

SELWYN DISTRICT COUNCIL WASTEWATER DRAINAGE BYLAW 2009

1. TITLE

- 1.1 A Bylaw of the Selwyn District Council pursuant to the powers and authority vested in the Council by the Local Government Act 2002 and all other Acts, powers and authorities enabling it in that behalf to make a Bylaw to be known as the Selwyn District Council Wastewater Drainage Bylaw 2009.

2. DATE OF COMMENCEMENT

- 2.1 This Bylaw comes into force on 1 July 2009.

3. APPLICATION OF BYLAW

- 3.1 This Bylaw applies in respect of the wastewater system maintained by the Selwyn District Council and to the discharge of wastewater and other substances into that system.
- 3.2 Nothing in this Bylaw authorises the discharge of trade wastes that are subject to the Trade Waste Bylaw 2009.

4. DEFINITIONS

References to a repealed enactment include its replacement.

For the purpose of this Bylaw, unless the context otherwise requires:

"Approve or Approved" means approval in writing by the Council, either by resolution of the Council or by any authorised officer of the Council authorised for that purpose.

"Authorised Officer" means a person appointed by the Council to perform duties required under this Bylaw.

"Buried Services" means all public sewers, rising mains, trunk sewers and other underground utilities owned or managed by the Council.

"Characteristic" has the same meaning as in the Trade Waste Bylaw 2009.

"Council" means the Selwyn District Council or any officer authorised to exercise the authority of the Council.

"Customer" means a person who discharges, or has the right to discharge wastewater to the wastewater system with the consent of Council.

"Discharge" means discharge of wastewater into the wastewater system whether directly or indirectly.

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

“Dwelling” means any building or buildings or any part of a building or buildings which is used as a self-contained area for accommodation or residence by one or more persons. A dwelling does not include any part of a farm building, business building or accessory building which contains bathroom or kitchen facilities which are used solely for the convenience of staff, or contract workers who reside off-site, or day visitors to the site; unless that building or part of a building is being used for overnight accommodation.

“Excavation” means any works including tunnelling, thrust boring, cultivation, post driving, or any disturbance of land.

“Fees and Charges” means the fees and charges determined by the Council from time to time in accordance with the Local Government Act 2002 and the Local Government (Rating) Act 2002 for services provided by the Council associated with the discharge of wastewater.

“Infiltration” means groundwater entering a public sewer or private drain through defects such as poor joints, and cracks in pipes or manholes.

“Inflow” means water discharged into a private drain from unauthorised connections or drain laying faults and includes stormwater entering through unauthorised down pipe connections or from low gully traps.

“Person” means a natural person, corporation or a body of persons whether corporate or otherwise.

“Point of Discharge” is the boundary between the Council’s sewerage system and a private drain.

“Private Sewer Drain” means that section of the sewer between premises and the point of discharge.

“Prohibited Characteristics” has the same meaning as in the Trade Waste Bylaw 2009.

“Public Notice” has the same meaning as in the Local Government Act 2002.

“Public Sewer Lateral” means that section of the sewer between the public sewer main and a private sewer drain.

“Public Sewer Main” means that section of the sewer that carries away wastewater from the public sewer lateral.

“Rising Main” means a sewer through which wastewater is pumped.

“Service Opening” means a manhole, inspection chamber, rodding eye or similar means for gaining access for inspection, cleaning or maintenance, to a public sewer.

“Sewer” means the public sewer main and public sewer laterals that carry away wastewater from the point of discharge.

“Sewage” means foul water.

“Stormwater” means all surface water run-offs resulting from precipitation.

“Trade Waste” means any liquid, with or without matter in suspension or solution discharged to the sewerage system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing or cooling water, stormwater which cannot be practically separated from wastewater, or domestic sewage.

“Trade Waste Bylaw” means the Selwyn District Council Trade Waste Bylaw 2009.

“Trunk Sewer” means a sewer, having a diameter of 150mm or greater, which forms part of the principal drainage network of the wastewater system.

“Wastewater” means water or other liquid, including waste matter in solution or suspension, discharged into the sewer.

“Wastewater System” means the Council’s public sewer system, and all its component parts, through which wastewater is conveyed.

“Working Day” means any day of the week other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s birthday, Labour Day; and
- (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.

5. PROTECTION OF WASTEWATER SYSTEM

5.1 Wastewater System

5.1.1 Access to system

No person other than the Council and its authorised agents may access any part of a wastewater system, except to:

- 1. make approved connections to the point of discharge; and
- 2. to clear blockages,

provided such work is undertaken by persons approved by the Council.

5.1.2 No person to connect to, or interfere with a wastewater system

No person may make any connection to, or otherwise interfere with, any part of the wastewater system except when approved by the Council.

5.1.3 Working around buried services

- (a) Any person causing damage or disruption to the wastewater system is liable for the cost of repairs and any other costs incurred as a result of the damage or disruption.
- (b) Any damage or disruption to the wastewater system must be reported to the Council immediately.
- (c) No person may undertake any excavation work within 2 metres of any part of the wastewater system, except with the prior written approval of the Council.

- (d) When granting approval for excavation work near the wastewater system, the Council may impose such conditions as it considers necessary.

5.1.4 Building over or diversion of wastewater system

- (a) No person may build over or divert any part of the wastewater system except with the prior approval of the Council.
- (b) The Council may grant such approval subject to any conditions it considers necessary.
- (c) All costs arising from such work must be met by the person seeking to undertake the building work or diversion.

5.1.5 Spillages and adverse events

The occupier of premises at which sewage is spilt, or where any other event occurs which may have an adverse effect on the wastewater system, must notify the Council immediately.

6. CONDITIONS OF DISCHARGE

6.1 Flow Rate

- (a) The maximum instantaneous flow rate of wastewater discharged from any premises must not exceed 2.0 litres per second unless otherwise approved.
- (b) The maximum daily flow rate of wastewater discharged from any premises must not exceed any amount the Council notifies the occupier or owner is the maximum for those premises.

6.2 Prescribed charges

Charges applicable at the time of connection may include:

- (a) An application fee; and
- (b) A charge for providing the connection as detailed in the schedule of fees; and
- (c) A development contribution charge determined in accordance with the Local Government Act 2002.

6.3 Point of Discharge

6.3.1 Responsibility for maintenance

The Council owns and is responsible for the maintenance of the wastewater system including the pipe and fittings up to the point of discharge.

The customer owns and is responsible for the maintenance of the private sewer drain connecting the premises to the point of discharge.

6.3.2 There may be only one point of discharge for each premises unless otherwise approved.

6.3.3 No person may extend a private sewer drain, by a pipe or any other means, to serve another premises except where the premises are served by a common property drain or easement.

6.4 Point of discharge

6.4.1 For individual customers the point of discharge must be located generally in accordance with Figures 1, 2, or 3, whichever is appropriate, or as close as possible to that point.

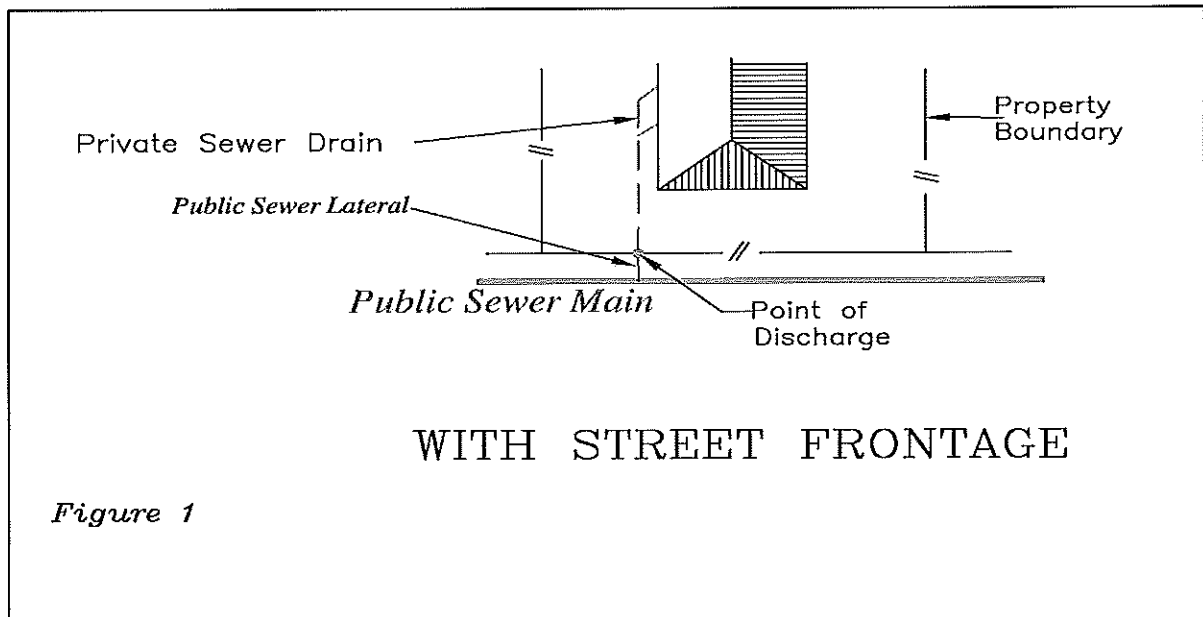


Figure 1: Typical layout at point of discharge – Individual customers

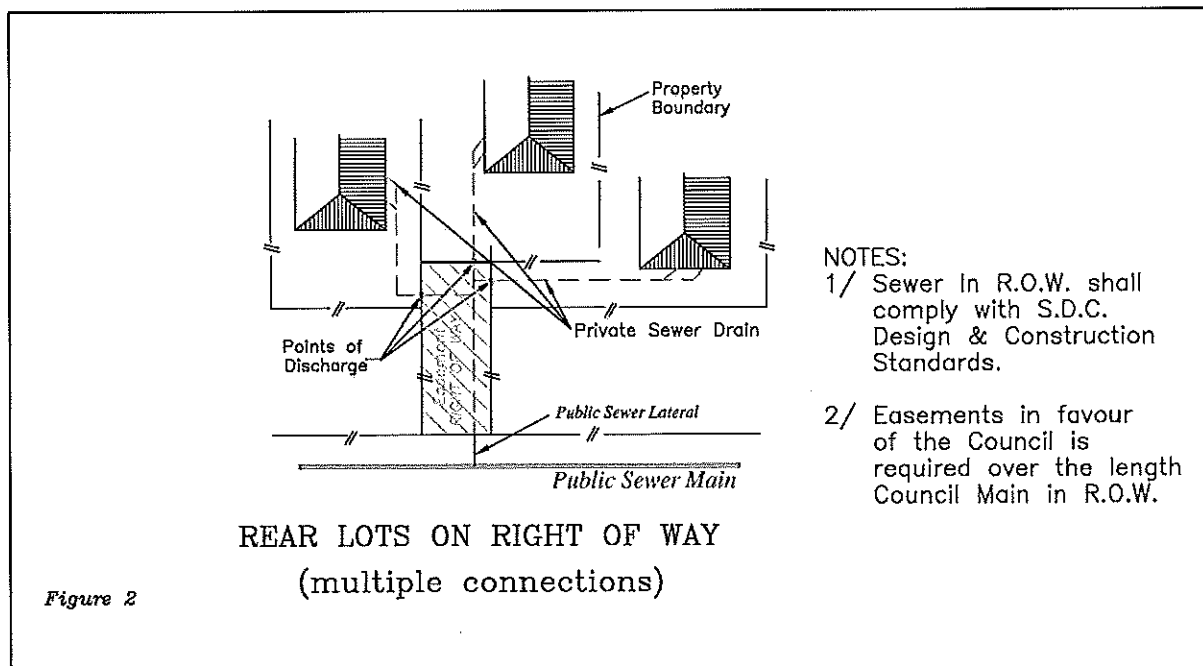


Figure 2: Typical layout at point of discharge – Individual customers multiple connections rear lots on Right of Way – Easement required.

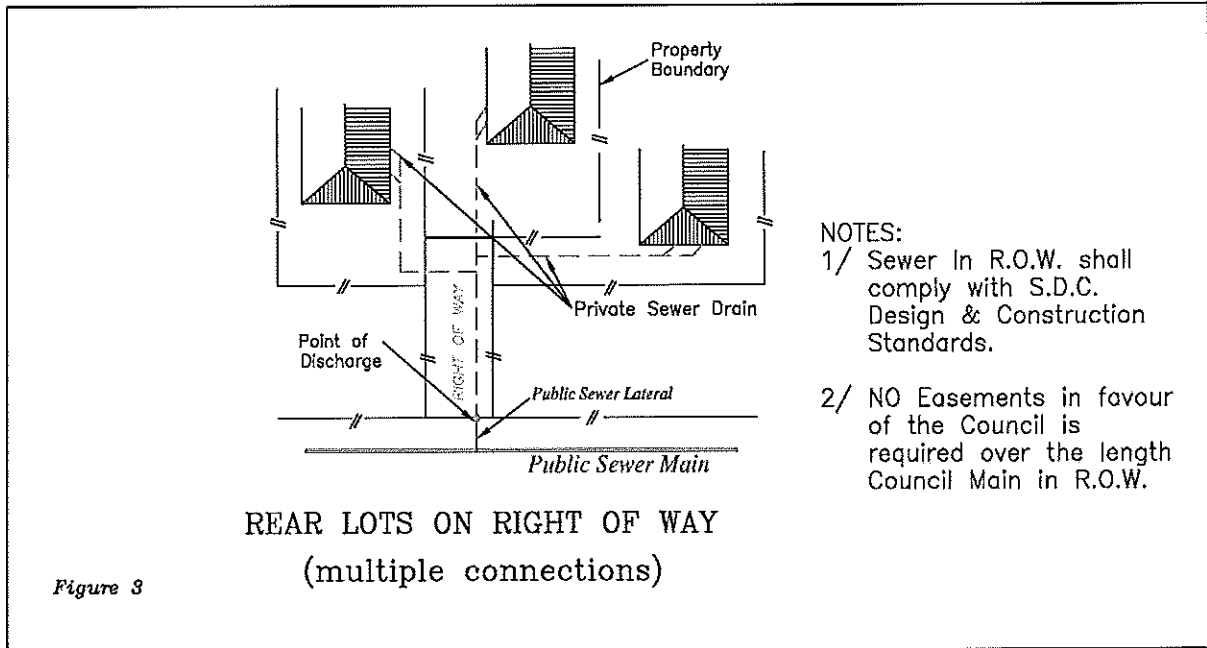


Figure 3: Typical layout at point of discharge – Individual customers multiple connections rear lots on Right of Way – No easement required.

6.4.2 The typical layout for a public sewer main on private land must be in accordance with Figure 4.

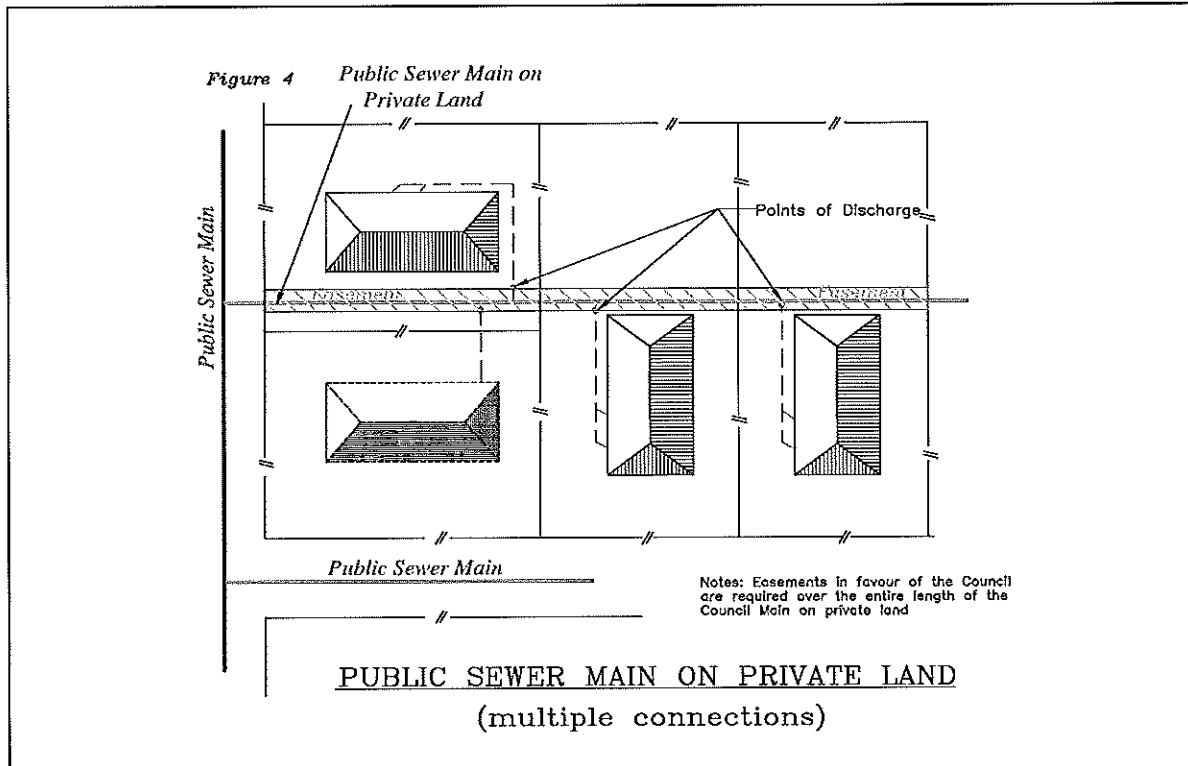


Figure 4: Typical layout at point of discharge – Public sewer main on private land – Easement required.

6.4.3 Common private drains

Common private drains of 150mm diameter can serve multiple connections and may have one common point of discharge and must be located in accordance with Figure 5. Common private drains of 100mm diameter may serve a maximum of five single dwelling units, may have one common point of discharge and must be located in accordance with Figure 6.

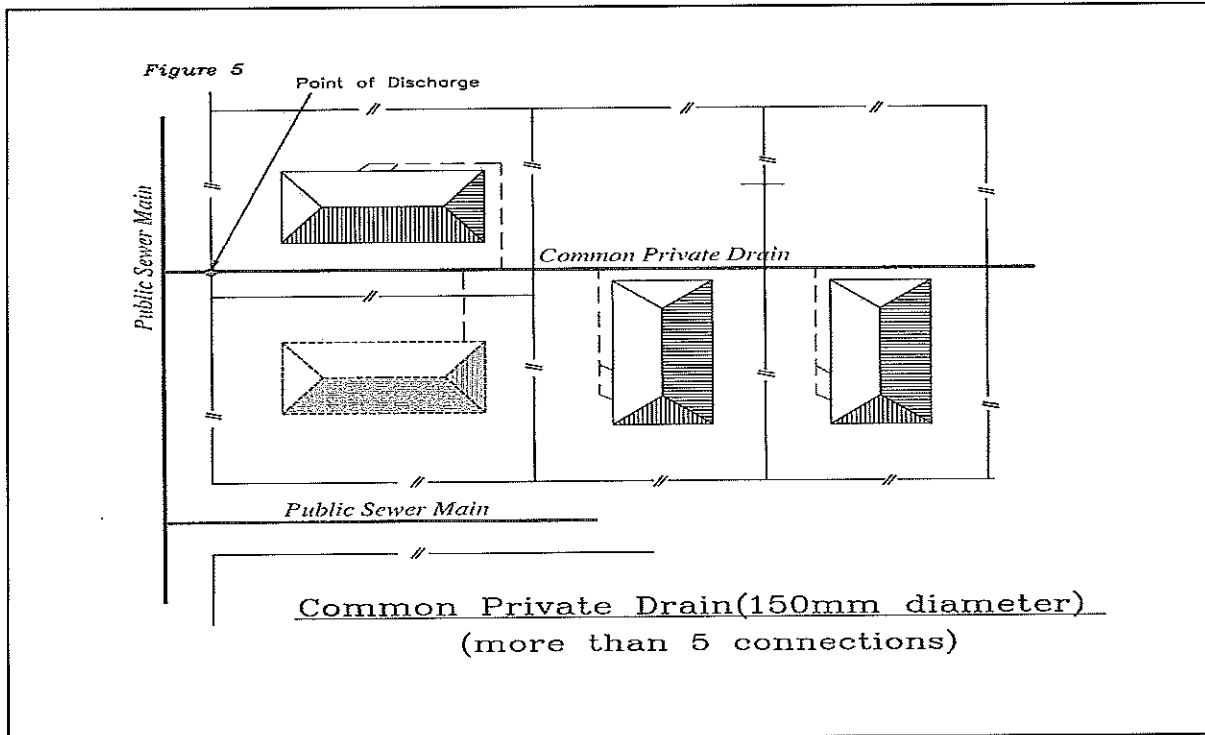


Figure 5: Typical layout at point of discharge – Common private drain–150mm diameter

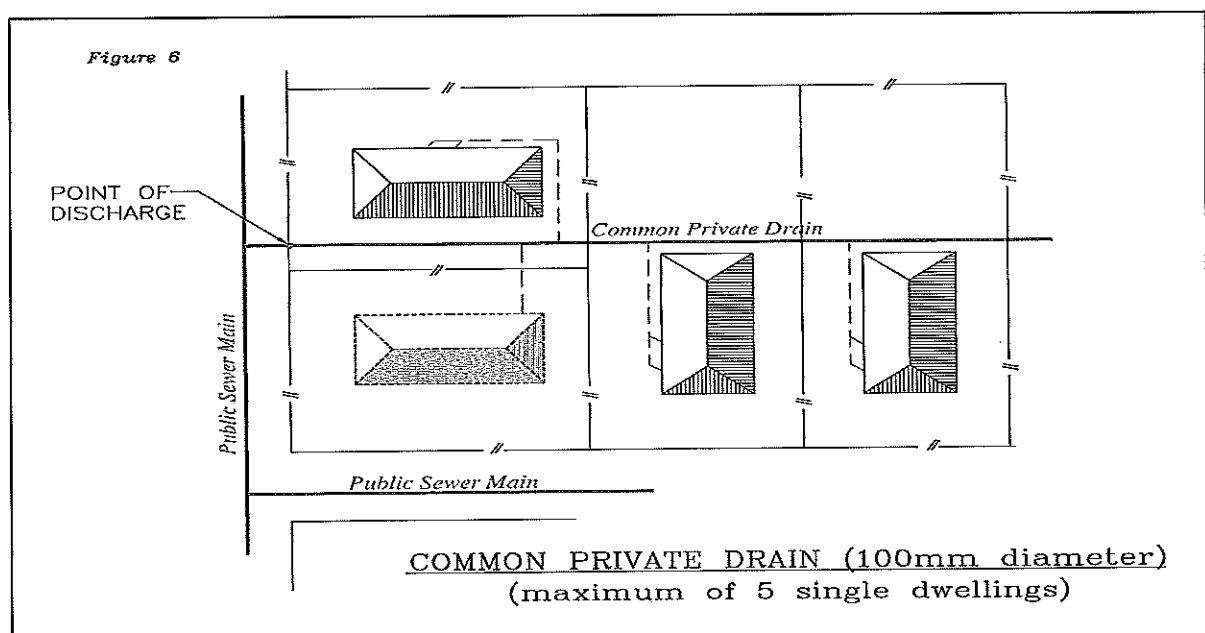


Figure 6: Typical layout at point of discharge – Common private drain 100mm diameter

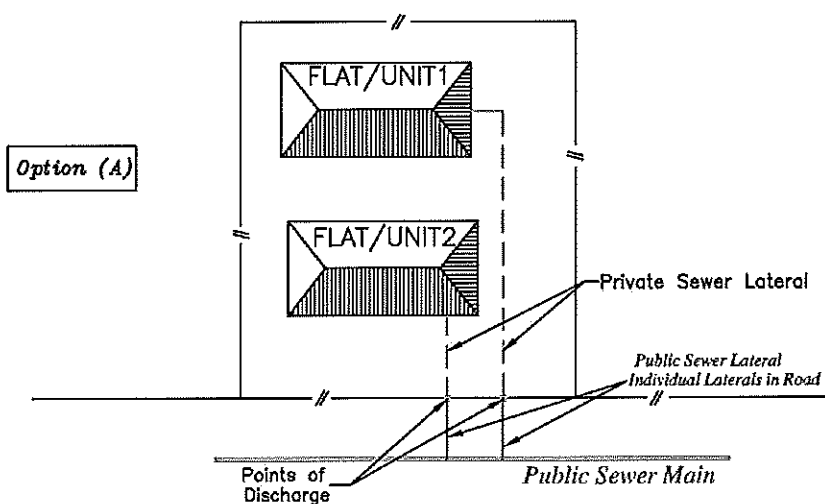
6.4.4 Multiple ownership

The point of discharge for different forms of multiple ownership premises must be as follows, and in accordance with Figure 7, unless the Council approves alternative arrangements.

- (a) Premises that have multiple owners but only one valuation number may have a single point of discharge.
- (b) Premises that have multiple owners and multiple valuation numbers may have one point of discharge per valuation number.
- (c) Premises that have multiple owners, where the discharge existed prior to the commencement of this Bylaw, may have a point of discharge in accordance with the arrangement existing at that time, or as determined by agreement with the Council in any individual case.

6.4.5 Each point of discharge must be approved by the Council and recorded on the drainage plan.

INDIVIDUAL CONNECTION TO PUBLIC SEWER MAIN FOR MULTIPLE DWELLINGS



OR

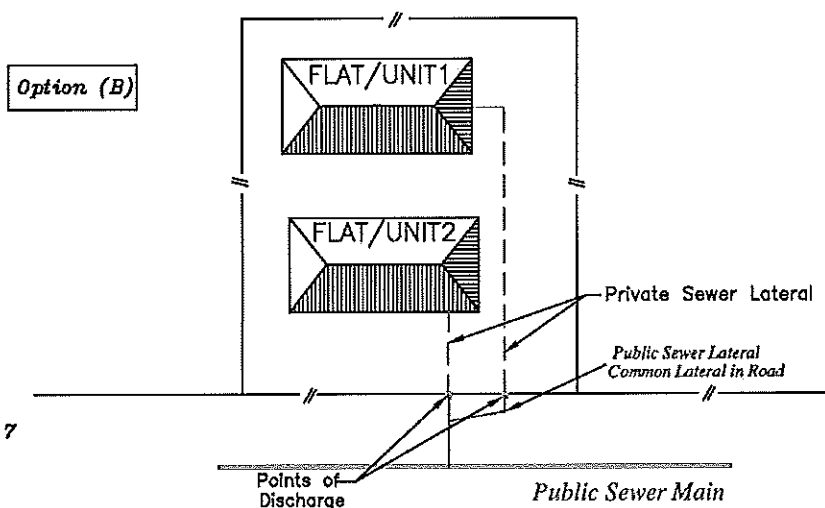


Figure 7

Figure 7: Typical layout at point of discharge – Multiple dwellings

6.5 Swimming Pools

Swimming pool drains must be fitted with a flow limiting device to ensure the discharge does not exceed a maximum instantaneous flow of 2.0 litres/second.

6.6 Prevention of Inflow and Infiltration

6.6.1 All reasonable steps must be taken to prevent stormwater and groundwater from entering the wastewater system.

6.6.2 To ensure that stormwater is excluded from the wastewater system:

- (a) No stormwater pipe or drain may be connected to the wastewater system.
- (b) Gully trap surrounds must be set above stormwater ponding levels and above flood levels.
- (c) Inspection covers must not be permanently removed and must be appropriately sealed.

6.6.3 Large impervious areas greater than 10m² (such as stock yards or truck washing facilities), must be managed to prevent water from outside the facility entering the wastewater system, by the installation of a nib wall, speed humps, appropriately graded surrounds or using other appropriate methods subject to approval.

6.6.4 Private sewer drains must be maintained in a good state of repair and free from cracks and other defects which may allow for infiltration.

6.7 Blockages

6.7.1 Gully traps must be kept clear and free of obstructions.

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

6.8 Loading of Material over Public Sewers

6.8.1 No person may place material or objects over a public sewer whose weight causes or may cause damage to that sewer.

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

6.8.3 Service openings must not be covered except with approval. The owner of the premises is liable for removal of any unauthorised covering material or repair of a service opening that the Council determines is necessary.

6.9 Access to, and About Point of Discharge

6.9.1 Rights of Access

In accordance with section 171 of the Local Government Act 2002, an authorised officer of the Council may go onto a property to access a point of discharge for the purpose of checking, testing, and maintenance work including repair, replacement and capital works.

6.9.2 If the authorised officer of the Council is prevented from having access to the property and a return visit is required, the Council may charge a fee for that visit.

6.10 Continuity of Discharge

6.10.1 Restrictions for repair or in an emergency

The Council may restrict or prohibit the discharge of wastewater for any specified purpose, for any specified period, and for any or all of its customers, subject to the provisions of the Local Government Act 2002. Such restrictions will be advised by public notice.

6.11 Payment

6.11.1 The customer is liable to pay for the discharge of wastewater and related services in accordance with the Council fees and charges prevailing at the time.

6.11.2 The Council may recover all unpaid wastewater charges in accordance with sections 57 to 82 of the Local Government (Rating) Act 2002.

6.12 Disconnection at the Customer's Request

6.12.1 A customer must give seven (7) working days notice in writing to the Council of a requirement for disconnection, whether permanent or temporary, from the wastewater system. Disconnection is at the customer's cost.

7. BREACHES AND INFRINGEMENT OFFENCES

7.1 Every person who fails to comply with this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000 or as set out in section 242 of the Local Government Act 2002.

7.2 Every person commits an offence who:

- (a) Contravenes these Bylaws.
- (b) Fails to repair a damaged or broken private sewer drain on his or her property.
- (c) Knowingly causes or allows inflow into the public sewer system.
- (d) Discharges more than 2.0 litres/second of wastewater to the public sewer system without the Council's approval.

- (e) Fails to comply with any temporary use restrictions or prohibitions imposed by the Council on the use of the wastewater system.
- (f) Makes a connection to the wastewater system without written approval.
- (g) Interferes with the wastewater system.

The **COMMON SEAL** of the
SELWYN DISTRICT COUNCIL
was hereunto affixed, in accordance
with the Special Order made by the
Council on 27 May 2009
in the presence of:



Mayor

Chief Executive