



KAWERAU DISTRICT COUNCIL
General Bylaw 2009: Part 8 – Wastewater Drainage

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Explanatory Statement

The General Bylaw 2009: Part 8 – Wastewater Drainage is part of a series that makes up the Kawerau District Council General Bylaw 2009. The General Bylaw 2009 replaces the General Bylaw 1997.

General bylaws, by their nature, address a diverse range of matters. Kawerau District's 1997 general bylaw contained all those matters in a single document of 12 chapters and almost 100 pages. To improve functionality, Council has made each chapter into a discrete part that can be read and used on its own. Taken together, the parts make up the General Bylaw 2009.

This part of the Bylaw provides measures to manage, regulate and protect against damage and misuse of wastewater drainage from domestic and trade premises to the Kawerau District Council.

The General Bylaw 2009 is made pursuant to Part 8 of the Local Government Act 2002 and this Part, in particular, to sections 145 and 146 of that Act.

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**Kawerau District Council
General Bylaw 2009: Part 8 – Wastewater Drainage**

1. Title

This part of the Kawerau District Council General Bylaw 2009 shall be known as the Kawerau District Council General Bylaw 2009: Part 8 – Wastewater Drainage.

2 Commencement

This part of the Bylaw shall come into force on the 29th day of June 2010.

3 Application of Bylaw

This part of the Bylaw shall apply to the Kawerau District.

4 Scope

The purpose of this part of the Bylaw is to manage and regulate, and to protect against damage and misuse of wastewater drainage from domestic and trade premises to the Kawerau District Council wastewater drainage system, and to protect public and environmental health.

The quality and quantity limits that separate domestic wastewater from trade waste are to be found in the Kawerau District Council General Bylaw 2009: Part 10 – Trade Waste.

Nothing in this part of the Bylaw shall derogate from any of the provisions of any relevant legislation or regulations, or of any consents granted under such legislation or regulations.

5 Definitions

The definitions in the Kawerau District Council General Bylaw 2009: Part 1 – Introductory shall apply to this part of the Bylaw.

For the purposes of this part, the following definitions shall also apply:

ACCEPTABLE DISCHARGE means a wastewater with physical and chemical characteristics that comply with the requirements of the Council as scheduled in the Kawerau District Council General Bylaw 2009: Part 10 – Trade Waste.

APPROVAL means approval in writing by the Council or by an authorised officer.

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

CERTIFICATE OF TITLE means a certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 1952.

CHARACTERISTIC means any of the physical or chemical characteristics of a trade waste referred to in the Kawerau District Council General Bylaw 2009: Part 10 – Trade Waste.

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

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

DISCONNECTION means the physical cutting and sealing of the drain from a premise.

DOMESTIC WASTEWATER means either that wastewater which is discharged from premises used solely for residential activities, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge. Such activities shall include the draining of domestic swimming and spa pools subject to approval.

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

DRAINAGE DISTRICT means the district or part of the district for which the Council provides a wastewater drainage system.

INFILTRATION means water entering a public sewer or private drain 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 drain from non-complying connections or other drain laying faults. It includes stormwater entering through illegal downpipe connections or from low gully traps.

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

POINT OF DISCHARGE means the boundary between the public sewer and a private drain.

PROHIBITED CHARACTERISTICS means a wastewater which shall not be discharged into the Council system, as scheduled in the Kawerau District Council General Bylaw 2009: Part 10 – Trade Waste.

RISING MAIN means a sewer through which wastewater is pumped.

SCHEDULE OF RATES AND CHARGES means the list of items, terms and prices for services associated with the discharge of wastewater as approved by the Council.

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

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

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

TRADE PREMISES means any premise used or intended to be used for carrying on any trade or industry, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

TRADE WASTE means any liquid, with or without matter in suspension or solution, that is, or may be, discharged from a trade premise in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature, but does not include condensing water, stormwater or domestic wastewater. Condensing or cooling waters and stormwater which cannot practically be separated from wastewater may be included subject to specific approval.

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

WASTEWATER means water or other liquid, including waste matter in solution or suspension, discharged from a premise to a sewer.

6 Acceptance of discharge

6.1 Domestic wastewater

Every domestic premise shall be required to have its wastewater connected to the Council's reticulated wastewater system and Council will accept wastewater from such premises, subject to:

- (a) The premise lying within an area which is served by the Council's wastewater drainage system, and
- (b) Payment of the appropriate rates and charges in respect of that premise in general and wastewater services in particular, and
- (c) Fulfilment of the requirements of this Bylaw.

6.2 Trade waste

The acceptance of trade waste is the subject of Part 10 of this Bylaw.

7 Approval to connect

No person other than the authorised agents of the Council, shall without approval, make any connection to, or otherwise interfere, with any part of the Council's wastewater drainage system.

8 Continuity of discharge

The Council does not guarantee to receive wastewater without interruption. However, the Council will use all reasonable endeavours to ensure that any disruption is kept to a minimum.

9 Premises

9.1 Flow rate

The maximum instantaneous flow rate discharged from a domestic premise shall not exceed 2.0 litres/sec. The Council may also set a maximum daily flow rate discharged from a domestic premise.

9.2 Prohibited characteristics

No wastewater with prohibited characteristics, as scheduled in the Kawerau District Council General Bylaw 2009: Part 10 – Trade Waste shall be discharged into the Council wastewater drainage system.

9.3 Waste minimisation

In order to meet the principles of sustainable management as promoted by the Resource Management Act 1991 (RMA), the Council recommends that a customer fits the following devices on all new installations: [Stan](#)

[New Zealand](#)

- Dual flush toilet cistern
- Low flow shower heads
- Urinal flushing control: On-demand controller

9.4 Access

9.4.1 Access for inspection

The customer shall allow the Council access to and about the point of discharge for the purposes of monitoring, testing, and maintenance work between 7.30 am and 6 pm on any day. The Council shall notify the customer no later than the day before the intended entry.

Under emergency conditions, or for the purpose of ascertaining whether the drains are being misused, the customer shall allow the Council free access to and about the point of discharge at any hour.

9.4.2 Non-complying connections

The customer shall allow the Council with any necessary equipment, access to any area of the premises for the purpose of ascertaining whether non-complying connections have been made.

9.5 Prevention of inflow and infiltration

The customer shall prevent any stormwater or groundwater entering the wastewater drainage system.

This includes roof downpipes, surface water run-off, overland flow and sub-surface drainage.

For trade premises where stormwater cannot be separated from wastewater, refer to the Kawerau District Council General Bylaw 2009: Part 10 – Trade Waste.

10 Disconnection

Application for a building consent shall be made to Council in any case where a customer requires disconnection from the sewer.

11 Public drainage system

11.1 General

With respect to building or loading over buried services, or excavation near public sewers, the restrictions described in 11.2 to 11.4 shall apply. Other restrictions may be applied by the Council for the protection of the public drainage system after consideration of proposed work methods, depth of excavation, soil physical properties, and other site specific factors.

11.2 Building over buried services

In some circumstances, building may be allowed over, or adjacent to, a public sewer. In the event of a partial or total collapse of a public sewer sustained by such building, Council will accept no liability for any damage.

11.2.1 Rising mains and trunk sewers

No building shall be built over a public rising main or trunk sewer, or closer than the greater of:

- (a) 1.5 metres from the centre of any main or sewer, or
- (b) The depth of the centre line of the sewer, plus the diameter of the sewer, plus 0.2 metres from the centre of that sewer, subject to compliance with 3.1 of NZS 3604.

11.2.2 Other public sewers

- (a) No building shall be built closer than the greater of:
 - (i) 1.5 metres from the centre of any public sewer, or
 - (ii) The depth of the centre line of the sewer, plus the diameter of the sewer, plus 0.2 metres from the centre of that sewer, subject to compliance with 3.1 of NZS 3604.

- (b) Subject to approval, a building developer may meet the cost of diverting the public sewer (including any manholes) in accordance with Council standards.
- (c) Where (a) and (b) above are found to be impractical and the building cannot be sited elsewhere on the property or modified to conform with the above conditions, and it is essential for the proposed building 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 may include the provision of access manholes, pipe strengthening, ducting, additional support of the building's foundations and re-locatable construction.

11.3 Loading or material over public sewers

No person shall cause the crushing load imposed on a public sewer to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by the current Transit New Zealand Bridge Manual or its replacement).

No person shall place any additional material over or near a public sewer without approval.

Service openings shall not be covered in any way unless approved. Removal of any covering material or adjustment of the opening shall be at the property owner's expense.

11.4 Excavation near public sewers

No person shall excavate, or carry out piling or similar works closer than:

- (a) Five (5) metres from the centre line of any rising main or trunk sewer, or
- (b) Two (2) metres from the centre line of any public sewer without approval. Such approval may impose conditions on the carrying out of any work near the sewer.

12 Storage of hazardous materials

12.1 No owner or occupier of a premise shall store raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which, when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to the Council wastewater system or the health and safety of Council staff and the public, without taking all reasonable steps to prevent entry into the Council sewer from leakage, spillage or other mishap.

12.2 The owner or occupier of a premise shall comply with the requirements of the Hazardous Substances and New Organisms Act 1996 and Regulations.

13 Breaches and remedies

13.1 Notice of breach

In the event of a breach of statutory or other legal requirements, the Council may serve a notice on the customer advising the nature of the breach 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, the Council may charge a re-inspection fee.

However, if the breach is such that public health, or safety considerations, or risk of consequential damage to Council assets means that delay would create unacceptable results, the Council may take immediate action to rectify the defect, and recover all reasonable costs as set out in 13.2.

13.2 Remedial work

At any time after the specified period of 13.1 has elapsed, the Council may carry out any remedial work required in order to make good the breach, and to recover from the person committing the breach all reasonable costs incurred in connection with the remedial work.

Revocations

The Kawerau District Council General Bylaw 2009: Part 8 – Wastewater Drainage was duly made by a resolution passed at a meeting of the Kawerau District Council held on 29 June 2010 following a special consultative procedure.

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

.....
Mayor

.....
Chief Executive Officer

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Date