



ORDINARY MEETING OF COUNCIL

Open Attachments (Under separate cover 1)

Meeting Date: Thursday 14 July 2022

Time: 9.30am

Venue: Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

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Napier City Council Integrated Trade Waste and Wastewater Bylaw 2022

Bylaw Structure

There are three parts to this Bylaw:

- Part A Requirements Common to All Wastewater Services
- Part B Trade Waste
- Part C Wastewater Drainage

Part A. Requirements Common to All Wastewater Services

A.1 Title and Commencement

A.1.1 This Bylaw is the “Integrated Trade Waste and Wastewater Bylaw 2022”.

A.1.2 This Bylaw comes into force on 14th July 2022.

A.2 Administration Manual

A.2.1 This Bylaw is supported by an Administration Manual which provides technical, administrative or operational material complementary to the Bylaw. The Administration Manual is made under the Bylaw and will guide the implementation and operation of the Bylaw and simplify its administration.

A.2.2 The Administration Manual will be updated from time to time, as necessary, to ensure that it is up to date and reflects current practice. All matters that the Administration Manual defines, regulates, controls or prohibits related to this Bylaw, are matters that this Bylaw leaves to be addressed by resolution of Council under section 151(2) of the Local Government Act 2002.

A.3 Revocation

A.3.1 The Trade Waste Bylaw 2014 is revoked.

A.4 Area within which Bylaw applies

A.4.1 This Bylaw applies to those areas of the District which are serviced by the Public Wastewater System. The Public Wastewater System is core infrastructure installed, owned and managed by the Council. It provides for the collection, treatment and discharge of Wastewater, including Domestic Wastewater and Trade Waste.

A.5 Interpretation

A.5.1 The Legislation Act 2019 applies to this Bylaw and the Administration Manual.

A.5.2 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without any formality.

- A.5.3 Any reference in this Bylaw to repealed legislation, bylaws, regulations or standards, is a reference to legislation that, with or without modification, replaces, or that corresponds to, the legislation, bylaw, regulation or standard, repealed.
- A.5.4 So far as they are applicable, and are not contrary to the application of this Bylaw, the provisions of the Napier City Introductory Bylaw are incorporated into and form part of this Bylaw.

A.6 Compliance with Other Acts and Regulations

- A.6.1 This Bylaw is made under section 146 of the Local Government Act 2002 for the provision of Wastewater Services by the Council.
- A.6.2 Compliance with this Bylaw does not remove the need to comply with the requirements of any other applicable legislation, bylaws, regulations or standards. In the event of any inconsistency, the more stringent requirement applies.
- A.6.3 Nothing in this Bylaw overrides the conditions of any resource consent granted by the Hawke's Bay Regional Council which specifically address Wastewater drainage and disposal.

A.7 Parties required to comply with the Bylaw

- A.7.1 This Bylaw applies to the following parties who utilise the Wastewater Services:
- a. Customers discharging Domestic Wastewater to Council's Public Wastewater System; and
 - b. Operators discharging Trade Waste to Council's Public Wastewater System.

A.8 Delegation

- A.8.1 Any of the various powers and functions of the Council as detailed and set out in this Bylaw may be delegated by the Council to any officer or authorised agent of the Council.

A.9 Definitions

- A.9.1 For the purpose of the Bylaw and the Administration Manual, unless inconsistent with the context, the following definitions apply:

Acceptable Discharge means a discharge of Domestic Wastewater with Characteristics that comply with the requirements of Permitted Trade Waste as defined in Part B of this Bylaw.

Administration Manual means the Administration Manual for the Bylaw, as approved by the Council when the Bylaw was made and as amended from time to time by the Council.

Approval means approved in writing by the Council, either by resolution of the Council or by an officer of the Council authorised for that purpose or other Person authorised to give such approval on behalf of Council.

Approval Notice means an Approval authorising a Person to discharge Permitted Trade Waste to the Public Wastewater System.

Authorised Officer means an officer or an agent appointed by the Council and given powers to perform duties and functions under the Bylaw, and includes an enforcement officer warranted and appointed under sections 171 and 177 of the Local Government Act 2002.

Boundary Kit means the isolation valve and non-return valve installed on an individual Premise's Low Pressure Sewer lateral located on the legal boundary.

Building means any Building within the meaning of sections 8 and 9 of the Building Act 2004. A Building also includes any mobile or temporary structures with permanent or temporary connections to the Wastewater Services.

