costs

associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

2.2.3 Building Work within Zone of Influence

- (a) No building or structure may be built over or near a public wastewater main, trunk main or other pipes, or within the Zone of Influence without specific Council approval and an agreed covenant in gross or encumbrance lodged on the property record of title, as detailed in Schedule 2.
- (b) If Council agrees to the building proposal over or near a Council pipeline, then a building consent can be applied for as required.
- (c) The Council will only give approval to construct a building/structure over or near infrastructure services if:
- i. It is impractical to construct a new main or reposition the building, clear of the zone of influence; and
 - ii. The pipe runs approximately in a straight line both vertically and horizontally between manholes; and
 - iii. There are no connections under the building; and
 - iv. The pipe is sleeved, and additional inspection ports or manholes are installed as required by Council; and
 - v. The condition of the pipe is checked by CCTV prior to construction and the pipe condition is approved as acceptable by the Council; and
 - vi. The structure is designed to be self-supporting between foundations when the building/structure is constructed over the pipeline; and
 - vii. The condition of the pipe is checked by CCTV again after construction has completed; and
 - viii. Structures straddling or founded within the zone of influence are designed by a Chartered Professional Engineer as follows:
 - The structure must be designed so that there is no additional loading transmitted to the pipeline and no undermining or settlement of the structure occurs. This requires that no pile or footing of the structure may be closer than 1.0 metres from the outside of the pipe (measured horizontally).

- Any pile or footing of the structure which is situated 1.0 metres from the outside of the pipe (measured horizontally) must be constructed to a depth greater than 300mm below the invert of the pipe.
- Any pile or footing of the structure which is situated greater than 1.0 metres from the outside of the pipe (measured horizontally) must be constructed to a depth greater than 300mm below a 45° line projected from a point 1.0 metres horizontally outside of the pipe at the pipe invert and projected up to the footing.

- (d) A covenant in gross or encumbrance must be registered on the property record of title at the time of Building Consent, indemnifying the Wairoa District Council against any claims for damage caused by the presence, maintenance, replacement, or upgrade of the pipeline. The owner must acknowledge and bear all risks associated with building over or near the pipeline. They will also meet the cost of preparing and registering the covenant in gross or encumbrance, along with any engineering and surveying costs. See Schedule 2 for further details.

Note: Please refer to Section 451 of the Local Government Act 1974 for works regarding Council infrastructure.

2.2.4 Loading or Material over Public Water Pipes

- (a) No person may cause the crushing load imposed on a public pipeline to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by NZ Transport Agency Bridge Manual).
- (b) No person may place any additional material over or near a public pipeline without approval.
- (c) Service openings and other ancillary structures shall not be obstructed in any way. Removal of any obstructing material or adjustment of the structures shall be at the property owner's expense.

3.0 TYPES OF WASTEWATER

3.1 DOMESTIC WASTEWATER

Note: Domestic wastewater is that discharged from premises used solely for residential activities. It may also include other acceptable wastewater, for example, water from the draining of domestic swimming and spa pools subject to maximum discharge restrictions. Domestic wastewater does not include any solids, liquids, or gases that may not lawfully be discharged into the wastewater system.

- a) 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 wastewater.
- b) No person shall discharge into the wastewater network, domestic wastewater which:
 - (i) Exceeds the substance limits for solids, liquids, or gases detailed in Schedule 1 of the Trade Waste Bylaw; or
 - (ii) Contains any substances prohibited by the Trade Waste Bylaw; or
 - (iii) Exceeds the maximum instantaneous flow rate of 2.0 litres/second; or
 - (iv) Exceeds the maximum daily volume, of 2m³ per day.
- c) If domestic wastewater exceeds these limits, then it will be considered as a trade waste, and will comply with the fees, limits, and requirements of the Trade Waste Bylaw.

3.2 TRADE WASTE

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

- a) Where part of a domestic premises is used as an office or other trade related activity from which a trade waste could be produced, then it shall be treated as a trade waste premises.

- b) No person shall discharge into the wastewater network any matter which exceeds the substance limits or contains the substances prohibited as detailed in the Trade Waste Bylaw. The quality and quantity limits that separate domestic wastewater from trade waste, and the acceptance of trade waste into the wastewater system can be found in the Trade Waste Bylaw.

4.0 CONDITIONS OF CONNECTION

4.1 APPLICATION FOR DOMESTIC WASTEWATER CONNECTION

4.1.1 Every domestic premise is entitled to a wastewater connection subject to:

- (a) The premises lying within an area which is served by the wastewater system; and
- (b) Payment of the appropriate charges for wastewater services in respect of the premises; and
- (c) Payment of the appropriate rates and charges due to the Council in respect of that premises in general; and
- (d) Within pressure wastewater reticulation areas, to the matters set out in Clause 4.5.2 and Schedule 4 of this bylaw; and
- (e) Compliance with the requirements of this bylaw; and
- (f) Restricted flows from domestic swimming and spa pools as detailed in Clause 3.1;
- (g) Any other relevant matter under the provisions of the Local Government Act 2002 decision making process.

4.1.2 Every application for a wastewater service connection shall be made online or in writing on the form in Schedule 5, together with payment of the prescribed charges. Council may require further information as is reasonably necessary to determine whether to grant approval to a connection.

4.1.3 An application shall be made whether or not a public sewer has already been laid up to the intended point of discharge.

4.1.4 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.

- 4.1.5** For the agreed level of service, the applicant and Council will agree on the sizes of all pipes, fittings, and any other equipment. The Council or approved contractors will supply and install the private drain at the customer's cost.
- 4.1.6** Any approval given is subject to any terms and conditions as are attached to the approval and payment of any relevant fees or charges.
- 4.1.7** 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.
- 4.1.8** The applicant must be the owner, or have written breach of authority to act on behalf of the owner of the premises for which the discharge is sought and shall produce written evidence of this if required.
- 4.1.9** An approved application for a wastewater connection which has not been actioned within six months of the date of application will lapse unless otherwise approved by Council. Any refund will be at the discretion of the Council.

4.2 SUBDIVISION OR DEVELOPMENT

- 4.2.1** Where a new public sewer is required as part of a subdivision or 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 Resource Management Act 1991 and the rules in the Wairoa District Plan.
- 4.2.2** Such wastewater drainage works will remain the responsibility of the owner of the land on which the works occur unless and until they are taken over and vested in Council. The cost of all work involved will be the owner's cost unless specific agreement for alternative cost sharing is approved in writing by Council.

4.3 REQUIREMENT FOR CONNECTION

4.3.1 Where the record of title is within an area served by the wastewater network, as shown in Schedule 1 to this bylaw, no person shall discharge any wastewater from any premises except into the wastewater network, unless an alternative is specifically approved by Council.

Note: The Wairoa District Plan also has this wastewater connection requirement.

4.3.2 Alternative wastewater disposal must be compliant with the Building Act 2004. Composting toilets must be compliant with any HBRC requirements.

4.4 APPROVAL TO CONNECT

4.4.1 Council Approved Contractor

No person, other than a Council Approved Contractor, 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 wastewater network. A Council Approved Contractor is not the same as the Approved PWC Installer in Clause 4.4.2.

4.4.2 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 4 to this bylaw.

4.5 PWC INSTALLER APPROVAL

4.5.1 Any person may apply to become an approved PWC installer by completing the application form specified in Schedule 4 and the payment of the required fee.

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

4.5.3 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.

4.5.4 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.

4.5.5 It shall be an offence against this bylaw for any person, who is not an approved PWC installer, to publicise themselves as, or purport to be an approved PWC installer.

Note: Availability of Approved PWC Installers.

Council will ensure that qualified suppliers and technicians are available to residents for the supply, installation, and maintenance of PWC systems. It will also keep updated and current the Council's Engineering Code of Practice.

4.6 PRIVATE PUMP STATIONS

4.6.1 Single ownership premises

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: Land development and subdivision infrastructure; and
- (c) the private wastewater pumping station complies with the operation and maintenance conditions prescribed by the Council.

Note: 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.

4.6.2 Multiple ownership premises

- a) 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 the rising mains. It shall be registered against the record of title of each party.
- b) The combined rate of discharge to the public sewer shall not exceed the rate specified by the Council.

4.7 POINT OF DISCHARGE

4.7.1 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/drain.

4.7.2 Single ownership premises

- (a) For gravity reticulation systems, the point of discharge is the point which marks the boundary of responsibility between the customer and the Council, usually defined by an access point or inspection bend. At this point the private wastewater pipeline enters the public sewer or public branch line, or this point is defined as the last inspection or access port in the private line before it enters the public line. The point of discharge may be located at or near the boundary. See Schedule 3 of the bylaw.
- (d) A common private drain serving more than one premises is the responsibility of all the owners of the different properties up to the point of discharge to the Council sewer, and is not the responsibility of Council.

4.7.3 Point of Discharge for a PWC System

The point of discharge for a PWC system is downstream of the STEP system and just prior to the boundary kit, as shown in Schedule 3 of this bylaw.

4.7.4. Point of Discharge for a Private Pump Station

The point of discharge for a private pump station is at or near the property boundary and marks the boundary of responsibility between the customer and the Council. There is no boundary kit. See Schedule 3 of this bylaw.

4.7.5 Multiple ownership premises

- a) The point of discharge for gravity systems for the different forms of multiple ownership of premises and/ or land shall be as follows:
- (i) For company share/block scheme (body corporate), as for single ownership;
 - (ii) For leasehold/tenancy in common scheme (cross lease), strata title, and unit title (body corporate):
 - Where practicable each owner shall have an individual private drain with the point of discharge determined by agreement with the Council.
 - If not practicable there shall be a common private sewer drain which shall be incorporated as an additional provision in the lease agreement. In specific cases other arrangements will be acceptable subject to individual approval.

- b) The physical drainage layout at a point of discharge must be as per the New Zealand Building Code, the New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure and approved in writing by Council.
- c) Common Private Drains may serve a maximum of five (5) single dwelling units and must have one point of discharge only (in common).
- d) Under section 461(2) of the Local Government Act 1974, Common drains shall be covered by a certificate recording the rights of each party, which is registered against the record of title.

4.8 AS-BUILT PLAN

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

4.8.2 As-builts must be supplied in a format that is compatible with the Council's GIS mapping system.

Note: As-builts are required for PWC systems as part of the Building Consent for the works.

4.9 WASTEWATER FROM HOLDING TANKS AND TANKER WASTE

Wastewater from holding tanks will not be accepted at any of Council's wastewater treatment facilities, unless approved in writing by Council. Application must be made to Council to become an approved tanker discharge operator. See the application form in Schedule 5.

Note 1: For the disposal of trade waste from tankers, refer to the Trade Waste Bylaw.

Note 2: For the disposal of domestic wastewater onto private land, resource consent from HBRC is required.

4.10 DISCONNECTION

4.10.1 The demolition or removal of a premises connected to the wastewater network shall not commence until the premises has been disconnected from the wastewater network and inspected by the Council. An owner shall give seven (7) working days' notice in writing to the Council of their intention to demolish or remove such premises.

4.10.2 All disconnections will be undertaken by a contractor to the Council. Any lateral will be disconnected and capped to the approved standard.

4.10.3 If the relaying of a private drain is required, the owner must give Council two (2) working days written notice of their requirement to disconnect their wastewater discharge connection.

5.0 PAYMENT

5.1 FEES AND CHARGES

5.1.1 Customers and permit holders shall pay all fees and charges associated with connection and disconnection of their premises to the public wastewater network, approvals, inspections, and any other fees and charges set by the Council.

5.1.2 In addition to fees and charges prescribed in accordance with Clause 5.1.1, charges for a new connection may include:

- (i) A development contribution charge determined in accordance with the Local Government Act 2002, and/or
- (ii) A financial contribution charge determined in accordance with the Resource Management Act 1991.

5.2 CHANGE OF OWNERSHIP

In the event of a premises changing ownership the Council will automatically record the new owner as being the customer at that premises.

6.0 CUSTOMER RESPONSIBILITY

6.1 CUSTOMER'S DRAINAGE SYSTEM

6.1.1 The customer shall own, maintain, and repair the private drain and any associated fittings on the customer's side of the point of discharge, irrespective of property boundaries.

Note1: 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.

Note2: 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.

Note3: 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:

- (i) The issuing of a defect notice;
- (ii) Alteration to the premises;
- (iii) 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 NZ Building Act and the NZ Building Code shall nevertheless have a drainage system, which complies with the Building Act and New Zealand Building Code.

6.2 MAINTAINING ACCESS

6.2.1 Maintaining access for gravity reticulation network systems

The customer shall maintain the area in and around manholes and inspection/access ports that are located on their property. These areas must be free of buildings, structures, soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access. Council may charge for work required to access and maintain access to its network.

6.2.2 Maintaining access for PWC systems

The customer shall maintain the area in and around the boundary kit, STEP system and control panel free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access. Council may charge for work required to access and maintain access to the PWC system.

6.3 SWIMMING AND SPA 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.

6.4 QUALITY OF PLUMBING FITTINGS

In accordance with the New Zealand Building Regulations 1992 the plumbing system shall be compatible with the Council's wastewater network and materials.

6.5 PREVENTION OF INFLOW AND INFILTRATION

6.5.1 The customer must take all reasonable steps to prevent any stormwater or groundwater entering the wastewater system (including from roof downpipes, surface water run-off, overland flow, and sub-surface drainage). Reasonable steps include ensuring that:

- a) There is no direct connection of any stormwater pipe or drain to the wastewater system;
- b) Gully trap surrounds are sealed and set above stormwater ponding levels (refer New Zealand Building Code G13), or secondary overland flow path flood levels;
- c) Inspection covers are in place and are appropriately sealed;
- d) Private drains are kept and maintained in a state which is free from cracks and other defects which may allow Infiltration.

6.5.2 For premises with large impervious areas, such as but not limited to vehicle washing facilities, and where there is a risk of contaminated water entering the stormwater network, pre-treatment of the contaminated water will be required. See the Stormwater Bylaw for details.

6.5.3 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.

6.6 BLOCKAGES

6.6.1 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.

6.6.2 Any person who causes a blockage in a public sewer, by discharging non-acceptable wastewater, or by forcing a blockage downstream into the public sewer in the course of clearing a private drain is liable for the cost of unblocking the public sewer.

6.6.3 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.

6.6.4 If the blockage is within the customer’s private drain or common 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 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.

6.7 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 property entry procedure set out in section 468 of the Local Government Act 1974.

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.

6.8 PWC MAINTENANCE

6.8.1 In addition to the above customer responsibilities, in areas serviced by or able to be connected to pressure wastewater reticulation and shown in Schedule 1, owners and occupiers shall:

- (a) On connection, install and maintain a PWC system in accordance with the provisions of Clause 4 and Schedule 4 of this bylaw; and
- b) Within 15 working days of receipt of written request from an authorised officer, advise Council of the type of PWC system installed; and
- (c) Engage only an approved PWC installer, to carry out any work on the private PWC main, under this bylaw; and
- (d) Not engage any person to undertake an activity which is in breach of this bylaw or any other law; and
- e) Meet all the provision, installation, and operating 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) Be responsible for all costs associated with emptying the STEP tank, and any wilful damage of the PWC system.

6.8.2 No person, other than an approved PWC installer, approved in accordance with Clause 4.6 and Schedule 4 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; and

(d) comply with the standards of NZ 4404.

6.8.3 Once installed, the Council will maintain the private PWC system, except that the emptying of the STEP tank and any wilful damage are the responsibility of the property owner.

6.9 PRIVATE PUMPING STATION MAINTENANCE

Owners have sole responsibility for the maintenance of their own private wastewater pumping system.

6.10 WASTE MINIMISATION

Note: 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 6 on all new installations.

6.11 ON-SITE WASTEWATER SYSTEMS

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

6.11.2 All on-site wastewater treatment systems shall be designed and operated in accordance with AS/NZS 1547:2012 On-site domestic wastewater management (or revisions) and shall be consistent with and comply with the requirements of regional and district plan documents.

6.11.3 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.

Note: Tanker operators will require a permit under Clause 4.9 to discharge septic tank wastewater to a Council wastewater treatment plant.

6.11.4 The owner or occupier of a premises utilising on-site a wastewater treatment or disposal system shall, within ten (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, and
- (d) provide copies of maintenance and inspection records.

6.11.5 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;

6.11.6 Compliance with the bylaw does not constitute authorisation under regional plans. All discharges from On-Site systems are required to be regulated by Hawkes Bay Regional Council.

Note: A Composting toilet is a type of dry toilet that treats human waste by the biological process of composting. This process decomposes organic matter using microorganisms under controlled aerobic conditions, and turns human waste into compost-like material. A carbon additive such as sawdust or dry matter is added after each use to promote aerobic decomposition and improve the carbon-to-nitrogen ratio. Once composted the organic matter can be applied to land.

7.0 COUNCIL RESPONSIBILITY

7.1 LEVEL OF SERVICE

The Council will endeavour to provide wastewater services in accordance with the level of service contained in Council's Long Term Council Community Plan, and as in the following table:

Criteria	Guideline Values
Notification of scheduled maintenance shut down.	Minimum of 24 hours written notice delivered through letter boxes.
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 of wastewater, minimum percentage of time available.	95% availability, 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 the Engineering Code of Practice for PWC systems.	Keep standards current and available at all times.

7.2 EMERGENCY

7.2.1 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 7.1.

7.2.2 During an emergency, 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.

7.2.3 Such restrictions shall be publicly notified.

7.2.4 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 authorised for that purpose subject to subsequent Council ratification.

7.3 MAINTENANCE AND REPAIR

- 7.3.1** Wherever practical the Council will make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the network before the work commences.
- 7.3.2** Where immediate action is required and this is not practical, the Council may shutdown or reconnect the network without notice. The customer will be advised as soon as possible.
- 7.3.3** The occupier shall allow the Council, or its agents, access to land and buildings and around the point of discharge for the purposes of monitoring, testing, and maintenance work on any day.
- a) The Council shall give 24 hours prior notice to the occupier of the intended entry.
 - b) 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.

8.0 BREACHES

8.1 NON-COMPLIANCE

- 8.1.1** Every person who breaches this bylaw or fails to comply with a notice served under this bylaw commits an offence and is liable upon conviction to a fine as provided for under the Local Government Act 2002 and may be liable to penalties under other legislation.
- 8.1.2** The Council may apply to the District Court under Section 162 of the Local Government Act 2002 for an injunction restraining the person from committing a breach of this bylaw.
- 8.1.3** In addition to any legal penalties arising from any breach, offence, or dispute Council may seek to recover all costs arising from and associated with any such breach, offence, or dispute.
- 8.1.4** In the event of a breach of this bylaw, Council may serve a defect notice on the customer advising its nature and the steps to be taken within a specified period, to remedy it. If, after

the specified period, the customer has not remedied the breach, Council may charge a re-inspection fee.

8.1.5 The following are deemed breaches of the conditions to wastewater discharge:

- (i) The provision of incorrect information in the application for wastewater discharge which fundamentally affects the nature of the discharge;
- (ii) Failure by the customer to meet and comply with the conditions of discharge;
- (iii) Failure to meet any obligation placed on the customer under any enactment or legislation;
- (iv) Frustration of the Council's ability to adequately and effectively carry out its obligations;
- (v) An act or omission including but not limited to:
 - (1) Failure to pay the appropriate charges by the due date;
 - (2) Failing to comply with wastewater discharge restrictions or prohibitions introduced by the Council for any specified purpose.

8.2 REMEDIAL WORKS AND COST RECOVERY

The Council may:

- a) Remove or alter any work or thing that is, or has been, constructed in breach of this bylaw; and
- b) Recover the costs of removal or alteration from the person who committed the breach.

8.3 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.

8.4 INTERFERENCE WITH EQUIPMENT

Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute a breach of this bylaw. The offender or customer or property owner on which the interference has occurred will be liable to pay for any damage to equipment.

9.0 BYLAW APPROVAL DATE

The Common Seal of the Wairoa District Council was attached, under Resolution passed at a meeting of the Council held on 2022 and will come into force 2022.

THE COMMON SEAL of THE WAIROA DISTRICT COUNCIL

was affixed this day of 2022 in the presence of:

MAYOR

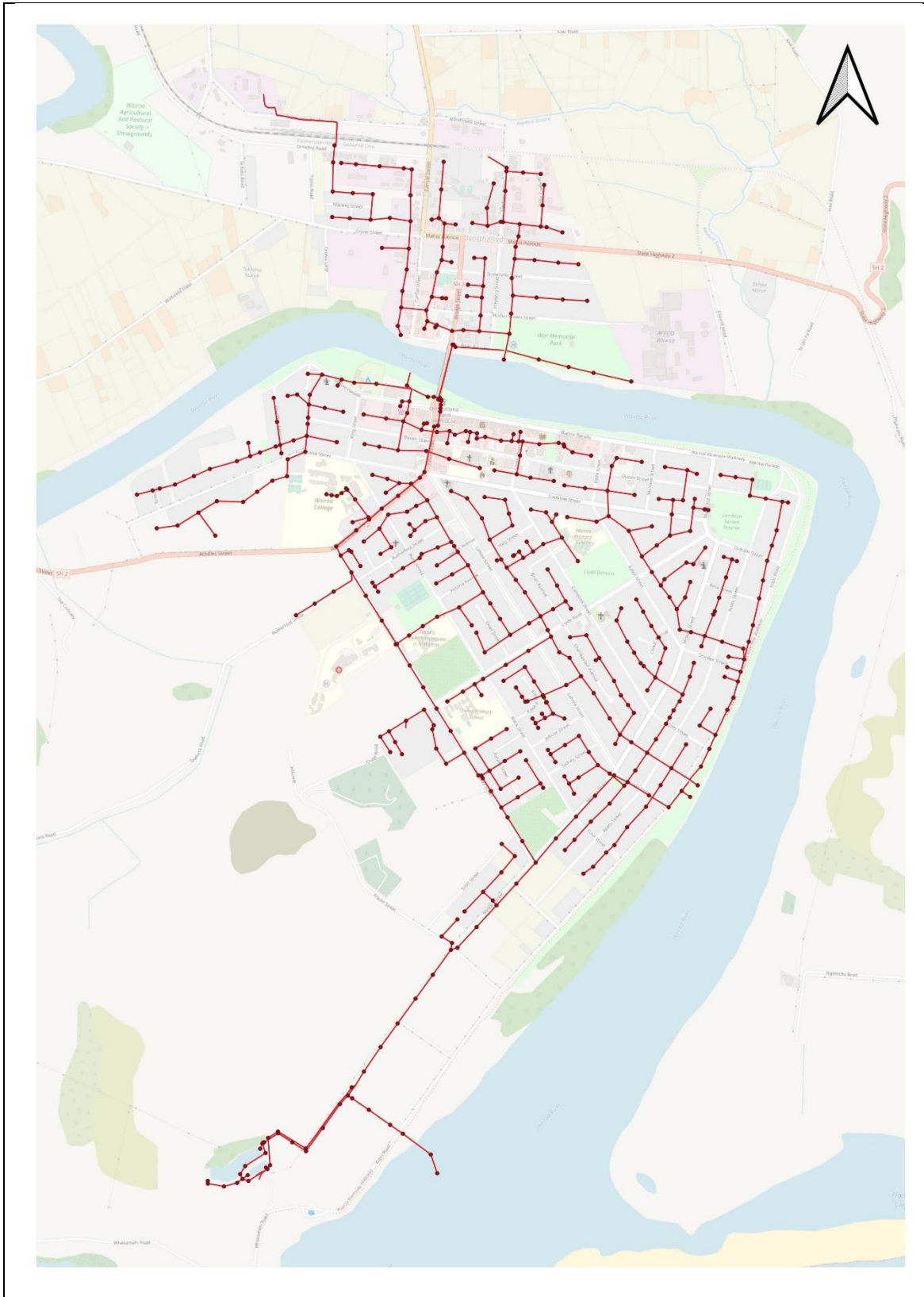
CHIEF EXECUTIVE OFFICER

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SCHEDULE 1 - WASTEWATER NETWORK AREA

Wairoa township

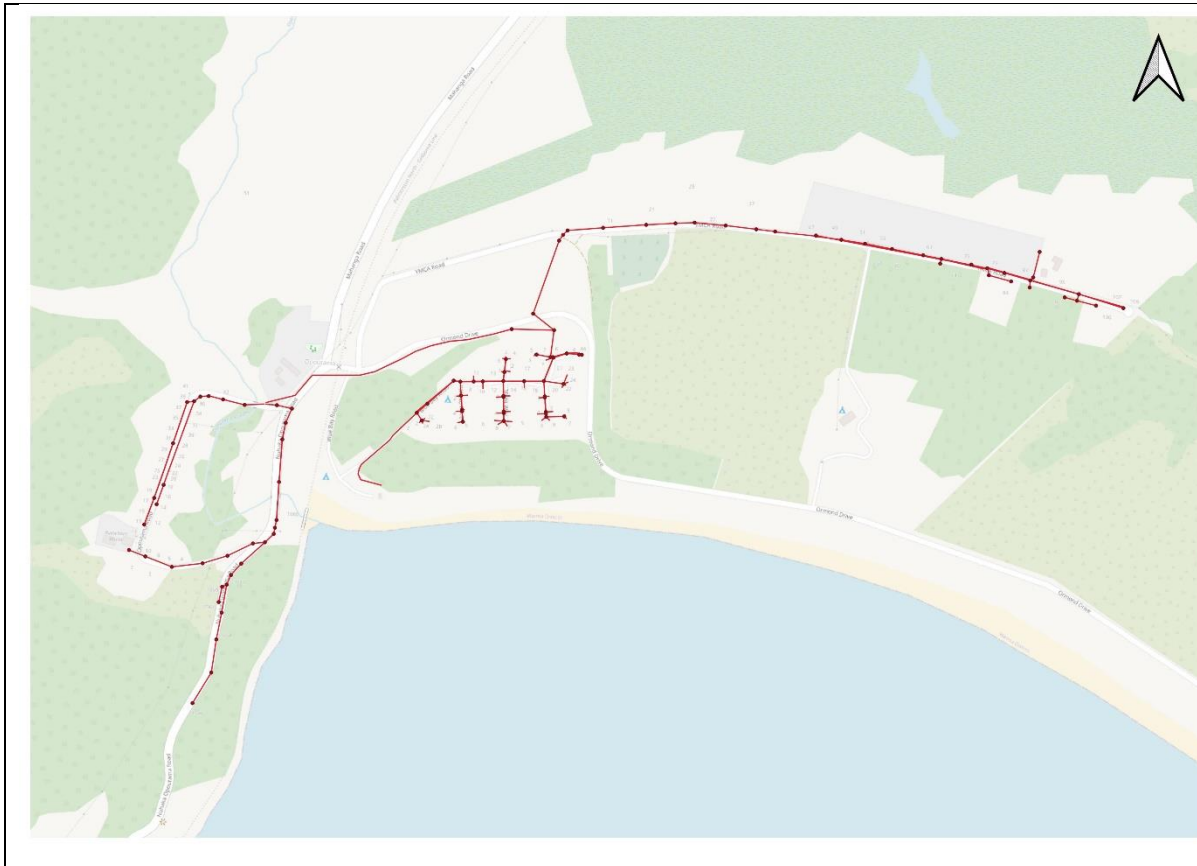


DISCLAIMER:

Wairoa District Council has prepared this map using the best information available. However, Council cannot guarantee that the data shown in this map is 100% accurate. Users of the information displayed in this map are strongly cautioned to verify all information with Council before making any decisions.

SCHEDULE 1 - WASTEWATER NETWORK AREA

Opoutama/Blue Bay

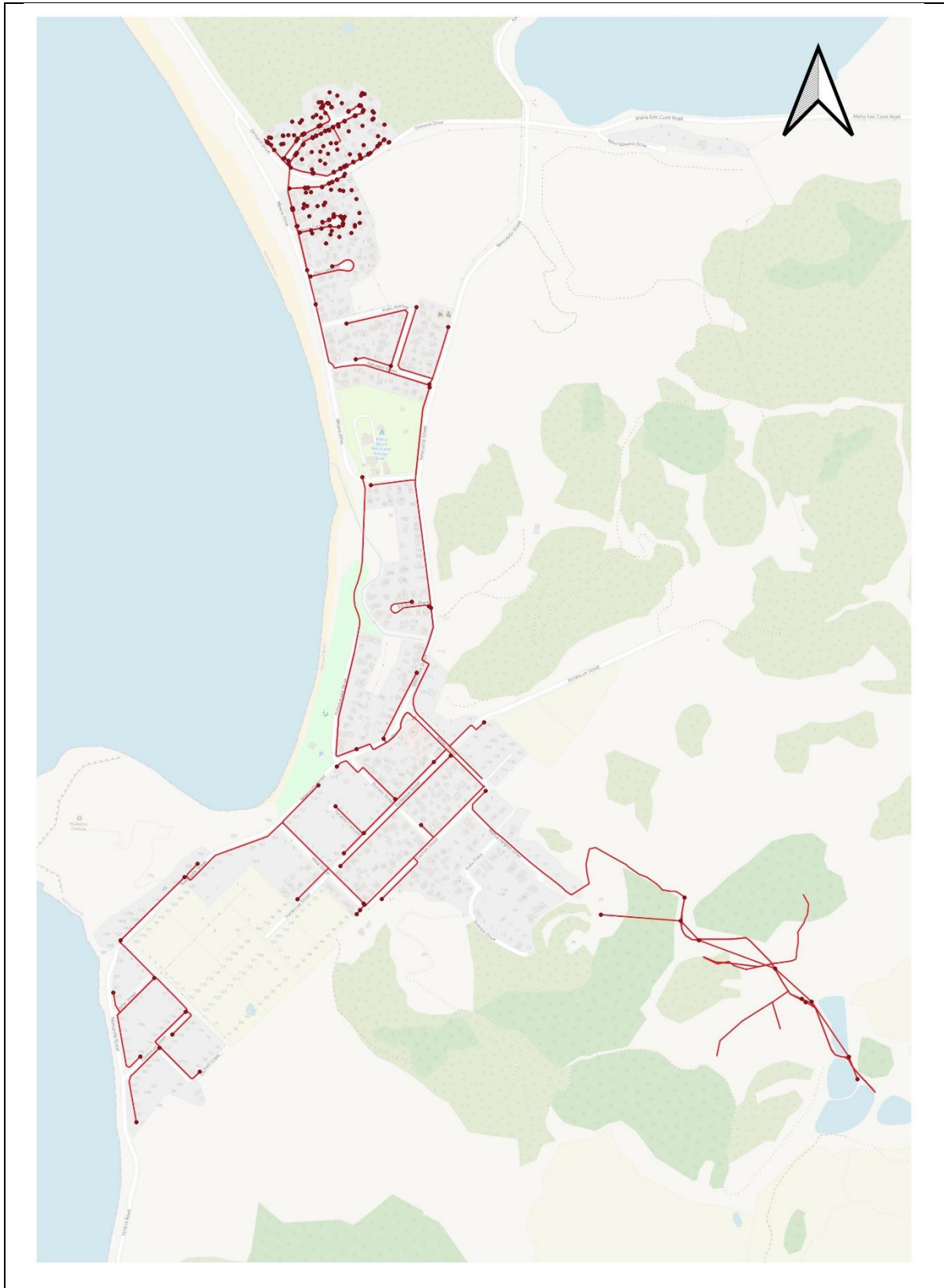


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SCHEDULE 1 - WASTEWATER NETWORK AREA - PWC

Mahia Beach

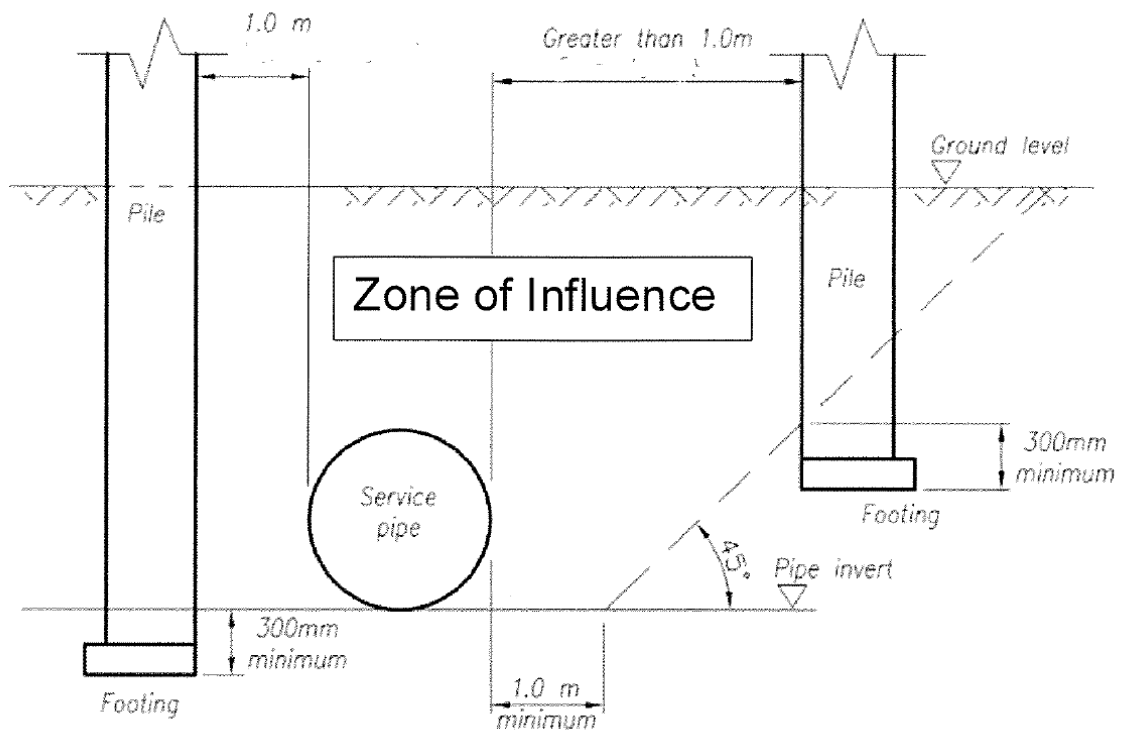


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Wairoa District Council has prepared this map using the best information available. However, Council cannot guarantee that the data shown in this map is 100% accurate. Users of the information displayed in this map are strongly cautioned to verify all information with Council before making any decisions.

SCHEDULE 2 – ZONE OF INFLUENCE

Buried Services



The Zone of Influence is where a building or structure is located close to Council buried infrastructure and could affect the integrity of that infrastructure.

SCHEDULE 2 – COVENANT IN GROSS OR ENCUMBRANCE

Buried Services

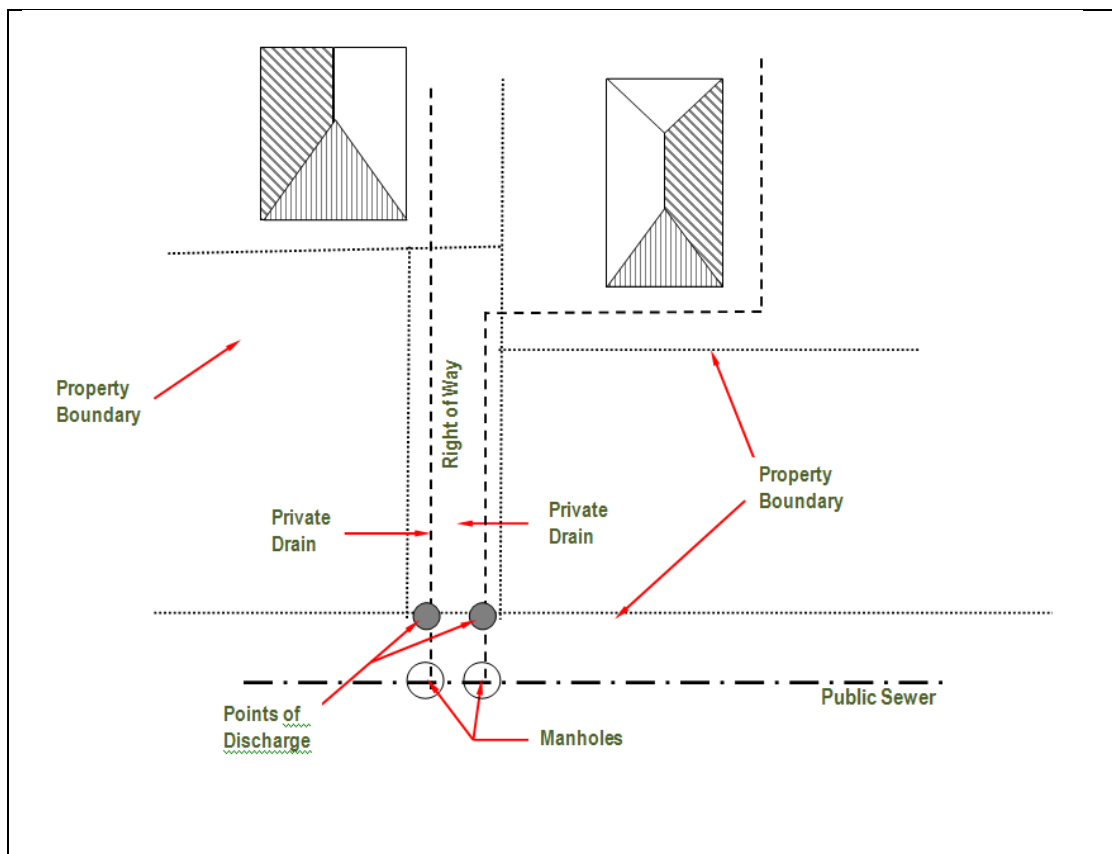
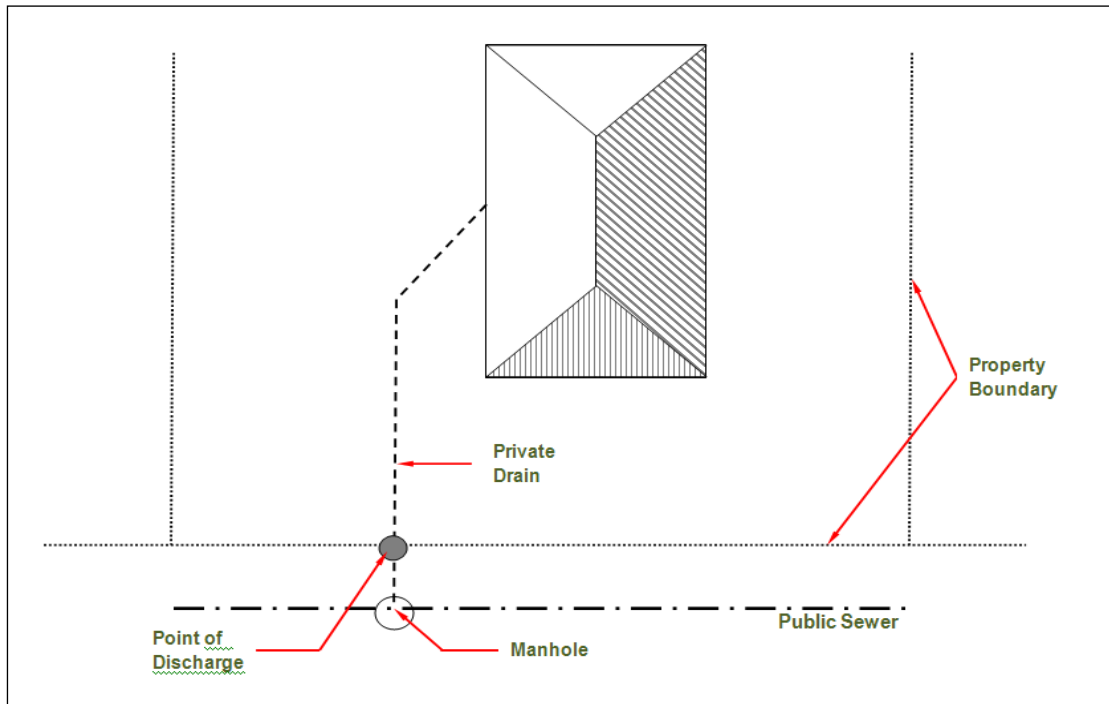
A covenant in gross or encumbrance must be registered on the property record of title at the time of building consent, indemnifying the Wairoa District Council against any claims for damage caused by the presence, maintenance, replacement, or upgrade of the pipeline. The owner must acknowledge and bear all risks associated with building over the pipeline. They will also meet the cost of preparing and registering the covenant in gross or encumbrance, along with any engineering and surveying costs. See Clause 2 for further details.

The covenant in gross or encumbrance will:

- i. Set out the background to the application.
- ii. Detail the engineering requirements Council has imposed.
- iii. State that Council will be able to go on to the land to carry out work on the pipeline, in accordance with its statutory obligations.
- iv. State that Council will not be liable for any damage or loss incurred to the property as a result of any subsidence associated with the pipeline, or by any maintenance or replacement work connected with the pipeline, provided Council carries out that work and carries it out to appropriate standards of workmanship.
- v. State that Council will recover from the landowner, or from any subsequent landowner, any extra maintenance or replacement costs resulting from the building's encroachment over/near the pipeline, as well as, if necessary, the cost of enforcing this provision.

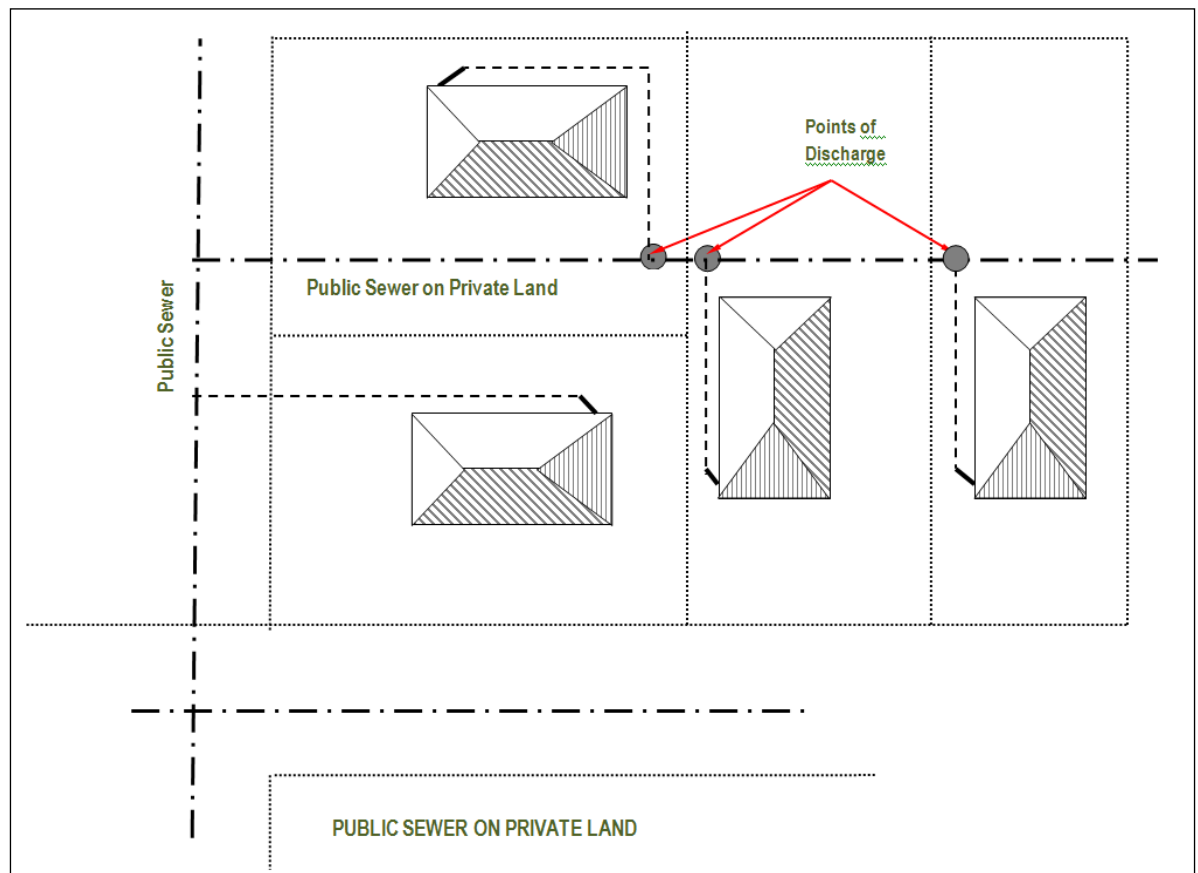
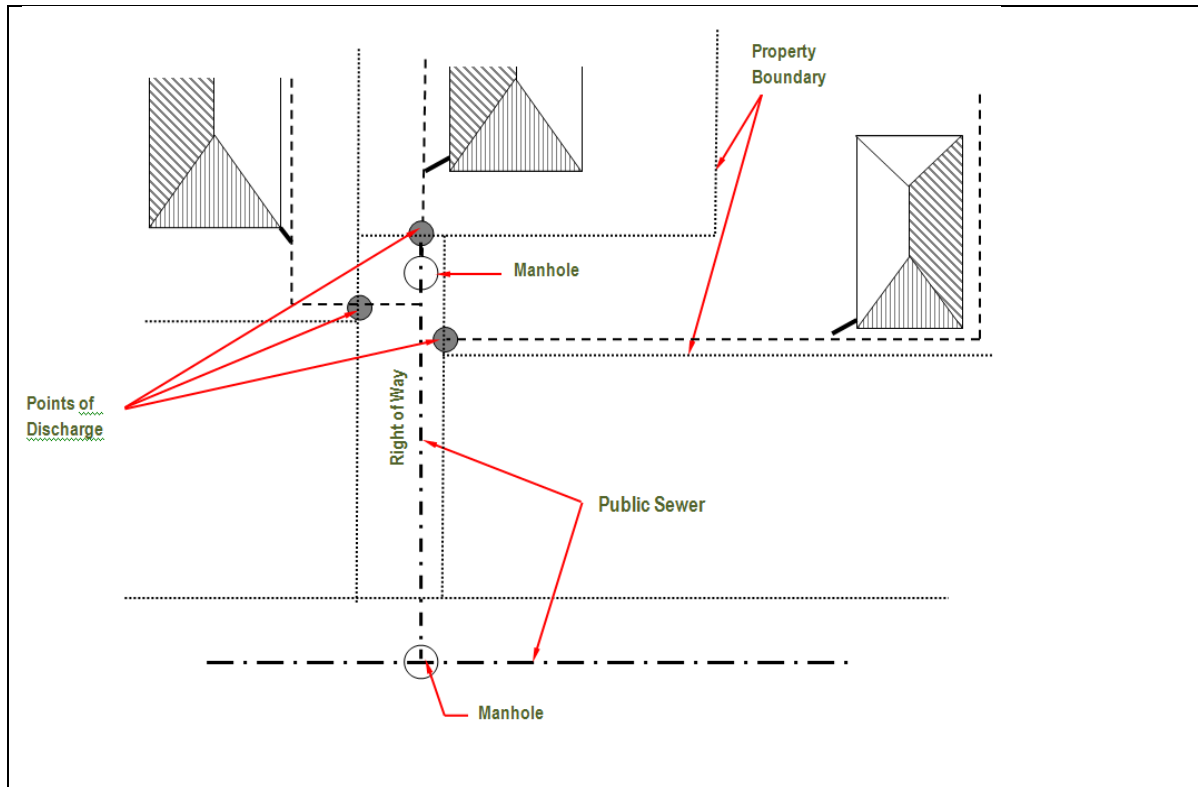
SCHEDULE 3 - POINT OF DISCHARGE

Single Ownership Premises



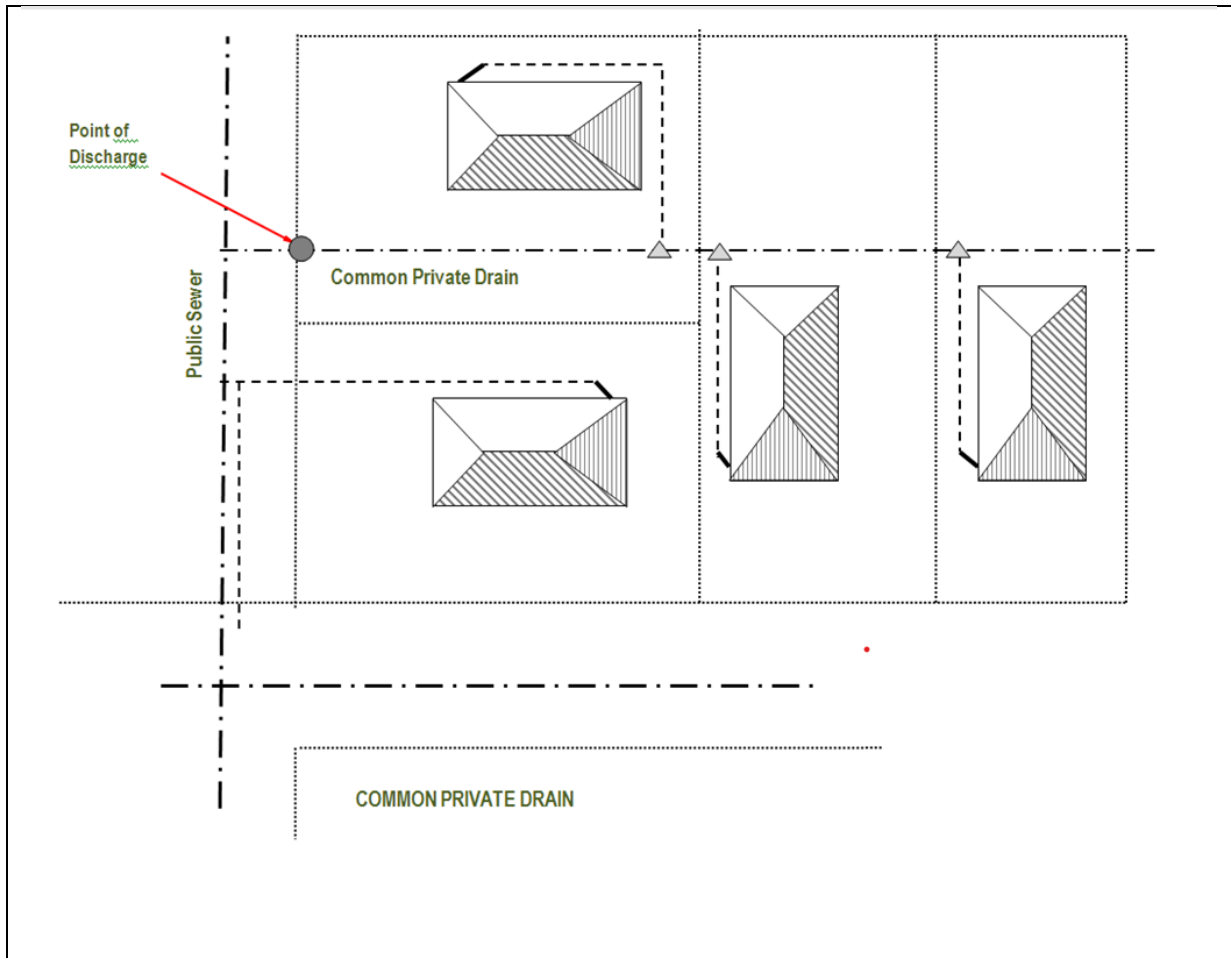
SCHEDULE 3 - POINT OF DISCHARGE

Single Ownership Premises



SCHEDULE 3 - POINT OF DISCHARGE

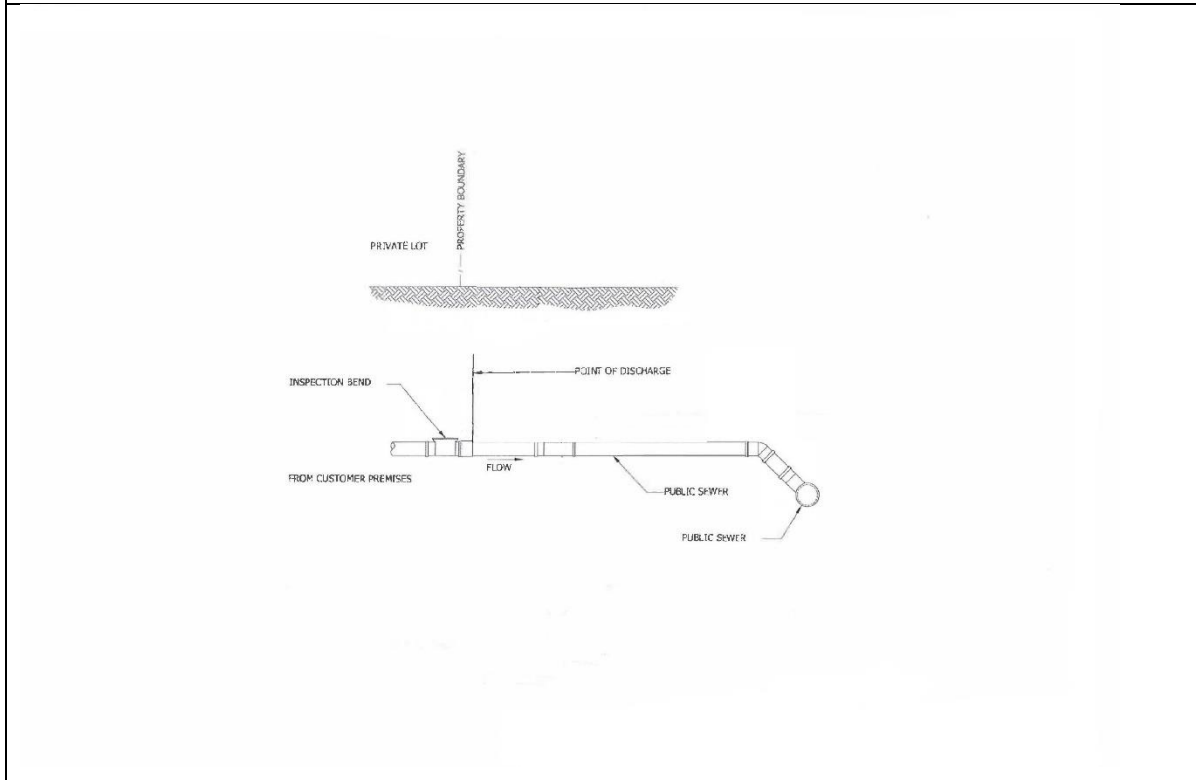
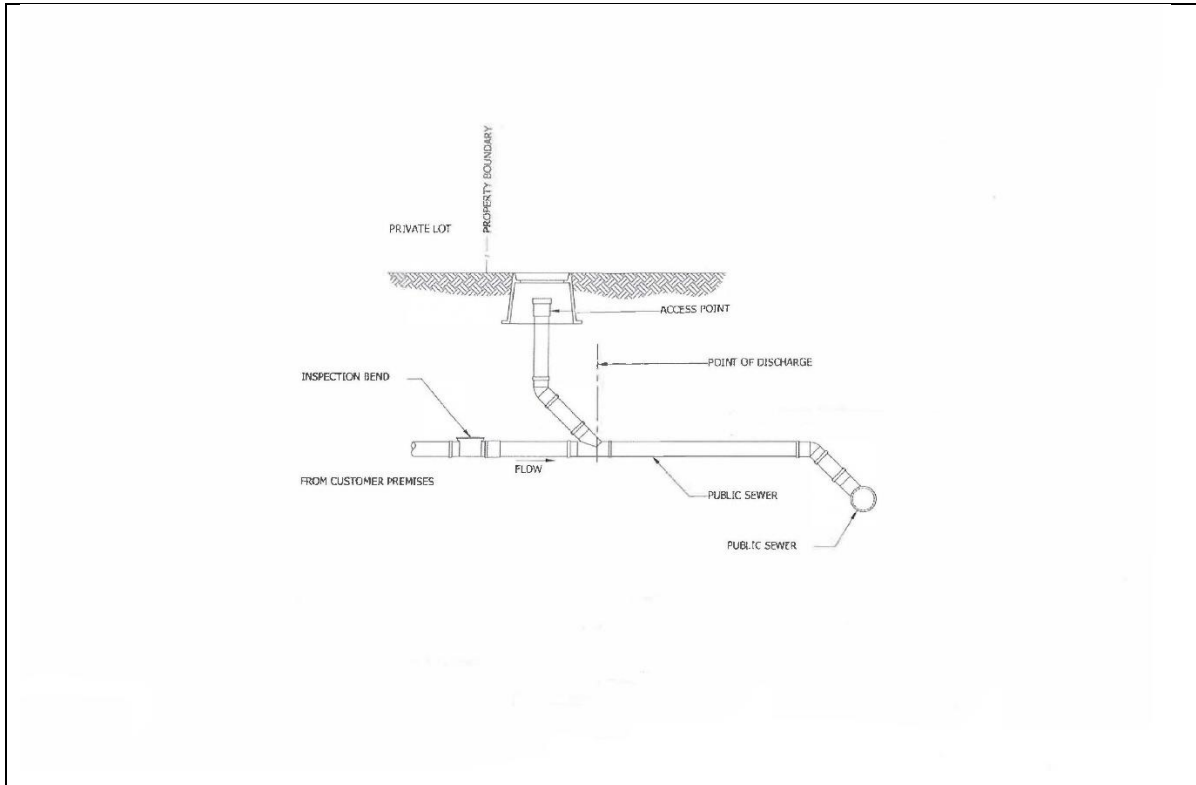
Single Ownership Premises, common private drain



Properties with a Common Private Drain require a private arrangement for the maintenance of this drain. Council responsibility begins at the point of discharge as shown above.

SCHEDULE 3 - POINT OF DISCHARGE

Typical Layouts

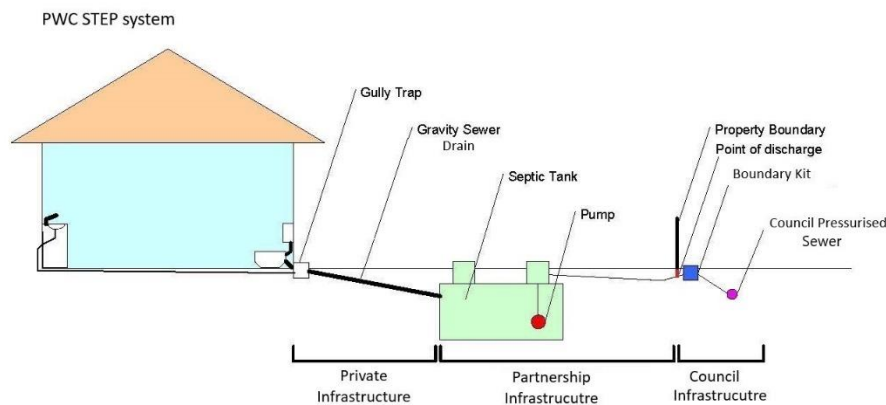


The point of discharge is after the final Inspection Bend or Access Point before the private drain enters the public sewer.

SCHEDULE 3 - POINT OF DISCHARGE FOR PUMPED SYSTEMS

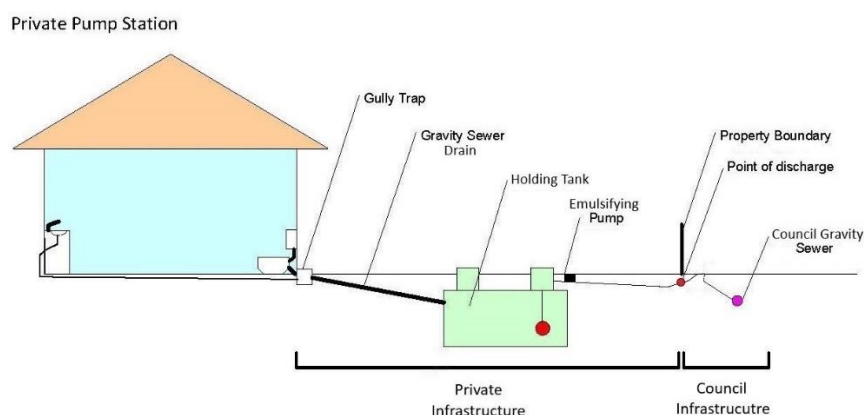
PWC Systems, Mahia

For a PWC system, the point of discharge is just prior to the boundary kit. However, there is a partnership of responsibility between Council and the customer for the STEP system and pump.



Private Pump Station

Wastewater is required to be pumped if it cannot achieve a gravity flow directly into the public gravity sewer. The property owner owns and maintains the holding tank, pump, controller, and line up to the point of discharge into the public sewer. This point of discharge is generally at the property boundary.



SCHEDULE 3 - COMMON PRIVATE DRAIN LOCATIONS

Wairoa township

Deleted

SCHEDULE 4 – PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS

STANDARDS AND GUARANTEES FOR APPROVED PWC PRODUCTS

General Description of PWC Units and 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)

1. A Control Panel is to be provided for each pumping installation;
2. The Control Panels must be weatherproof and rated to appropriate New Zealand Standards;
3. The Control Panel must be lockable by padlock to prevent unauthorised access;
4. The Control Panel must contain a separate enclosure to store plans of the electrical power lines;
5. 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 wastewater in the reservoir exceed normal operating levels.

PWC SYSTEMS STANDARDS AND GUARANTEES FOR APPROVED PWC PRODUCTS - continued

Storage Tank

1. The pump-well/storage tank shall be constructed from fibreglass, polyethylene, concrete, or other approved material.
2. Tank volume for domestic use shall be as provided for in the Council's Standards for Engineering Design & Construction.
3. 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.
4. Storage tanks must be supplied with an appropriately sized inlet grommet. The grommet must be self-sealing.
5. The installer will determine and install the inlet service connection pipe to the tank on site.
6. 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".
7. 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.
8. 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.
9. 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.

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 demonstrated 20-year life.

PWC SYSTEMS STANDARDS AND GUARANTEES FOR APPROVED PWC PRODUCTS - continued

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 4 – PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS

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 in the Engineering Code of Practice;
- b) The equipment installed shall be an Approved PWC product under this Schedule;
- c) The equipment shall be installed by an Approved PWC Installer, approved by the Council under Clause 4.6 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 4 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, premises, or other permanent features.

SCHEDULE 4 – PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS

PRODUCER STATEMENT FOR PWC SYSTEM INSTALLATION

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

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 Wastewater Bylaw 2022, 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 4 – PRESSURE WASTEWATER COLLECTION (PWC) SYSTEMS

APPLICATION FOR APPROVAL AS A PWC INSTALLER

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

<p>Name of Applicant</p> <p>..... (Person who wishes to become authorised WDC PWC Installer)</p> <p>Company Name:</p> <p>..... (Company Applicant Works for)</p> <p>Company Contact Details:</p> <p>Address :.....</p> <p>Phone: Mobile:</p> <p>Email:</p>	<p>Please attach Recent Photograph of applicant</p>
---	--

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"/>

DECLARATION

<p>I,</p> <p>(Name of Applicant)</p> <p>Apply to become a Wairoa District Council Authorised PWC Installer,</p> <ul style="list-style-type: none"> • Confirm 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.....



APPLICATION FOR SERVICE CONNECTION WATER / SEWER / STORMWATER

Application made by:	
Name	
Address of Premises	
Postal Address of Owner / Agent	
Phone	Email
<input type="checkbox"/> Owner <input type="checkbox"/> Authorised Agent (Please state your connection with the development – eg. surveyor, builder, drainlayer, etc.)	
Description (eg. House, flats, business, trade premises) Location Plan With detailed measurements <input type="checkbox"/> Attached	Building Consent No. or RM# (if applicable) Valuation Number Customer Number
Application is in conjunction with: <input type="checkbox"/> Subdivision <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial	Terms and Conditions Application fee can be found on the Fees and Charges page at: https://www.wairoadc.govt.nz/our-council/fees-and-charges/ The Council's contractor will send the quote directly to the applicant's postal address. The applicant must then correspond directly with the contractor for the installation of the connection. This application does not guarantee a service connection.
Connections Required and Number <input type="checkbox"/> Water x <input type="checkbox"/> Fire Protection x <input type="checkbox"/> Sewer x <input type="checkbox"/> Stormwater x/...../..... Signature of Applicant Date

Contractor please install the following connections:

<input type="checkbox"/> Water At property boundary	Connection size: mm (internal ϕ) Toby Type Meter ID
<input type="checkbox"/> Fire Protection At property boundary	Connection size: mm (internal ϕ) Toby Type Meter ID
<input type="checkbox"/> Sewer	Connection size: mm To manhole <input type="checkbox"/> To main sewer <input type="checkbox"/> To branch drain <input type="checkbox"/>
<input type="checkbox"/> Stormwater	Connection size: mm To manhole <input type="checkbox"/> To kerb and channel <input type="checkbox"/> To piped drain <input type="checkbox"/> To open drain <input type="checkbox"/>

Instruction to Contractor RFS # on / /

Due date for completion / /

Inspection required

Cost of new connection to be charged directly to the applicant by the contractor.

Further Instructions

.....

Approval to make connection given by: Date / /
 (3 Waters Department)

Receipt No.



BUILDING OVER OR NEAR A COUNCIL PIPE OR DRAIN

Please use this form if you wish to apply to build over, build near or relocate Council infrastructure services within your land. All applications will be checked for completeness prior to being accepted. Please ensure you have compiled your documents completely to avoid delays. No application processing will occur until all the required information is provided.

Application made by:

Name

Address of Premises

.....

Postal Address of Owner / Agent

.....

Phone **Email**

Owner

Authorised Agent

(Please state your connection with the development – eg. surveyor, builder, drainlayer, etc.)

Address For Service for Further Enquiries Concerning this Application

Name:

Address:

Phone: Email:

Description of Development or Structure that is too close to Council Infrastructure

.....
.....

Application is in conjunction with:

- Subdivision
- Residential
- Commercial
- Industrial

Which Council Infrastructure is there a conflict with?

- Water Supply Line
- Sewer Line
- Stormwater Line
- Manhole

Building Consent No. or RM# (if applicable)

.....

Valuation Number

.....

Customer Number

.....

Terms and Conditions

This application does not guarantee that your development/structure will be approved.

.....
Signature of Applicant

...../...../.....
Date

BUILDING OVER OR NEAR A COUNCIL PIPE OR DRAIN - cont

Are you doing **Restricted Works as per Clause 2.2.2 of this bylaw?** Yes No

Are you building within the Zone of Influence as per Clause 2.2.3 of this bylaw? Yes No

No building or structure may be built over or near a public rising main, trunk main or other pipes, or within the Zone of Influence without specific Council approval and an agreed covenant in gross or encumbrance lodged on the property record of title, as shown in Schedule 2.

Explain why you want to develop/build over / near / relocate a Council pipe or drain.

.....
.....

Location Plan With detailed measurements Location plan attached

Please show:

- Distance between the proposed building/structure and all legal boundaries, and
- Distance between the proposed building/structure and any existing buildings, and
- Distance from public drains, manhole (centres), pipelines and all legal boundaries, and
- Location of any Council drains and pipes within the site, and
- Easement boundaries,
- Depth of the burries services/pipelines,
- Dimensions and location of the proposed building/structure including foundation/pile design.

Pipe Condition

Provide the results or a copy of a CCTV survey. Attached

Note: The pipe must be resurveyed after the completion of the work.

Fees

There is no standard application fee. However, all costs associated with the application will be the responsibility of the applicant. This includes all direct and indirect costs in Council processing the application, infrastructure changes, legal fees, changes to titles or easements or covenant in gross or encumbrance, CCTV surveys, etc.

Approval given by: Date / /
(3 Waters Department)

Receipt No.



WAIROA DISTRICT COUNCIL

ENGINEERING DEPARTMENT

+64 6 838 7309
+64 6 838 8874
administrator@wairoadc.govt.nz

www.wairoadc.govt.nz
PO Box 54, Wairoa 4160, Hawke's Bay
Coronation Square, Queen Street, Wairoa

APPLICATION TO DISCHARGE TANKER WASTEWATER

Application made by:

Name

Company

Postal Address for charging purposes

.....

Phone **Email**

Customer Number

Terms and Conditions

Application fee can be found on the Fees and Charges page at: <https://www.wairoadc.govt.nz/our-council/fees-and-charges/>

- The discharge of domestic wastewater is subject to the Wastewater Bylaw.
- The discharge of trade waste is also subject to the Trade Waste Bylaw and requires a Trade Waste Application in addition to this Application to Discharge Tanker Wastewater.

Waste is not from outside the Wairoa District.

This application does not guarantee that Council will agree to the wastewater discharge.

..... /...../.....
Signature of Applicant **Date**

Approved maximum daily volume Disposal Location

Approval given by: Date / /
(3 Waters Department)

Receipt No.

SCHEDULE 6 - WASTE MINIMISATION DEVICES

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.