



STRATFORD
DISTRICT COUNCIL

Wastewater Bylaw 2020

Date in Force: 1 June 2020

- Purpose:
- a. To control the discharges from wastewater pipe into the public sewer;
 - b. To manage and protect from damage, misuse, or loss of land, structures or infrastructure associated with the public sewer from; and
 - c. To protect, promote and maintain public health and safety.

Review Date: 1 June 2030

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1 TITLE

- 1.1 This Bylaw is made under Section 145 of the Local Government Act 2002 and shall be known as the 'Stratford District Council Wastewater Bylaw 2020'.

2 COMMENCEMENT

- 2.1 This Bylaw shall come into force on 1 June 2020.

3 REPEAL

- 3.1 As from the day this Bylaw comes into force, the previous Wastewater Drainage Bylaw 2008 in force in the Stratford District shall be repealed.

4 APPLICATION OF BYLAW

- 4.1 This Bylaw shall apply to the Stratford District.

5 SCOPE

- 5.1 This Bylaw is made under the authority of the Local Government Act 2002 for the regulation of wastewater in by the Stratford District Council (the Council), which is subject to the following statutory acts, regulations, standards and codes:

5.2 Statutory Acts:

- a. Building Act 2004
- b. Health Act 1956
- c. Local Government Act 2002
- d. Local Government (Rating) Act 2002
- e. Resource Management Act 1991

5.3 Relevant Codes and Standards:

- a. NZS 9201.22:1999 Model general bylaws – Wastewater drainage
- b. The New Zealand Building Code
- c. NZS 4404:2010 - Land Development and Subdivision Infrastructure (2019 Local Amendments and subsequent amendments)
- d. NZS 3604:2011 Timber-framed buildings
- e. New Zealand Transport Agency (NZTA) Bridge Manual (2013)

6 PURPOSE

- 6.1 The purposes of this Bylaw are:
- a. To protect, promote and maintain public health and safety; and,
 - b. To control the discharges from wastewater pipe into the public system;

- and
- c. To manage and protect from damage, misuse, or loss of land, structures or infrastructure associated with the public wastewater pipe.

7 DEFINITIONS

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

ACCEPTABLE DISCHARGE means wastewater with physical and chemical characteristics which does not require a trade waste consent under the Trade Waste Bylaw.

APPROVAL means approved in writing by the Stratford District Council, either by resolution of the Council or by an officer of the Stratford District Council authorized for that purpose.

BUILDING has the same meaning as in the Building Act 2004.

BURIED SERVICES means all public wastewater pipe, rising mains, trunk wastewater pipe, and other underground utilities under the responsibility of the Stratford District Council.

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

COUNCIL means the Stratford District Council, including its authorised agents responsible for the collection, treatment, and disposal of wastewater.

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 wastewater pipe of the Stratford District Council.

DISCONNECT OR DISCONNECTION means the physical cutting or sealing of a private sewer from the public wastewater system.

DOMESTIC WASTEWATER means either 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 11.

DRAIN means that section of private pipe, owned and maintained by the occupier, between the occupier's premises and the point of discharge through which wastewater is conveyed from the premises to the public wastewater system.

DWELLING or **DWELLINGHOUSE** means any building, tent, caravan, or other structure or erection, whether permanent or temporary, that is used or intended to be used in whole or in part for human habitation.

HAZARDOUS MATERIAL/SUBSTANCE means:

- a. raw material(s), product(s) or waste(s) containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
- b. 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 to the health and safety of any person or harmful to the wastewater system; or
- c. contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organism Act 1996; or
- d. meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZ Standard 5433: 1999 – Transport of Dangerous Goods on Land; or
- e. meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982

INFILTRATION means water entering a public wastewater pipe 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 drainlaying faults. It includes stormwater entering through illegal downpipe connections or from low gully traps.

LOW FLOW SHOWER HEAD means 3 Stars or higher under the Water Efficiency Labelling Scheme (WELS). 3 Stars is 7.5 to 9 litres/minute.

OWNER means in relation to any premises, the owner and includes any tenant, agent, manager, foreperson or other person apparently acting in the general management or control of the premises.

PERSON means a person or body of persons whether corporate or unincorporated, and includes the Crown and any successor of a person.

POINT OF DISCHARGE means either:

- a. The connection to the public wastewater pipe; or
- b. The point where the wastewater pipe exits the particular private property (see 0 SCHEDULE B for examples).

PREMISES means either:

- a. A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or
- b. A building that has been defined as an individual unit by a cross-lease, unit title, or
- c. company lease and for which a certificate of title is available; or
- d. Land held in public ownership (e.g. reserve) for a particular purpose; or
- e. Individual units in buildings which are separately leased or separately occupied.

PRIVATE WASTEWATER PIPE/DRAIN means all pipes, pumping stations, storage tanks, wastewater treatment plants, outfalls and other related structures owned by or under the control of the council, used for the receiving, transporting, treating or disposing of wastewater.

PUBLIC WASTEWATER PIPE means the main public wastewater pipe, lateral connections, and associated structures that carry wastewater away from the point of discharge. The public wastewater pipe is owned and maintained by the Stratford District Council.

RISING MAIN means a pressure 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 pipe.

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

TRADE PREMISES means:

- a. Any Premises used or intended to be used for any industrial or trade purpose; or
- b. Any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c. Any other Premises from which a contaminant, as defined by the Resource Management Act, is discharged in connection with any industrial or trade process; or
- d. Any other Premises discharging other than Domestic Wastewater; 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 trade premises to a wastewater system in the course of any business, industrial or trade process or operation, or in the course of any activity or operation of a like nature.

TRADE WASTE BYLAW means the bylaw of the Stratford District Council regulating discharges from trade premises to a wastewater system.

UNACCEPTABLE DISCHARGE means any discharge or waste likely to interfere with the free flow of wastewater in the public system or damage any part of the public wastewater pipe, and includes wet wipes, dental floss, feminine hygiene products, nappies, cotton buds, condoms, clothing, toys, towels, and cloths.

WASTEWATER means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the public wastewater system.

WASTEWATER MAIN means a wastewater pipe, generally greater than 150mm nominal diameter, which forms a part of the Council's wastewater system.

ZONE OF INFLUENCE means a section of ground surrounding a public wastewater pipe where activities are restricted. Refer to Schedule 1 for schematic diagrams showing the extent of the zone of influence.

8 ACCEPTANCE OF DISCHARGE

- 8.1 Every domestic premise shall be entitled to have its wastewater accepted by Council subject to:
- a. The premises lying within an area which is served by public wastewater pipe; and
 - b. Payment of the appropriate rates and charges in respect of the premises in general and wastewater services; and
 - c. Fulfilment of the requirements of this bylaw.

9 APPROVAL TO CONNECT

- 9.1 No person, other than council staff or a contractor approved by Council, shall make any connection to or otherwise interfere with any part of Council's wastewater system.
- 9.2 The acceptance of trade wastes to the wastewater system is subject to the *Stratford District Council Trade Waste Bylaw 2020*.

10 CONTINUITY OF DISCHARGE

- 10.1 Council does not guarantee to receive wastewater without disruption, however, Council will use all reasonable endeavours to ensure that any disruption is kept to a minimum.

11 CONDITIONS OF SERVICE

- 11.1 The maximum instantaneous flow rate discharged from a domestic premise, including swimming pool and spa pools, shall not exceed 2.0 litres/sec.
- 11.2 The maximum daily flow rate discharged from a domestic premise shall not exceed 2 m³/day, unless specific Council approval has been given.
- 11.3 All wastewater discharges shall be consistent with domestic wastewater unless specific Council approval has been given.
- 11.4 In order to meet the principles of sustainable management pursuant to the Resource Management Act 1991 (RMA), Council requires customers to fit the following devices on all new installations:
- a. Dual flush toilet cistern
 - b. Low flow shower heads
 - c. Urinal flushing control
- 11.5 The customer shall allow Council, or its agents, access to and about the point of discharge for the purposes of monitoring, testing and maintenance work between 7.30 am and 6.00 pm on any day. Council shall give 24 hours previous notice to the customer of the intended entry.
- 11.6 Under emergency conditions, or for the purpose of ascertaining whether the drains are being misused, the customer shall allow Council free access to and

about the point of discharge at any time. Prior notice will be provided when this is practical.

- 11.7 Authorisation for entry to a property is given under s 171 of the Local Government Act 2002.
- 11.8 The customer shall allow Council with any necessary equipment, access to any area of the property (excluding a dwelling) for the purposes of ascertaining whether non-complying connections have been made.
- 11.9 The customer shall prevent infiltration and inflow entering the wastewater system. This includes roof downpipes, surface water run-off, overland flow and sub-surface drainage.
- 11.10 Stormwater shall be excluded from the wastewater system by ensuring that:
 - a. There is no connection of any stormwater pipe or drain to the wastewater system;
 - b. Gully trap surrounds are set at least 100mm above stormwater ponding levels, or secondary overland flow path flood levels; and
 - c. Inspection covers are in place and are sealed watertight.

12 DISCONNECTION

- 12.1 A customer shall give seven working days' notice in writing of their intention to demolish or remove a building connected to the wastewater pipe. The demolition or removal shall not commence until the property has been disconnected from the wastewater pipe in an approved manner.
- 12.2 A customer shall give two working days' notice in writing to Council of their requirement for disconnection of the wastewater pipe connection if re-laying of the private drain is required.

13 BUILDING, LOADING AND EXCAVATION AROUND A PUBLIC WASTEWATER SYSTEM

- 13.1 No building shall be constructed over a public wastewater pipe, whether on public or private land, without the prior written approval of Council and subject to any conditions of that approval.
- 13.2 No building shall be constructed within the zone of influence, see 13.4, without the prior written approval of Council and subject to any conditions of that approval.
- 13.3 Where building is allowed over, or adjacent to, a public wastewater pipe, the customer shall enter into a *Memorandum of Encumbrance* with the Council at the customer's cost. No liability will be accepted for damage which may be sustained by the building in the event of a partial or total collapse of that wastewater pipe.
- 13.4 No building shall be built over a public rising main or trunk wastewater pipe, or closer than the greater of:
 - a. 1.5 metres from the centerline of any wastewater pipe; or
 - b. the depth of the centreline line of the wastewater pipe, plus the diameter of the wastewater pipe, plus 0.2 metres from the centreline of that pipe, subject to compliance with section 3.1 of NZS 3604.

- 13.5 Buildings may be built over public wastewater pipe subject to the building developer:
- a. Carrying out sufficient investigations to accurately determine the wastewater pipe's location and depth, and to prove that the wastewater pipe is in a condition where it has a remaining life of at least 50 years;
 - b. Or if a. cannot be satisfied, carrying out remedial work or relaying the wastewater pipe to meet the requirements of c. and d. below;
 - c. Bore piling the building
 - i. 1 metre clear distance either side of the wastewater pipe to below the wastewater pipe invert to ensure that no building loads are transferred to the wastewater pipe and that it is possible to excavate down to the wastewater pipe without threat to the building;
 - ii. providing two additional manholes into the wastewater pipe between 2 and 3 metres from the edge of the building at the points it enters and leaves the building (unless there is an existing manhole within 10 metres);
 - iii. provided that the wastewater pipe lies in a straight line and that there are no other connections between these two manholes.
 - d. Carrying out all work on and around the wastewater pipe in accordance with Council's NZS 4404:2010 (2019 Local Amendments and subsequent amendments)
 - e. Registering the public wastewater pipe by a Memorandum or Encumbrance and Deed of Covenant against the Certificate of Title.
- 13.6 No person shall cause the crushing load imposed on a public wastewater pipe to exceed that which would arise from the soil overburden plus HN-HO-72 wheel or axle load (as defined by the New Zealand Transport Agency (NZTA) Bridge Manual 2013).
- 13.7 No person shall place any additional material over or near a public pipe without approval.
- 13.8 No person shall change the elevation of the land above a public wastewater pipe unless specific Council approval has been given.
- 13.9 Service openings shall not be covered in any way unless approved. The removal of any covering material or adjustment of the opening shall be subject to specific Council approval and at the property owner's expense.
- 13.10 No person shall excavate, or carry out piling or similar work, without specific Council approval, closer than:
- a. 5 metres from the centreline of any rising main or trunk wastewater pipe; or
 - b. 2 metres from the centreline of any public wastewater pipe .
- The approval, if granted, may impose conditions on the carrying out of any work near the wastewater system.

14 STORAGE OF HAZARDOUS MATERIALS

- 14.1 The customer shall not 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 Council's wastewater system or the health and safety of Council's staff, contractors and the public, without taking all reasonable steps to prevent entry into Council's wastewater pipe from leakage, spillage or other mishap.

- 14.2 Every customer shall comply with the requirements of New Zealand legislation and Regulations.

15 OFFENCES, BREACHES AND REMEDIES

- 15.1 Every customer who:
- a. Fails to comply with or acts in contravention of any provision of this bylaw;
 - b. Breaches the conditions of any consent to discharge granted pursuant to this bylaw; or
 - c. Fails to comply with a notice served under this bylaw,
- commits an offence under s. 239 of the of the Local Government Act 2002.
- 15.2 In the event of a breach of statutory or other legal requirements, the 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, the Council may charge a re-inspection fee.
- 15.3 If however the breach is such that public health, or safety considerations, or risk of consequential damage to Council's assets is such that delay would create unacceptable risks, the Council may take immediate action to rectify the defect, and recover all reasonable costs.
- 15.4 At any time after the specified period of 15.22 has elapsed, Council may carry out 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.
- 15.5 Every person who breaches this Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable on summary conviction to a fine not exceeding \$20,000 under section 242(2) of the Local Government Act 2002, or the issue of an Infringement Notice under section 245 of the Local Government Act 2002.
- 15.6 The Council may apply to the District Court under section 162 of the Local Government Act 2002 for an injunction restraining a person from committing a breach of this Bylaw.
- 15.7 In all cases the Council may recover costs associated with damage to the Council wastewater system and/or breach of this bylaw in accordance with section 175 and section 176 of the Local Government Act 2002 respectively.

16 DOMESTIC WASTEWATER

- 16.1 No domestic wastewater shall exceed the substance limits in SCHEDULE A
- 16.2 Where part of domestic premises is used as an office or other trade related

activity from which no trade wastes could be produced, and which no other persons apart from those living at those premises use, then it shall be treated as domestic premises. Any trade activity which produces or has the potential to produce a wastewater shall be treated as being from trade premises and subject to the Trade Waste Bylaw.

17 ACCEPTANCE AND DURATION

- 17.1 The Council shall continue to accept wastewater from domestic premises once an approved connection to the public wastewater pipe has been made. Disconnection of the wastewater pipe, or restriction of the water supply are not options available in the event of non-compliance with the law and/or bylaws by the customer.
- 17.2 In the event of domestic premises changing ownership, the new owner shall automatically become the new customer of that premise.

18 APPLICATION TO CONNECT

- 18.1 Every application for a wastewater service connection shall be made in writing on the prescribed form together with the prescribed charges. The applicant shall provide all the details required by Council. An application shall be made whether or not a public wastewater pipe has already been laid up to the point of discharge.
- 18.2 Where an application has been accepted by Council which requires a new public wastewater pipe connection to be constructed from the existing public wastewater pipe to the point of discharge, the customer shall pay such charges as fixed by Council for this work. Council shall supply and install the public wastewater pipe to the point of discharge except as provided for in 18.3.
- 18.3 Where a new public wastewater pipe is required as part of a subdivision development, the developer shall provide all the drainage works subject to the approval by Council of the design and construction of the works.

19 POINT OF DISCHARGE

- 19.1 The point of discharge from a customer shall be the point on the public wastewater pipe which marks the boundary of responsibility between the customer and the Council, irrespective of property boundaries (See SCHEDULE B for examples)
- 19.2 Unless otherwise approved there shall be one point of discharge only for each premise, and any private drain shall not extend by pipe or any other means to serve another premise unless it is a common private drain.

SCHEDULES

SCHEDULE A – CHARACTERISTIC LIMITS FOR DOMESTIC WASTEWATER

- a. Temperature – must not exceed 50°C.
- b. pH must be between 6.0 and 10.0 at all times.
- c. Solids which may block the wastewater system including pumps are prohibited. These include dry solids, non-faecal solids in excess of 15 mm, heavy solids which settle faster than 50 mm/minute, fibrous material, sheet films and anything which may react to form a solid mass or interfere with the free flow of wastewater in the system.
- d. Solvents, fuels and organic fluids (including oil, fat and grease) must not be present as a free layer (whether floating or settled).
- e. Dissolved or emulsified solvents, fuels and organic liquids are prohibited.
- f. Emulsified oils must not exceed 500g/m³ and the emulsion must be stable.
- g. Sulphides must not exceed 5g/m³ (as H₂S on acidification).
- h. Oxidised sulphur compounds must not exceed 500 gm³ (as sulphate).
- i. Heavy metals are prohibited.
- j. Pesticides are prohibited.
- k. Stormwater and condensing or cooling waters are prohibited.

SCHEDULE B – POINT OF DISCHARGE LOCATION

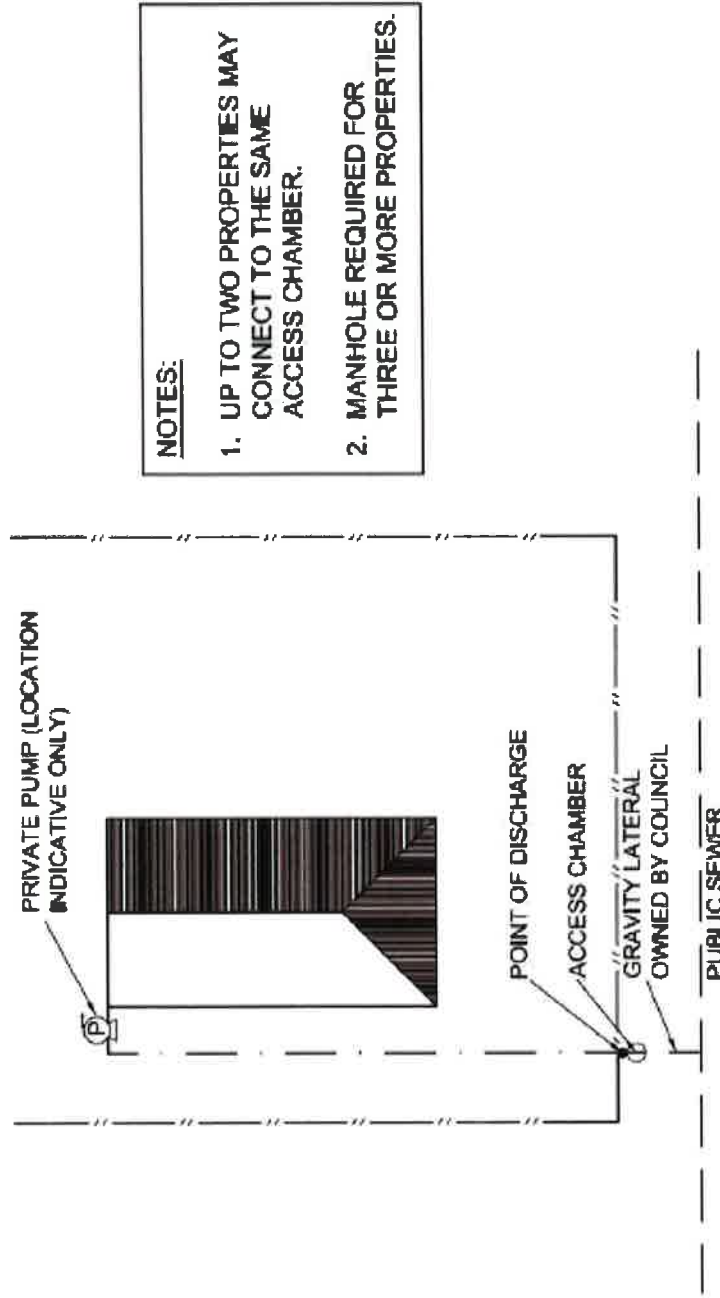


Figure 1: Point of Discharge - Pumping line to gravity lateral at Boundary

Note: All references to 'Sewer' means Wastewater Pipe

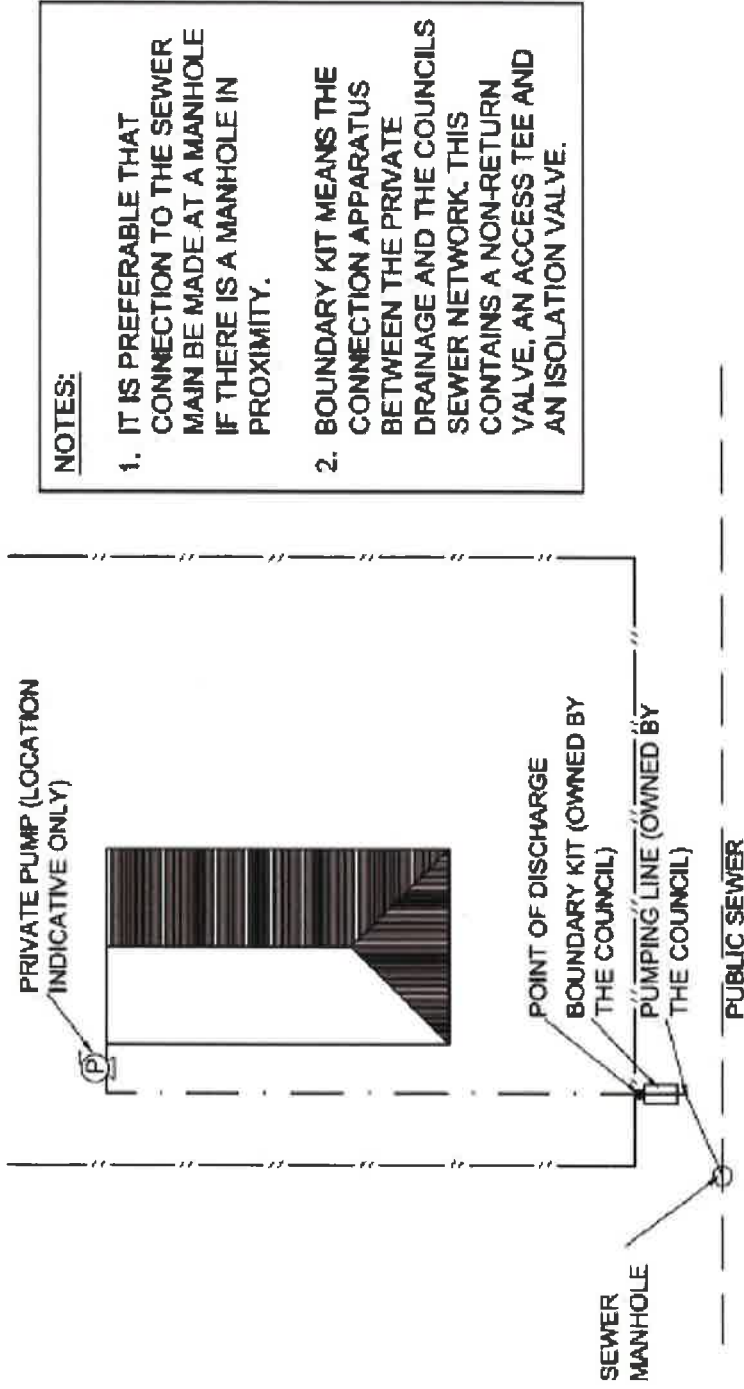
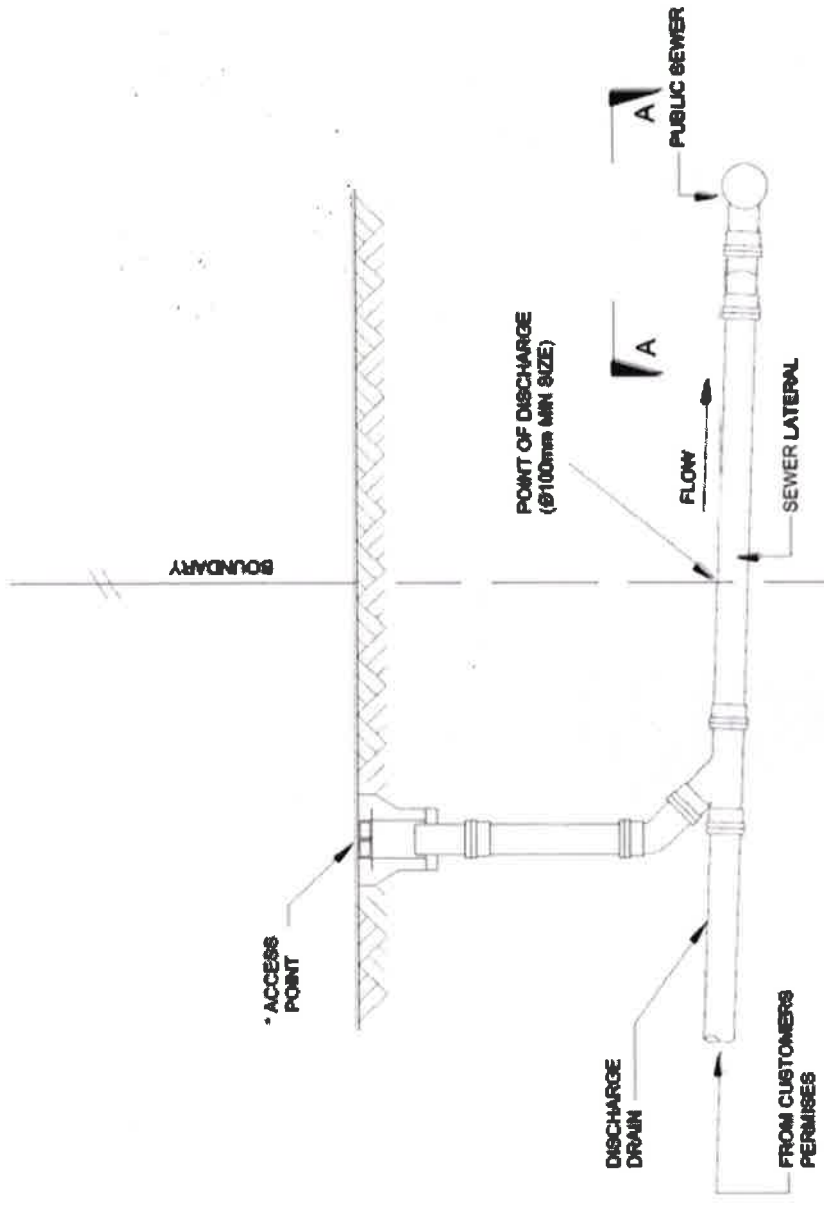


Figure 2: Point of Discharge – Pumping line to Pumping line at Boundary

Note: All references to 'Sewer' means Wastewater Pipe

SCHEDULE C – LAYOUT AT POINT OF DISCHARGE



• RODDING POINTS SHOWN, REFER TO NEW ZEALAND BUILDING CODE FOR THE ALLOWABLE TYPES OF ACCESS POINTS

Figure 3: Layout of Point of Discharge for a Traditional Gravity Wastewater System

Note: All references to 'Sewer' means *Wastewater Pipe*

This Bylaw was made by the Stratford District Council on 1 June 2020.

THE COMMON SEAL of the STRATFORD DISTRICT COUNCIL was hereto affixed by resolution of said Council in the presence of:



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Mayor



.....

Chief Executive



