



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

**I hereby give notice that the
Assets Committee Meeting
will be held on:**

Date: Tuesday, 2 November 2021

Time: 1.30pm

**Location: Council Chamber, Third Floor
Office of the Waitaki District Council
20 Thames Street, Oamaru**

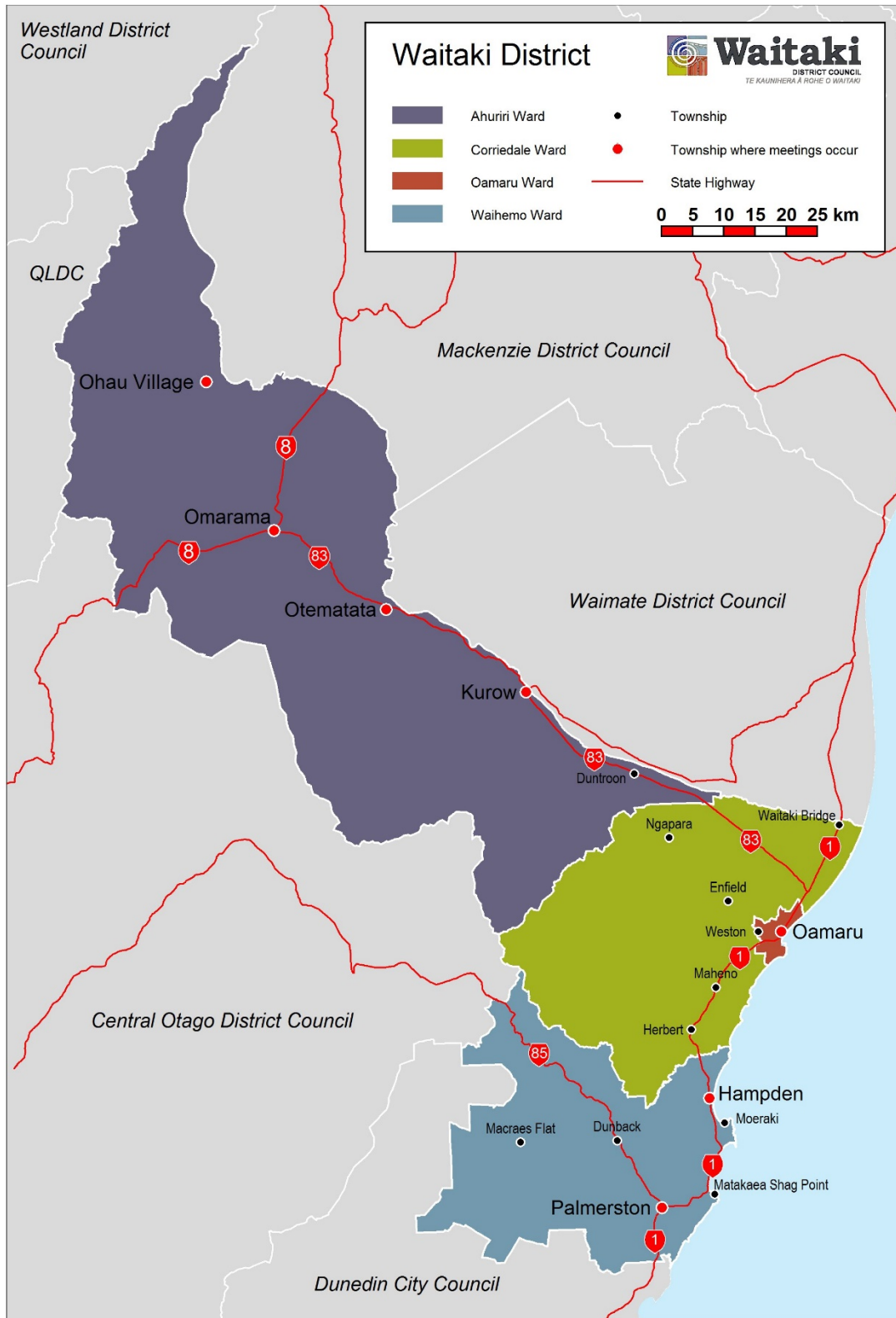
Agenda

Assets Committee Meeting 2 November 2021

Assets Committee Membership:

Cr Bill Kingan	Chairperson
Mayor Gary Kircher	Associate Chair
Cr Jeremy Holding	Member
Cr Guy Percival	Member
Deputy Mayor Melanie Tavendale	Member
Cr Jim Thomson	Member
Cr Kelli Williams	Member
Cr Colin Wollstein	Member

**Alex Parmley
Chief Executive**



STRATEGIC FRAMEWORK

Waitaki

THE BEST PLACE TO BE!

Waitaki - Whenua taurikura

EMPOWERING OUR PEOPLE AND PLACE TO THRIVE

Whakapuāwai takata, Whakapuāwai whenua

COMMUNITY OUTCOMES

economic

PROSPEROUS DISTRICT

- Attractive to new opportunities
- Support local businesses
- Foster a diverse and resilient economy

social and cultural

STRONG COMMUNITIES

- Enable safe and healthy communities
- Connected, inclusive communities
- Promoting a greater voice for Waitaki
- Celebration of our community identity

environment

VALUED ENVIRONMENT

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

STRATEGIC PRIORITIES

Providing high-quality core infrastructure and services

Determining the best way to deliver 3-waters for the community

Working with the community to respond to COVID-19 challenges

Creating a District Plan that is fit for Waitaki's future

Striving towards better Council performance

Driving best value for rates

Ensuring we get core business done while delivering on our strategic priorities and achieving our community outcomes



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- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**

3 CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 PUBLIC MINUTES OF THE ASSETS COMMITTEE MEETING HELD ON 21 SEPTEMBER 2021

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Culture Group Manager

Attachments: 1. **Public Minutes of the Assets Committee Meeting held on 21 September 2021**

RECOMMENDATION

That the Assets Committee confirms the Public Minutes of the Assets Committee Meeting held on 21 September 2021, as circulated, as a true and correct record of that meeting.

UNCONFIRMED MINUTES

**OF THE ASSETS COMMITTEE MEETING
HELD IN THE COUNCIL CHAMBER, THIRD FLOOR,
OFFICE OF THE WAITAKI DISTRICT COUNCIL, 20 THAMES STREET, OAMARU
AND VIA ZOOM VIDEO-CONFERENCE
ON TUESDAY, 21 SEPTEMBER 2021 AT 10.18AM**

PRESENT: Cr Bill Kingan (Chair), Mayor Gary Kircher (Associate Chair), Cr Jeremy Holding, Cr Guy Percival (via Zoom), Deputy Mayor Melanie Tavendale, Cr Jim Thomson, Cr Kelli Williams, and Cr Colin Wollstein

IN ATTENDANCE: Mr Simon Neale, Independent Member of the Performance, Audit and Risk Committee (via Zoom)
Cr Hana Halalele
Cr Jim Hopkins
Cr Ross McRobie (via Zoom)
Alex Parmley (Chief Executive)
Paul Hope (Acting Assets Group Manager / Finance and Corporate Development Group Manager)
Bill Chou (Information Services Group Manager)
Ainslee Hooper (Governance and Policy Advisor)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS (VIA ZOOM UNLESS OTHERWISE STATED)

Joshua Rendell (Assets Operations Manager)
Martin Pacey (Water Services Manager)
Erik van der Spek (Recreation Manager)
Mike Harrison (Roading Manager) (in the Council Chamber)
Renee Julius (Property Manager)

MEETING OPEN

The Chair declared the meeting open at 10.18am and welcomed everyone present.

1 APOLOGIES

There were no apologies.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 CONFIRMATION OF PREVIOUS MEETING MINUTES

3.1 PUBLIC MINUTES OF THE ASSETS COMMITTEE MEETING HELD ON 10 AUGUST 2021

RESOLVED AC 2021/024

Moved: Cr Jeremy Holding

Seconded: Cr Colin Wollstein

That the Assets Committee confirms the Public Minutes of the Assets Committee Meeting held on 10 August 2021, as circulated, as a true and correct record of that meeting.

CARRIED

4 DECISION REPORTS

4.1 ROADING POLICIES TRANCHE 1

The report, as circulated, sought Council's approval of the draft policies in Tranche 1 of the Roding department's policy review.

Roding Manager Mike Harrison advised that the aim of the sets of policies to come to the Committee in the next few months in three tranches is to ensure there is clear direction about how Council will work with its coalition partner Waka Kotahi on roading policy implementation in Waitaki. This report and attached policies are Tranche 1. Tranches 2 and 3 will follow, with the former focusing on protection for the Waitaki community, and the latter to give effect to the district plan. He advised that consultant Grant Hollands from Waughs was participating in the meeting via Zoom to answer any questions.

The matter of having a policy was acknowledged as understood but the matter of enforcing it was raised as a concern, especially where it meant locked gates through farmland; or a road being deemed to be a construction site for use by one contractor, when it was actually a country road and should be available for the public to use as well. In response, it was noted that locked gates was a Tranche 2 policy and more input would be sought from elected members for that.

The reference to a policy for art and public spaces was queried, given that the culture and heritage strategy might be a better place for that, to have a more overarching Council viewpoint than a roading perspective. Mr Harrison advised that the roading policy would only focus on giving approval for the use of the space for public art, and nothing about the shape and form of it as a topic in itself. A request was made to make that clearer in the roading policy and to ensure that the art and public space policy was very clear too that decision-making for art in public spaces should be governed by the latter, and not the roading policy for use of space.

ACTION: Roding Manager, with Group Manager Lisa Baillie (re art and public space policy)

Regarding section 403 and the reference to 'any works that enhance business', clarification was sought about whether that applied to other areas, eg development in the harbour. It was suggested that the reference could be changed to seek co-funding from those businesses who are next door.

ACTION: Roding Manager to correspond with Cr Jeremy Holding on that point

It was clarified that seal extensions and dust suppressant alternatives were a part of the Tranche 2 policies. A suggestion was made, in relation to dust suppressant matters, that the policy should state cleaning 'will' be required (not 'may'). In response, it was noted that dust suppressants

regulations were set by the Regional Council, and if people did not clean it up, then the Roding team would because lactose can eat into the bitumen seal.

Regarding section 408, temporary road closures for public events, it was queried whether rules were being tightened about timeframes. Mr Holland advised that, with road closures, there were two sets of legislation to deal with – one for road maintenance regarding fixing drains and the other for public events. If a public event was held and advertising was not done in sufficient time, then the true process was not followed. The aim of the policy was to make sure that people are fully aware that there are legislative timeframes that needed to be met and that it represented Council's current practice.

The Chair acknowledged the work of the team in putting together this information, and thanked Mr Harrison and the Roding unit for their efforts.

RESOLVED AC 2021/025

Moved: Cr Jim Thomson
Seconded: Cr Jeremy Holding

That the Assets Committee recommends:

That Council:

1. Approves the draft Roding Policies presented in Tranche 1 as provided in Attachment 1.
2. Revoke(s) all previous versions of the policies which Tranche 1 policies will replace.

CARRIED

4.2 ROADING MAINTENANCE CONTRACT

The report, as circulated, sought endorsement from the Assets Committee for the advertisement and assessment of tenders for Contract 807 – Roding Network Maintenance Contract.

Roding Manager Mike Harrison spoke about the need for his team to be very smart around what is done and why it is done in order to achieve roading-related outcomes for the community, due to the reduced funding available from Waka Kotahi. He was seeking a commitment in-house to select the correct repair methods, because that will change how the tenders are structured, and at the end of the contract, the aim was to have the best network for the district.

The need for Council to meet Waka Kotahi's criteria was queried because local procurement, local jobs and local initiatives were deemed to be missing from the local evaluations. Mr Harrison advised that the criteria for measuring was pre-set as a minimum requirement, but the methodology could be changed although that could not be too prescriptive because contractors will deal with it in a different way.

It was clarified that the tender evaluation team would address the question of looking at contractors which can support the growth of locals or have a base here. An elected member acknowledged that that meant the attribute was sitting in methodology, but they believed it still needed to be sitting in the weightings as well. This was supported by another member.

Mr Harrison advised that if a tendered could not meet the criteria for local, they would fail. Local training and connections would be evaluated all the way through the tender process, and there will be reference to it in the tender evaluation report that would come to the Committee and ultimately to Council for a final decision. It could be expected to be a notable part of the tender.

The request was made that that needed to be written into the documentation so that elected members could understand where it sits. It was suggested that the bulletpoints on pages 222 and 223 of the agenda papers were germane, given that they would form part of the methodology in the tender document.

A concern was raised that price was less than 50% of the weighting. On behalf of the ratepayer, the member wanted to see more than that. In response, it was noted that Council had just considered the procurement policy and one of its key features was that the lowest price seldom achieves the wider outcome that Council is seeking. Therefore, if a higher focus on price was requested, then that is more likely to deliver outcomes that will disappoint Council.

The Chief Executive also highlighted the social value in all procurement, and the need for it to be stated where that fits in so it could be clearly articulated. That might involve some pre-qualification questions instead of being solely addressed in the methodology. Whilst 40% seems low, it is quite high and if it was pushed any higher, that would create potential for tenderers to put in very low prices and then override some of the other qualities. The aim is to try to achieve 'value in the round', and he encouraged elected members not to put that price component any higher because it would mean deliveries that would not achieve some of the other outcomes Council was wanting.

Another elected member shared their view that service and delivery were far more important to their constituents, and as a governance team, they encouraged serious consideration of culture and the need to serve the community, not service it.

Another view shared was that lessons had been learned from the past where contractors had based their tenders on price and it had meant them cutting corners and not delivering on the job that the community or Council expected them to do. There was an opportunity now to look at the overall package, and it was a pity that Waka Kotahi did not look at the attributes the same way as Council. In terms of value for the community, price is the most important thing. If our roads do not perform as we want them to, it was not their priority. We need to work with Waka Kotahi and within their rules and try to add our values into the process.

There was brief discussion about the fact that the rules allowed for small and medium enterprises (SME) to be able to compete; the contract term; CPI adjustments at the end of the first five years and how it would be handled with the two one-year extensions (it was noted that Council could choose not to rollover the contract); and the desire to see someone willing to invest in the long term to the network and also to retain institutional knowledge to help guide that long term perspective.

The Chair reminded the meeting that this was a big decision before the Committee and a very important one for the district. This was acknowledged and supported.

RESOLVED AC 2021/026

Moved: Cr Colin Wollstein

Seconded: Cr Jim Thomson

That the Assets Committee recommends:

That Council:

1. Instructs Officers to call Tenders for Contract 807 Rooding Network Maintenance Contract
2. Approves a contract term of up to 7 years (5 years plus 2 x 1 year extensions)
3. Endorses the Procurement Plan for Contract 807, noting the:
 - a) Tender Assessment Criteria
 - b) Tender Evaluation Team
 - c) Contract commencement date of 1 July 2022.

CARRIED

Mr Harrison enquired about which elected members would be appointed as observers to the tender evaluation process. Mayor Gary Kircher advised that that matter would be discussed at the Councillor briefing today and advised thereafter.

4.3 ROAD STOPPING - PORTION OF REDCASTLE ROAD, OAMARU

The report, as circulated, sought Council's agreement to stop and dispose of part of the legal road currently not being used for a public road carriageway.

MOTION

Deputy Mayor Melanie Tavendale agreed to move the report's recommendations, with the insertion of the report's reference to the 'sale price of the land to be no less than the registered market valuation by a registered valuer' be included in recommendation 2. Mayor Gary Kircher seconded the motion as amended.

Discussion on the motion:

It was highlighted that the request for a report back on the result of the sale had not previously always happened, but it was now being sought for every future land sale. That information would then help close the loop for Council on the sale process, so that elected members could consider whether changes were needed in the future if the results were not as expected and a modified motion or approach was required.

AMENDMENT

Mayor Kircher asked for a specific third recommendation to be added: [That Council] Instructs Officers to report back to Council on the net income from the sale.". The Deputy Mayor, as the mover, agreed to this further amendment, and the motion was put to the meeting.

RESOLVED AC 2021/027

Moved: Deputy Mayor Melanie Tavendale

Seconded: Mayor Gary Kircher

That the Assets Committee recommends:

That Council:

1. Agrees to stop a portion of the road, as outlined in Attachment 1, and transfer the land to the adjoining owners, Lean Meats Oamaru Limited, and
2. Delegates authority to the Chief Executive to negotiate and undertake the necessary actions for the disposal of the land, with the sale price to be not less than the registered market value as assessed by a registered valuer, and once the process has concluded, report back to Council, and
3. Instructs Officers to report back to Council on net income from the sale.

CARRIED

4.4 ROAD STOPPING - UNNAMED ROAD OFF CAMERON ROAD, PAPA KAI O

The report, as circulated, sought Council's agreement to stop and dispose of part of a legal road currently not being used as formed road carriageway.

A request was made for the addition of recommendation three as in the previous agenda item – "Instructs Officers to report back to Council on the net income from the sale."

RESOLVED AC 2021/028

Moved: Cr Colin Wollstein

Seconded: Mayor Gary Kircher

That the Assets Committee recommends:

That Council:

1. Agrees to stop a portion of the road, as outlined in Attachment 1, and transfers the land to the adjoining owners GE McPhail, GF & IA Hurst; and
2. Delegates authority to the Chief Executive to negotiate and undertake the necessary actions for the disposal of the land, with the sale price to be not less than the registered market value as assessed by a registered valuer, and once the process has concluded, report back to Council, and
3. Instructs Officers to report back to Council on net income from the sale.

CARRIED

4.5 CEMETERY AND DUNBACK CAMPING FEES

The report, as circulated, sought Council's decisions to set Council fees for Cemetery interments and Dunback camping.

Erik van der Spek spoke to the report.

MOTION

Mayor Gary Kircher moved the report's recommendations and Cr Jim Thomson seconded the motion.

Discussion on the motion:

Mayor Kircher explained the cemetery fees adjustment would create less of a barrier to when interments can be held and would be less punitive as they had been previously at what was always a difficult time. Regarding camping fees, the price had been increased previously but that resulted in the halving of revenue. Putting the price back to where it had been had been championed by the community and assurances had also been received from the New Zealand Motor Caravan Association that they would be promoting the fee reduction to generate as much use of the Dunback Domain as possible again.

RESOLVED AC 2021/029

Moved: Mayor Gary Kircher
 Seconded: Cr Jim Thomson

That the Assets Committee recommends:

That Council:

1. Sets the following fees effective from 6 October 2021.

Activity	Basis for Charge	Proposed Fees
Cemetery Plot purchase Fees	Ash plots	\$420.00
	Burial plot	\$1,150.00
	Baby garden plot	No fee
Cemetery Interment Service Fees	Extra depth	\$420.00
	Adult burial - weekdays	\$1,200.00
	Adult burial - Saturday, Sunday, public holidays	\$1,400.00
	Baby burial – weekdays, Saturday, Sunday, public holidays	\$260.00
	Children under 10 years – weekdays, Saturday, Sunday, public holidays	\$550.00
	Inter ashes - weekdays	\$460.00
	Inter ashes - Saturday, Sunday, public holidays	\$650.00
	Breaking or tunnelling under concrete	\$500.00
Cemetery additional Charges	Permits/Monumental permit	\$60.00
Dunback camping season ticket. (1 July to 30 June)	Per site (2 adults, up to 3 children under 15 Free).	\$400.00
Dunback camping per person (free for children under 15)	Per night	\$5.00

CARRIED

5 MEMORANDUM REPORTS

5.1 NETWORK OPERATING FRAMEWORK

The report, as circulated, informed elected members about the development of the Network Operating Framework and the crossover with other workstreams.

Roading Manager Mike Harrison spoke to the report, noting that it provided an example of the factors that the Roding unit considers, including what impact any change would have across the whole network. He noted that this would be one of a number of documents coming to Council in the next few months.

It was noted that the report did not provide information on issues in the northern part of Oamaru, specifically about accessing the State Highway from side streets.

Concern was expressed by one elected members that the full Council had not had the opportunity to commit to some of the report content (eg there is a reference to public transport, but Council does not fund that; the summary of workshops states that Council does not want a spinal network;

it wants a ring network – but there was no statement about where the objectives had been sourced or how Council had committed to them. It was also noted that the document was supposed to be about current use of the network, not future intentions.

In response to the last point, it was clarified that the document is about how it was being used now, and through the next 20 years, so there were intentions involved as well. It was suggested that Council needed to be cogniscent now of where things may need to be in future and to be mindful that if something happened tomorrow that it would not close off any future aspirations or developments in the future. This last point was acknowledged, but it was also suggested that, with regard to the north end issues, they could be done more proactively and managed better.

The influence of Waka Kotahi over Council's plans was queried. Mr Harrison advised that Waka Kotahi was funding more than 50% with regard to state highway roads, but that the highway also bisected Waitaki communities in a lot of places so they sometimes saw it as a local road and did nothing, which was not appropriate. Traffic flow matters around the Recreation Centre and turning on and off the highway were problems for Waitaki, but this document could be out of sync with what Waka Kotahi considered as priorities from the perspective of the national network framework. The Roding team was working very closely with Waka Kotahi to make Waitaki concerns as clear as possible and to promote them for resolution. Those discussions were ongoing.

Regarding public transport subsidies and systems and dealings with the Otago Regional Council, it was clarified that Waitaki needs to go to a carbon neutral position. Reports from central government were saying the same thing. Currently, 80% of vehicles in Waitaki are light transport, so there would be a need to look into whether the money could be invested into a community programme to address that requirement; there was a need to keep the door open for that.

RESOLVED AC 2021/030

Moved: Cr Jeremy Holding

Seconded: Cr Colin Wollstein

That the Assets Committee receives and notes the information.

CARRIED

5.2 ASSETS GROUP ACTIVITY REPORT

The report, as circulated, provided insight into recent work undertaken by departments within the Assets group.

There were queries from elected members regarding the exclusion of dairy and dairy hygiene from being provided water; on the planned advertising for road safety and the absence of drug driving safety advertisements; and on whether due diligence had been done on the heritage values of Breakneck Bridge.

In response, it was clarified that dairy and dairy hygiene would be considered on a case-by-case basis only for provision of water; that drugs and alcohol were considered together with road safety advertising, because they both impaired driving.

A request was made for the Road Safety Coordinator to consider drug driving advertisements be included in the next campaign.

One elected member congratulated the Road Safety Coordinator and community groups for their time on the road safety advertisements and advised that there were more planned in the future.

RESOLVED AC 2021/031

Moved: Cr Colin Wollstein
Seconded: Mayor Gary Kircher

That the Assets Committee receives and notes the information.

CARRIED

6 MEETING CLOSE

There being no further business, the Chair declared the meeting closed, at 11.47am.

TO BE CONFIRMED at the Assets Committee Meeting to be held on Tuesday, 2 November 2021.

.....
CHAIRPERSON

UNCONFIRMED

4 DECISION REPORTS

4.1 BACKFLOW PREVENTION POLICY 2021

Author: Caitlin Brand, Senior Policy Planner - Water Services

Authoriser: Paul Hope, Acting Assets Group Manager

Attachments: 1. Backflow Prevention Policy 2021

RECOMMENDATIONS

That the Assets Committee recommends:

That Council:

1. Adopts the appended Backflow Prevention Policy 2021, with or without amendments.
2. Confirms the following option as the funding mechanism for policy implementation (as provided for in Clauses 3.2 (f,g,h) and 3.2 (k) of the policy):

Option 3 – cost share, as follows:

Backflow risk mitigation – the customer (property owner) covers all costs for:

- the supply and installation of new backflow devices required either through a new supply connection/s or resulting from a hazard inspection programme (loan-funded for devices installed for existing water supply connections)

Community benefit – Council recovers costs through general water supply rates for:

- retrofitting of existing devices required to vest into Council ownership;
 - annual testing;
 - five-yearly maintenance; and
 - annual depreciation.
3. Confirms Clauses 3.1(c) and (h), which outline that, for *new water supply connections*, the property owner/s will be responsible for paying the costs associated with the supply and installation of backflow devices as part of the Service Application process (in accordance with current practice); and that ongoing testing, maintenance and depreciation costs will be recovered through general water supply rates, as for existing supply connections.

DECISION OBJECTIVE

The purpose of this report is to seek the Committee's recommendation for Council approval of the appended Backflow Prevention Policy 2021 to help ensure it is meeting its obligations under the Health Drinking Water Amendment Act 2007.

SUMMARY

Backflow is when water from a property (or properties), connected to the public water supply network, flows back into the network due to back pressure or back siphoning. If the backflow water contains contaminants, it can make water supply consumers ill, and in extreme cases, can cause death. This report presents a Backflow Prevention Policy which sets out how Council will protect drinking-water supply consumers in Waitaki from the risk of backflow at the boundary (or point of supply). Once adopted, Council's Water Services team will implement the policy through a backflow inspection programme and risk management plan.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Approving the appended Backflow Prevention Policy 2021
Operational Decision-Making:	Implementing the policy through a backflow inspection programme and risk management plan
Communications	<p>Media Releases – contributed to by officers and Elected Members</p> <p>Media/public enquiries regarding governance decision-making topics above can be addressed by governance</p> <p>Media/public enquiries regarding operational decision-making topics above can be addressed by officers</p>

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	No
Legal	Key	Cultural Considerations	No
Significance	No	Social Considerations	Moderate
Financial Criteria	Moderate	Economic Considerations	Moderate
Community Views	Moderate	Community Board Views	Moderate
Consultation	No	Publicity and Communication	Moderate

BACKGROUND

Backflow causes and risks

Backflow occurs when a property’s water pressure is higher than the network pressure, or when the water pressure drops in the public water supply network, causing water to flow in the opposite direction back into the network.

Pressure differences between the network and a property can occur when:

- high water use downstream reduces water pressure upstream – eg firefighting
- a water main breaks or is shut off
- a consumer uses water at a higher pressure than the pressure supplied
- the water outlet at the property is higher than the water main.

Contaminants can be back-siphoned or injected by back-pressure into a potable water supply; or a combination of both, where cross-connections exist.

Any activity undertaken that makes a connection with the plumbing on a property poses a risk – for example, filling a bucket, watering can, swimming pool or spa by submerging the hose, leaving a garden hose running in a compost bin, submerging spray heads from showers or sinks, or using chemical cleaning products designed to connect to a hose.

Chemical or microbiological substances from commercial activities can also endanger public health if they get into the public water supply network. Examples of commercial operations that pose a risk

include medical and dental facilities, mortuaries, hairdressers, car washing facilities, and manufacturing.

There have been many backflow incidents around the world, and in New Zealand, where substances including chemicals, cleaning solvents, wine, milk, dirty irrigation water and soapy water have flowed back into a public water supply network and caused sickness or death.

Backflow protection types

Source (individual and zone) protection within properties is currently enforced under the Building Act 2004 through Council's Building Control Authority. They can require installation of backflow prevention devices within a premises as part of a building consent process where a hazard or hazards are identified. These backflow prevention devices are intended to protect consumers within a premises, but do not guarantee protection of the public water supply network beyond the premises due to the possibility of cross-connections.

Boundary protection is enforced under the Health Drinking Water Amendment Act 2007 by Council's Water Services team. It is intended to prevent the risk of backflow from a premises into the public water supply network, regardless of whether there is source protection installed within the premises.

This policy is intended to specifically address boundary (or point of supply) protection required under the Health Act.

Backflow prevention to date

Although Council has not previously adopted a formal boundary backflow prevention policy or programme, for more than 20 years its Water Services team has been installing backflow preventers on residential on-demand connections throughout the district, as part of routine maintenance and water main renewals.

It is estimated that around 95 percent of the district's on-demand residential connections now have some form of backflow prevention, which is ahead of many councils in New Zealand.

Additionally, backflow prevention devices have been installed at the boundaries of several commercial and industrial premises in Ōamaru already known to be high-risk.

Backflow risk prevention going forward

While backflow prevention is installed at several commercial and industrial premises in Ōamaru, a desktop analysis indicates there are nearly 270 other premises in the district (mostly in Ōamaru) that likely present a high or medium backflow risk to public water supply consumers and require further investigation. These need to be formally inspected by a suitably qualified assessor.

An inspection programme and risk management plan are being developed to enable this work to proceed within the next six months.

Prior to this work commencing, a policy on backflow prevention is required to, among other things, clarify roles and responsibilities for backflow prevention and provide guidance on who pays and when.

Legislative provisions

The appended Backflow Prevention Policy 2021 has taken into consideration current legislative requirements and guidelines, along with Council's Strategic Framework and other policies – including the Policy on Drinking-Water Quality adopted in December 2020.

Section 69ZZZ in the Health Drinking Water Amendment Act 2007 gives water suppliers the power to install backflow prevention devices at property boundaries (or up to the point of supply for restricted connections) to protect the public water supply network from risk. The Health Act also includes provision for Council to recover the costs for installing boundary protection from property owners.

The new Water Services Act 2021 (Section 27) and the associated Draft Drinking Water Supply and Operational Compliance Rules will further strengthen the requirements for Council to ensure that its supplies are protected from backflow and may provide scope for Council’s Water Services team to require backflow prevention devices to be installed within a premise (source/zone protection):

27 Duty to protect against risk of backflow

(1) If a drinking water supply includes reticulation, the drinking water supplier must ensure that the supply arrangements protect against the risk of backflow.

(2) If there is a risk of backflow in a reticulated drinking water supply, the drinking water supplier may:

(a) install a backflow prevention device and require the owner of the premises to reimburse the supplier for the cost of installation, maintenance, and ongoing testing of the device; or

(b) require the owner of the premises to install, maintain, and test a backflow prevention device that incorporates a verifiable monitoring system that complies with an acceptable solution or verification method under section 49.

(3) A person who installs a backflow protection device must take all reasonable steps to ensure it operates in a way that does not compromise the operation of any automatic fire sprinkler system connected to the drinking water supply.

This Backflow Prevention Policy will be reviewed and amended accordingly once the new Water Services Act 2021 comes into force, which is expected to occur in mid-November.

Estimated implementation costs

Due to the number of sites identified and the cost implications, it is proposed to implement a Backflow Risk Management Plan over 3 years (2022 to 2025).

The estimated cost of the programme is outlined in Table 1 below. This is based on estimates obtained from various suppliers and service providers, including inspection and annual testing costs from local plumbers; backflow prevention device costs from several suppliers; and installation costs from a local contractor.

The total cost assumes that all sites with existing water supply connections will present a risk consistent with the desktop analysis and is likely to change once inspections are completed, and risk levels and backflow device requirements are confirmed.

Table 1: Capital Implementation Programme

Year	Action	% (Number)	Costs (rounded)	Total costs
1	Inspections	100% (269)	\$35,000	\$218,000
	Install high risk sites	40% (42)	\$183,000	
2	Install high risk sites	60% (62)	\$274,000	\$455,000
	Install medium risk sites	35% (48)	\$181,000	
3	Install medium risk sites	65% (90)	\$335,000	\$555,000
	Install low risk sites	100% (27)	\$200,000	
Total				\$1,228,000

Funding options considered

In terms of roles and responsibilities for backflow prevention, and funding of backflow prevention devices, the policy seeks to achieve balance between public and private good – that is, to reflect Council's commitment to keeping the public safe, while also creating a business-friendly environment.

The following available options regarding funding were considered when drafting the policy:

Option 1 – the consumer (property owner) covers all costs up-front or through a loan (paid off through a targeted rate)

Option 2 – Council recovers all costs through rates (charged to all water supply consumers)

Option 3 – cost share (selected option) as follows:

- Backflow risk mitigation – the consumer (property owner) covers all costs for:
 - the supply and installation of new backflow prevention devices required either through a new supply connection/s or resulting from a backflow inspection programme (which can be loan-funded for devices installed for existing water supply connections)
- Community benefit - Council recovers costs from all water supply consumers through general water supply rates for:
 - any relocation of existing devices required to vest into Council ownership
 - annual testing
 - five-yearly maintenance
 - annual depreciation.

Option 3 is recommended and included within the policy because it strikes a balance between the following outcomes included within Council's Strategic Framework:

- *Attractive to new opportunities* – support local businesses, foster a diverse and resilient economy
- *Strong communities* – enable safe and healthy communities

To allow for some flexibility in Council's approach, Clause 3.2 of the policy sets out the following associated funding provisions aligned to Option 3 for existing water supply connections:

- f. *Costs associated with the supply and installation of a backflow prevention device at a commercial or industrial property with an existing water supply connection/s will be loan-funded by Council.*
- g. *The Property Owner/s will repay the loan from Council for the supply and installation of a backflow device/s through an annual targeted rate over a period of not more than five years, starting at a point in time determined through Council's Annual Plan process. Council may at any time elect to defer or nullify loan repayment obligations.*
- h. *Council may use its discretion in determining the loan funding terms and timing of repayments where there are substantially higher costs associated with the supply and installation of backflow prevention devices at higher risk commercial or industrial properties.*

Costs associated with ongoing inspection and maintenance of the devices will be covered by general water supply rates and will be relatively minor (less than a few dollars annually) on a per-connection basis.

Next Steps

A communication and engagement plan will be developed to support discussions with businesses and will be implemented in the months leading up to starting the inspection programme, which will be during the first six months of 2022.

The policy will be included on Council's website and can include a link to an educational video about backflow prevention. Relevant clauses will be included in future decision-making reports to Council.

Any future amendments to the policy will be made by Council resolution.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – The Assets Committee recommends Council adopts the policy (**preferred**)

Option 2 – The Assets Committee recommends Council adopts the policy with amendments

This option enables Council to proceed with adopting the policy with agreed amendments, provided these are consistent with legislative requirements and/or other Council policy.

Option 3 – The Assets Committee recommends Council does not adopt the policy

This option is not recommended as it would further delay implementation of an agreed backflow inspection programme and installation of backflow prevention devices at the boundaries (or points of supply) at high- and medium-risk premises, posing an ongoing risk to public health.

ASSESSMENT OF PREFERRED OPTION

Option 1 is the preferred option as it aligns well with current legislative requirements and with Council's strategic priorities and plans. It is considered by officers to be a fair and reasonable approach to backflow prevention.

Adopting the policy will also enable officers to proceed with further planning and implementing a backflow inspection and risk management plan.

Although the policy will need to be amended at some point to align with the provisions of the new Water Services Bill 2021, this will not impact on the requirements for boundary protection, which are the focus of the backflow inspection programme and risk management plan.

The inspection programme will be preceded well in advance (the first six months of 2022), by communication and discussions with businesses on the risks of backflow, the new policy and its implications, and the planned inspection programme (supported through a communication and engagement plan).

CONCLUSION

For the reasons outlined above, it is concluded that Council should proceed with adopting the appended Backflow Prevention Policy 2021.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Policy and Plan Considerations

The draft policy has been developed with consideration to Council's strategic priorities, Long Term Plan 2018-21 service level commitments, projects and budgets; the Water Supply Activity Management Plan; and relevant policies and management processes.

Community Views

The policy is consistent with legislative requirements, national best practice, and Council's Strategic Framework and other plans. It is not considered to have a significant impact on the wider community and does not require a consultation process. As noted in the report, communication and discussions with affected businesses will be undertaken well in advance of the policy's implementation. Construction of the new treatment plant will be made once the sale has been confirmed.



Backflow Prevention Policy 2021

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1 Introduction and context

1.1 Background

The Waitaki District Council (Council) is committed to providing safe, high quality drinking water to residents, visitors, businesses, and industries within the Waitaki district. This is set out in our Policy on Drinking Water Quality, adopted in December 2020.

Backflow, which is the unplanned reversal of flow of water or other substances into the drinking water supply system, is a significant risk to Council's water supply consumers. Backflow can happen either by back-siphonage or back-pressure from within the supplied premises.

Historically, Council has only been able to enforce protection of the supply from backflow, through the Building Act 2004 in its capacity as a Building Control Authority. The Building Act focuses solely on protecting people within a property by requiring the installation of backflow prevention devices at potential contamination sources (zone protection) - for example, at a hazardous appliance such as a bedpan washer. Source protection can only be required of a property owner when they activate a building consent and the risk is identified as part of that process.

The inclusion of Section 69ZZZ in the Health Drinking Water Amendment Act 2007 (the Act), gave water suppliers the power to install backflow prevention devices at property boundaries (or up to the point of supply for restricted connections) to protect the public water supply from risk. The Act also included provision for Council to recover the costs for installing boundary protection from property owners. This change in legislation enabled the development of concise backflow prevention policies and programmes.

If enacted in its current form, the Government's new Water Services Bill 2021 (Section 27) and the associated Draft Drinking Water Supply and Operational Compliance Rules, will further strengthen the requirements for Council to ensure that its supplies are protected from backflow and may provide scope for Council's Water Services team to require backflow prevention devices to be installed within a premise (source/zone protection):

27 Duty to protect against risk of backflow

(1) If a drinking water supply includes reticulation, the drinking water supplier must ensure that the supply arrangements protect against the risk of backflow.

(2) If there is a risk of backflow in a reticulated drinking water supply, the drinking water supplier may:

(a) install a backflow prevention device and require the owner of the premises to reimburse the supplier for the cost of installation, maintenance, and ongoing testing of the device; or

(b) require the owner of the premises to install, maintain, and test a backflow prevention device that incorporates a verifiable monitoring system that complies with an acceptable solution or verification method under section 49.

(3) A person who installs a backflow protection device must take all reasonable steps to ensure it operates in a way that does not compromise the operation of any automatic fire sprinkler system connected to the drinking water supply.

This Backflow Prevention Policy will be reviewed and amended accordingly once the bill is enacted into law.

1.2 Purpose

The purpose of this policy is to outline how Council will protect the health of its water supply consumers through installing boundary (or point of supply) backflow prevention in accordance with legislative requirements.

This policy supports Council's following strategic and operational documents:

- Policy on Drinking Water Quality
- Water Supply Activity Management Plan
- Water Safety Plans

1.3 Scope

This policy primarily addresses Council's approach to the installation, ownership and maintenance of backflow prevention devices at the boundary between public and private property for on-demand connections, or within the boundary up to the point of supply for restricted connections, in order to meet the requirements of the Health (Drinking Water) Amendment Act 2007.

It is intended to guide and support the Water Services team in implementing a comprehensive backflow prevention programme to actively manage backflow risk and protect consumers, and includes:

- General roles and responsibilities;
- Responsibilities for installation of appropriate backflow prevention devices at the point of supply and property boundary, and ongoing maintenance and testing;
- Council's approach to achieving boundary protection on all high, medium, and low risk properties and for general risk reduction of backflow on all other properties; and
- Responsibilities for paying the costs associated with backflow prevention.

Although this policy addresses source protection for clarity in terms of roles and responsibilities, it is not intended to address all the requirements for source protection under the Building Act 2004, which is administered through Council's Building Control Authority.

As noted under 1.1 Background, Council's Water Services team may be able to require source protection under the Water Services Bill 2021 once enacted.

1.4 Legislative, best practice and planning context

The following acts, guidelines and documents are relevant to backflow prevention and regulate and guide Council's responsibilities and powers and activities:

- The Health Act 1956
- Health (Drinking Water) Amendment Act 2007
- Local Government Act 2002
- The Building Act 2004
- New Zealand Building Code 1992
- Compliance Document for NZ Building Code 2004 Clause G12/AS1 (November 2018)
- Building (Specified Systems, Change in Use, Earthquake Prone Buildings) Regulations 2005
- Health and Safety at Work Act 2015
- Drinking-Water Standards for New Zealand 2005 (revised 2018)
- Boundary Backflow Prevention for Drinking Water Supplies (Code of Practice)
- Ministry of Health Water Safety Plan Guide (Distribution System) Backflow Prevention January 2014
- AS/NZS 2845.1:2010 Water supply - Backflow prevention devices - Materials, design and performance requirements
- AS/NZS 3500.1:2018 Plumbing and drainage – Water Services
- AS/NZS 3500.5:2012 Plumbing and Drainage Part 5: Housing Installations
- NZ Industry Standard - Field testing of backflow prevention devices/verification of air gaps
- NZS 4541: 2013 Automatic Fire Sprinkler Systems
- AS/NZS 4404 Land Development and Subdivision Infrastructure
- Waitaki District Council Policy on Drinking-Water Quality 2020
- Waitaki District Council Water Safety Plans

Provisions within these documents relating to backflow prevention are included in **APPENDIX A**.

1.5 Definitions

Backflow

Backflow is the unplanned reversal of flow of water (or water and contaminants) into a potable water supply. It can occur when a property's water pressure is higher than the network pressure, or when the water pressure changes in the network. Pressure differences between the network and a property can occur when:

- high water use downstream reduces water pressure upstream - e.g. firefighting
- a water main breaks or is shut off
- a customer uses water at a higher pressure than the pressure supplied
- the water outlet at the property is higher than the water main.

Contaminants can be back-siphoned or injected by back-pressure into a potable water supply; or a combination of both, where cross connections exist.

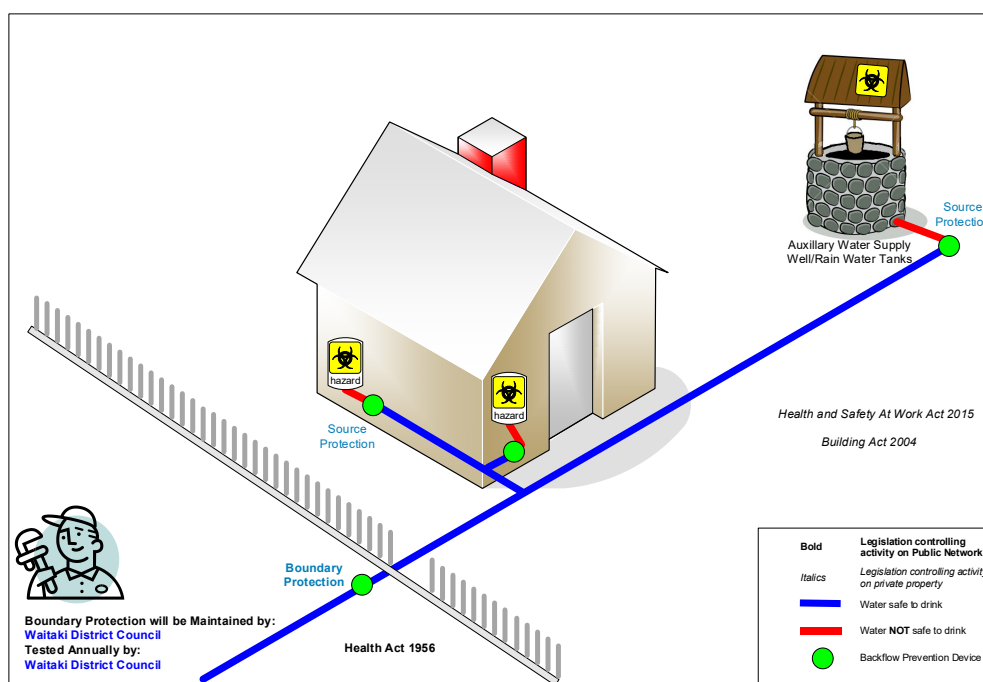
Any activity undertaken that makes a connection with the plumbing on a property poses a risk. At home, this risk could be from filling a bucket, watering can, swimming pool or spa by submerging the hose, leaving a garden hose running in a compost bin, submerging spray heads from showers or sinks, or using chemical cleaning products designed to connect to a hose.

Chemical or microbiological substances from commercial activities can also endanger public health if they get into the water system. Examples of commercial operations that can create a risk include medical and dental facilities, mortuaries, hairdressers, car washing facilities, and manufacturing.

There are many examples of backflow incidents around the world where substances including chemicals, cleaning solvents, wine, milk, dirty irrigation water and soapy water have flowed back into a public water network and caused sickness or death.

Source (individual and zone) protection is currently enforced under the Building Act by Council's Building Control Authority. Boundary protection (or point of supply protection on restricted supplies), is enforced by Council's Water Services team under the Health Act. This relationship for legislative backflow protection at source and boundary is indicated on the diagram below.

Figure 1-1: Backflow Prevention Overview



Term	Definition
Air gap separation	A physical separation between the free-flowing discharge end of a potable water supply pipeline, and the highest overflow level of the receiving vessel, used to prevent backflow
Auxiliary Supply	Secondary supply from an underground aquifer, water/break tanks, dams, purifying plant etc.
Backflow	The undesirable reversal of flow of water or other substances (or mixtures, etc.) into a potable water supply
Backflow prevention device	A device installed to prevent backflow of water or other substances (or mixtures, etc.) into a potable water supply
Backflow prevention device register	A register, held in Council's Asset Management Information System, of existing and future backflow prevention devices installed within, and at the boundaries of, private properties within the Waitaki District
Existing backflow device	Backflow prevention devices installed as boundary protection prior to the adoption of this policy. These devices may be inside or outside the property boundary
Boundary protection	Backflow prevention provided at the property boundary to protect a potable water supply from potential contamination. The purpose of an installation at this location is to achieve 'containment protection' as per AS/NZS 3500.5 and NZ Water CoP
Cross connection	An actual or potential connection between a potable water supply and an auxiliary supply or pipework which may be considered non-potable
Domestic	All users of potable water supply described in G12/AS1 for sanitation, human consumption, food preparation, utensil washing, oral hygiene
DWSNZ	The Drinking-Water Standards for New Zealand 2005 (revised 2018), which detail how to assess the quality and safety of drinking-water
Fire Line	Any water supply service pipe dedicated to supplying water for firefighting within a property
G12/AS1	Approved document for NZ Building Code Water Supplies, Clause G12, Second edition. Also referred to as "Building Code Acceptable Solution G12/AS1 Water supplies"
Hazard	Any condition, device or practice which, in connection with the potable water supply system, has the potential to: <i>High Hazard</i> – cause death <i>Medium Hazard</i> – injure or endanger health <i>Low Hazard</i> – would constitute a nuisance, by colour, odour or taste, but not injure or endanger health
On-demand connections	a) Water supply connections where the method of supply delivers the consumer a volume of water directly from the point of supply
Point of Supply	The point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the consumer and the Council, irrespective of property boundaries (Waitaki Water Supply Bylaw 2014)
Restricted connections	Water supply connections where the method of supply delivers a specific allocation of water to the consumer through a flow control device (restrictor) over a 24-hour period. Storage is provided by the consumer to cater for the consumer's demand fluctuations. Volume and delivery are subject to the specified level of service
Suitably trained and qualified person	A person specifically trained and qualified to install and/or test backflow prevention devices, assess potential hazards and provide written documentation to support this

2 General roles and responsibilities

2.1 Waitaki District Council (Council)

- a) **Council's Water Services team** will take all practicable measures to protect Council's water supplies from the risk of backflow contamination through:
- i. Educating the public about the hazards associated with backflow;
 - ii. Developing and implementing a Backflow Risk Management Plan;
 - iii. Ensuring appropriate backflow prevention devices are installed at the boundary or point of supply at high, medium and low risk properties where required under this policy;
 - iv. Maintaining a backflow prevention device register and ensuring annual testing of all boundary devices is undertaken and recorded;
 - v. Ensuring all relevant records pertaining to boundary or point of supply backflow prevention devices and testing are available for inspection by the Medical Officer of Health at all times;
 - vi. Ensuring all staff and contractors who work on the water supply understand and comply with the requirements of this policy.
 - vii. Leading reviews of Council's Backflow Prevention Policy, as required, but no less than every five years.
- b) **Council's Building Consent Authority** will take all practicable measures to protect Council's water supplies from the risk of backflow contamination through:
- i. Ensuring properties have adequate backflow prevention devices at the source (source protection) in accordance with Building Code G12;
 - ii. Ensuring consents for installation of backflow prevention devices at the source meet Compliance Schedule requirements.
 - iii. Advising property owners to apply for a Compliance Schedule for any existing backflow prevention device at the source, where none exists;
 - iv. Ensuring all applications for water supply connections (service applications) associated with building consents are assessed by the Water Services team for potential backflow protection at the boundary;
- c) **Council's Operations and Maintenance Contractor** will take all practicable measures to protect Council's water supplies from the risk of backflow contamination through:
- i. Completing new connections to the public water supply and installation of boundary backflow prevention devices in accordance with Council's standards and specifications, and manufacturers' recommendations, using suitably trained and qualified personnel;
 - ii. Undertaking annual testing on boundary backflow devices and maintaining certified backflow test equipment using suitably trained and qualified personnel;
 - iii. Providing records to Council's Water Services team, as required.

2.2 Property Owners

- a) All Property Owners with connections to Council water supplies must take all necessary steps to prevent contamination of the Council water supply, in accordance with this policy, and as required and enforceable under Section 9.11 of Council's Water Supply Bylaw 2014.
- b) If a property is tenanted, the Property Owner/s is legally responsible for ensuring the protection of the Council water supply, regardless of existing tenancy agreements. The Property Owner/s and tenants shall not interfere with any backflow prevention device fitted at their property.

3 Installation of backflow prevention devices

3.1 Backflow prevention devices for new water supply connections

- a) All properties with new on-demand connections to Council's water supplies are required to have backflow prevention installed at the boundary, outside the property, in accordance with the requirements of the Health Act and level of risk, as assessed by Council and outlined under Section 4 of this policy.
- b) All properties with new restricted connections to Council's water supplies are required to have backflow prevention installed either at the boundary, outside the property, or at any other location within the property boundary up to the point of supply, in accordance with the requirements of the Health Act and level of risk assessed by Council and outlined under Section 4 of this policy.
- c) The supply and installation of backflow prevention devices will form part of the Service Application process. The Property Owner/s will be responsible for paying the costs associated with the supply and installation of backflow prevention devices at the boundary or up to the point of supply.
- d) Boundary backflow prevention devices for new on-demand or restricted connections at or within the property boundary, will be installed by Council's operations and maintenance contractor in accordance with Council's standards, specifications and device manufacturer recommendations.
- e) Where a new connection is required by cutting into the existing public water mains, Council's operations and maintenance contractor will perform the connection to the Council water supply and installation of the appropriate backflow prevention device onto this connection in accordance with Council's standards, specifications and device manufacturer recommendations.
- f) For on-demand connections, such as retail shops located up to the boundary, where on-site conditions and available space do not allow for an acceptable and appropriate location outside the property boundary, the backflow prevention device may be located inside and as close to the boundary as possible, and details will be recorded in Council's backflow prevention device register. The location of a new boundary backflow prevention device does not alter the point of supply as defined by the Council's Water Supply Bylaw 2014.
- g) All boundary backflow prevention devices installed with new supply connections will become Council assets following installation and be recorded on Council's backflow prevention device register.
- h) As the asset owner, Council will be responsible for ongoing costs associated with annual testing, maintenance, and depreciation of the device.

3.2 Backflow prevention devices for existing water supply connections

- a) Council will inspect properties with existing water supply connections in accordance with Section 4 of this policy and its Backflow Risk Management Plan, to identify any backflow hazards and protection requirements.
- b) For existing on-demand connections, where the need for a boundary backflow prevention device is identified following a Council backflow hazard inspection, or through a Building Consent application process, an appropriate backflow prevention device will be installed by Council outside the property boundary in accordance with the requirements of the Health Act and level of risk, as assessed by Council and outlined under Section 4 of this policy.
- c) For existing restricted connections, where the need for a boundary backflow prevention device is identified following a Council backflow hazard inspection, or through a Building Consent application process, an appropriate backflow prevention device will be installed by Council either at the boundary, outside the property, or at any other location within the property boundary up to the point of supply, in accordance with the requirements of the Health Act and level of risk assessed by Council and outlined under Section 4 of this policy.
- d) Where a property has more than one water supply connection (that is, one connection per Certificate of Title), a backflow prevention device will either be installed for each connection, or the connections will be consolidated into one appropriate-sized connection with a backflow prevention device installed in accordance with the assessed hazard rating. The approach to be taken will be considered on a case-by-case basis and in consultation with the Property Owner.
- e) The Property Owner/s will be responsible for paying the costs associated with the supply and installation of a new backflow prevention device (or devices).
- f) Costs associated with the supply and installation of a backflow prevention device at a commercial or industrial property with an existing water supply connection/s will be loan-funded by Council.
- g) The Property Owner/s will repay the loan from Council, for the supply and installation of a backflow prevention device/s, through an annual targeted rate over a period of not more than five years, starting at a point in time determined through Council's Annual Plan process. Council may at any time elect to defer or nullify loan repayment obligations.
- h) Council may use its discretion in determining the loan funding terms and timing of repayments where there are substantially higher costs associated with the supply and installation of backflow prevention devices at higher risk commercial or industrial properties.
- i) Installation of backflow prevention devices at the boundary will be undertaken by Council's operations and maintenance contractor in accordance with Council's standards, specifications and device manufacturer recommendations.
- j) For on-demand connections, such as retail shops located close to the boundary, where on-site conditions and available space do not allow for an acceptable and appropriate location outside the property boundary, the backflow prevention device may be located inside and as close to the boundary as possible, and details will be recorded in Council's backflow prevention device register. The location of a new boundary backflow prevention device does not alter the point of supply as defined by the Council's Water Supply Bylaw 2014. All boundary backflow prevention devices on existing connections will become Council assets following installation and be recorded on Council's backflow prevention device register.
- k) As the asset owner, Council will be responsible for ongoing costs associated with annual testing, maintenance and depreciation of devices.

3.3 Relocation of existing boundary backflow prevention devices

- a) For on-demand supplies, where a boundary backflow prevention device has been installed within a property boundary prior to adoption of this policy, an assessment will be made on whether to relocate the backflow prevention device to an appropriate location outside the property boundary.
- b) Council will take responsibility for paying costs associated with relocation of existing boundary backflow prevention devices.
- c) Relocation and/or retrofitting of existing boundary backflow prevention devices will be performed by Council's operations and maintenance contractor in accordance with Council's standards and specifications.
- d) All existing boundary backflow prevention devices will become Council assets following relocation and will be included on Council's backflow prevention device register.
- e) As the asset owner, Council will be responsible for ongoing costs associated with annual testing, maintenance and depreciation of devices.

3.4 Protection of backflow prevention devices

- a) All backflow prevention devices at the boundary or point of supply, must be protected from vehicular traffic, frost and vandalism in accordance with Council's Water Supply Bylaw 2014.
- b) Above ground devices will be installed in a securely fenced or caged area with a concrete base and lockable access.
- c) Within the Central Business and Oamaru Historic areas, careful consideration will be given to the location and appropriate protective enclosures.
- d) Specific requirements for backflow prevention device protection will be assessed and determined by Council's Water Services team and outlined in the Backflow Risk Management Plan.

3.5 Source (point of risk) protection

- a) A Property Owner/s may separately be required by the Building Control Authority to install source protection (internal individual or zone devices) in accordance with the Building Act 2004.
- b) If a property is tenanted, the Property Owner/s is legally responsible for ensuring source protection of the potable water supply, where required, regardless of existing tenancy arrangements.
- c) Source protection devices are owned by the Property Owner/s and are typically located inside the property and close to the hazard which contains potential contaminants.
- d) The Property Owner/s must lodge a building consent for the installation, alteration, and removal of all source protection devices.
- e) Where source protection has been identified as a requirement, the Property Owner/s is responsible for lodging the building consent application, and ensuring the device or devices are installed within the specific timeframe given in writing by the Building Control Authority.

- f) The Property Owner/s is responsible for the costs associated with the installation, and ongoing maintenance and testing of source protection devices, in accordance with the Building Act 2004.
- g) The Property Owner/s is responsible for observing all legislative requirements regarding the correct use, or change of use, of all source protection devices located inside the property and connected to the potable water supply, and must maintain these devices in proper working order at all times.
- h) The Property Owner/s must notify Council of any change in property use or alterations to plumbing that may compromise the quality of the potable water supply or introduce additional hazards.
- i) The Property Owner/s must ensure any source protection device is not bypassed unless protected by another device of equivalent hazard rating.
- j) The Property Owner/s must ensure that any source protection device is accessible at all times and allow Council contractors access to devices as required.
- k) The Property Owner/s must ensure all source protection devices are tested annually by the anniversary date of the last test and return all test certificates to Council, while keeping copies of test certificates of at least two years previous.

4 Hazard identification and levels of protection

4.1 Identification of backflow hazards

- a) Council's Water Services team will implement a Backflow Risk Management Plan in accordance with legislative requirements, including scheduled property inspections to identify any backflow hazards and the appropriate level of backflow prevention required at the boundary.
- b) Council will assess all backflow hazards in accordance with the hazard ratings identified in the Water NZ Boundary Backflow Prevention for Drinking Water Supplies Code of Practice:
 - o **High hazard:** any condition, device or practice which, in connection with the Council water supply, has the potential to cause death (potential to be fatal).
 - o **Medium hazard:** any condition, device or practice which, in connection with the Council water supply, could endanger health (not fatal).
 - o **Low hazard:** any condition, device or practice which, in connection with the Council water supply, is a nuisance, but does not endanger health or cause injury.

Hazards and their classifications are included in **Appendix B** of this policy.

- c) Each hazard rating has a minimum requirement for the type of backflow prevention device to be used.
- d) Property Owners and/or occupiers will be notified at least 7 days in advance of a backflow hazard inspection.
- e) Where an inspection identifies that a boundary backflow protection device is required, the owner will be notified within 28 days of the inspection.

- f) The required device must be installed in accordance with the requirements of this policy and within the period specified by Council.

4.2 Levels of protection required for hazard situations

The following types of protection are required for specific hazard situations:

Hazard situation	Required backflow protection
On-demand residential connections	Manifold with dual check valve (non-testable)
Restricted residential connection	Manifold with dual check valve (non-testable)
Low hazard (all connections)	25mm (20mm ID) connection - manifold with dual check valve (non-testable)
	>25mm connection – dual check valve (non-testable)
Medium hazard property	Double check valve (testable)
High hazard property	Reduced Pressure Zone (RPZ) device

4.3 Exemptions

- a) In some circumstances, a backflow prevention device that differs from requirements within this policy may be approved, as appropriate, to manage the level of assessed risk to the Council water supply.
- b) Exemptions may include:
- accepting a private device as providing adequate boundary protection although it is not located outside the boundary, but very close to the boundary (proxy device)
 - possibly allowing a lower standard of backflow prevention device due to the level of protection provided by private devices and internal plumbing layout
- c) An exemption to any requirement under this policy may be granted in writing only at the discretion of the Water Services Manager.

5 Testing

5.1 Requirements for backflow prevention device testing

- a) Council will test all testable boundary backflow prevention devices operating within its network in accordance with Health Act requirements and Council's Backflow Risk Management Plan. Testing will be carried out at the following times:
- Immediately after installation and before use;
 - Annually;
 - On completion of any maintenance work on the backflow prevention device; and
 - After a backflow incident or suspected backflow incident.
- b) A copy of the test certificate must be kept with the equipment and be available for inspection by Council at any time.

5.2 Requirements for boundary backflow prevention device testers

- a) All personnel undertaking tests on Council-owned backflow prevention devices at the boundary must be suitably trained and qualified in accordance with industry standards.
- b) Special consideration will be given when testing backflow prevention devices installed on fire lines.
- c) In accordance with Appendix 6 of *Boundary Backflow Prevention for Drinking Water Supplies 2013*, the requirements for only a registered IQP to test backflow prevention devices at the source, as per the Building Act, remain.

6 Changes to property use and hazard levels

- a) Where commercial and industrial properties undergo a change in use, Council will require that any backflow prevention device or devices already installed remain in place to avoid future re-installation costs should a hazardous situation occur.
- b) The following approach will be taken where there is a change in use for a property impacting on the hazard level:

Current hazard level	New hazard level	Council approach
High hazard	Medium hazard	<ul style="list-style-type: none"> • Backflow device will remain installed • Annual inspections and maintenance will continue to be undertaken
High or medium hazard	Low or no hazard	<ul style="list-style-type: none"> • Backflow device will remain installed • Hazard change status will be noted on the property file for future reference by Council's Building Control Authority • Three-yearly inspections will be undertaken to ensure there has been no subsequent change in the risk the property presents

Current hazard level	New hazard level	Council approach
Low or no hazard	High or medium hazard	<ul style="list-style-type: none"> • If there is no existing backflow prevention device, a new device will be installed appropriate for the assessed hazard at the Property Owner/s cost • If an existing backflow prevention device is in place and is appropriate to the new hazard level, annual testing of the device will resume • If an existing backflow device is in place but is inadequate for an increased hazard level, the device will be upgraded at the Property Owner's cost, and annual testing of the device will resume

APPENDIX A: Legislative, best practice and planning context

Legal obligations

The Health Act 1956

The Health Act 1956 requires that adequate water supplies are provided to communities including any building built, sold or let must have an adequate and convenient supply of wholesome water.

69G Interpretation wholesome, in relation to drinking water, means—

(a) being potable; and

(b) not containing or exhibiting any determinand in an amount that exceeds the value stated in the guideline values for aesthetic determinands in the drinking-water standards as being the maximum extent to which drinking water may contain or exhibit the determinand without being likely to have an adverse aesthetic effect on the drinking water

Section 23 of the Act also provides for the network supplier “to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health.”

The Health Act 1956 now contains significant new provisions relating to backflow that were introduced via the Health (Drinking Water) Amendment Act 2007 that relate to the protection of drinking water including the installation of backflow prevention devices.

The Health (Drinking Water) Amendment Act 2007

The Health (Drinking Water) Amendment Act 2007 revoked the previous Water Supplies Protection Regulations 1961, which were established under the Health Act 1956, and which previously contained the main legislative provisions relating to backflow prevention.

Following is Section 69ZZZ which specifically addresses backflow prevention.

69ZZZ Protecting water supplies from risk of back-flow

1 This section applies if a networked supplier considers that there is a need to protect the networked system from risks of pollution caused by water and other substances on properties connected to the networked system.

2 A networked supplier may,—

(a) if the supplier considers it desirable or necessary,—

(i) install a back-flow prevention system in the network on the side of the point of supply for which the supplier is responsible for maintaining; or

(ii) allow the owner of property to which water is supplied to install a back-flow prevention system that incorporates a verifiable monitoring system (being a monitoring system approved by both the supplier and a drinking-water assessor):

(b) require the owner of the property in respect of which the back-flow prevention system operates or the person who is required (whether under the Local Government Act 2002 or any contract) to pay for drinking water supplied to that property,—

(i) if paragraph (a)(i) applies, to reimburse the supplier for the cost of that system (including the cost of installation, testing, and on-going maintenance); and Backflow Prevention Management Plan & Policy

(ii) if paragraph (a)(i) or (ii) applies, to repair or modify any back-flow prevention system that, in the opinion of the supplier, is not functioning adequately. A person who installs a back-flow protection device must take all reasonable steps to ensure it can operate in a way that does not compromise the operation of any automatic sprinkler system connected to the water supply.

A networked supplier—

(a) must test each back-flow protection device operating in its network at least once a year; and

(b) must advise the territorial authority in its area of the results; and

(c) may require the occupier of the property in respect of which the device operates to pay the reasonable costs involved in conducting the test.

Local Government Act 2002

The LGA2002 is a wide-ranging piece of legislation that sets out the purpose and obligations of local authorities. Although not specifically covered by the LGA2002, there are several areas of the Act that have relevance to the prevention of potential contamination by backflow.

These include:

- Part 7 details specific obligations of local authorities.
 - Although not specifically covering backflow potential contamination, section 130 covers obligations to maintain water services.
 - In addition, section 126 covers general obligations relating to the supply of water at a scheme level.

The Building Act 2004

This requires that buildings are safe and sanitary, and that occupants are safeguarded from possible illness.

The Act requires, under sections 100 and 101, an annually renewable Building Warrant of Fitness (for non-residential buildings) to ensure the specified systems stated in the compliance schedule are operating correctly. The compliance schedule includes any backflow preventers installed at the source of potential contamination.

The Building Act calls upon the Building Code in the Building Regulations 1992, specifically, Schedule 1, G12 Water Supplies regarding backflow prevention. This is the minimum acceptable standard to comply.

It should be noted that existing buildings, and their specified systems, are not required to be upgraded to comply with the Building Code unless an alteration or change of use takes place (refer sections 112A, 115 and 116A of the Building Act 2004). This effectively means that where a building, and its associated water systems, were built and approved under legislation prior to the introduction of the Building Code, Council may not be able to use the Building Act to enforce the installation of a backflow preventer within a building. However, with the passing of the Health (Drinking Water) Amendment Act 2007, Council now has the ability to enforce the installation, and ongoing testing and maintenance, of backflow prevention devices on the reticulation side of a property boundary (boundary protection).

New Zealand Building Code 1992

The New Zealand Building Code was established as the First Schedule to the Building Regulations 1992. It should be noted that at the time of publication, the Building Code was being reviewed to align it with the Building Act 2004. All new building work must comply with the Building Code. It is a performance-based code, which means it states how a building and its components must perform as opposed to describing how the building must be designed and constructed. The relevant clause in the NZ Building Code for Water Supplies is G12.

The first objective of G12, as stated in G12 1.1, is to “*safeguard people from illness caused by contaminated water*”. Clause G12 3.2 further specifies that a building’s potable water supply systems shall be protected from potential contamination and shall be installed in a manner which avoids the likelihood of potential contamination within the building’s system, and water main.

A building owner is therefore required by law to ‘avoid the likelihood of potential contamination within the system and the water main’. To help building owners ensure that their building’s potable water system complies with this legal requirement, the then Department of Building and Housing (Ministry of Business, Innovation and Employment) prepared a Compliance Document in accordance with section 22 of the Building Act 2004. Compliance Documents are non-mandatory guidance documents, but do provide a recognised method with the specified performance criteria of the NZ Building Code.

Compliance Document for NZ Building Code 2004

Clause G12/AS1 (November 2018) The Compliance Document for G12/AS1 Water Supplies (November 2018) provides guidance on the following aspects:

- Section 3.1 of the Compliance Document for Clause G12/AS1 prohibits water that has been drawn from the water main from being returned to the public system via backflow or cross connection.
- Section 3.2 prohibits cross connections between mains potable water supplies and private potable water supplies, as well as between potable water supplies and any facilities or pipes containing non-potable substances.
- Section 3.3 sets out hazard ratings for various types of facilities or appliances.
- Section 3.4 specifies the conditions under which backflow protection shall be provided i.e. wherever it is possible for water or contaminants to backflow into the potable water supply, as applicable the appropriate hazard rating in table 2 of the document.

Building (Specified Systems, Change in use, and Earthquake Prone Buildings) Regulations 2005

Schedule 1, Specified Systems (7), states ‘Automatic back-flow preventers connected to a potable water supply’. This legislation simply re-affirms that where installed, a ‘specified system’ is subject to a compliance schedule and a Building Warrant of Fitness.

Health and Safety at Work Act 2015

A guiding principle of the Health and Safety at Work Act (HSWA) is that workers and other persons should be given the highest level of protection against harm to their health, safety, and welfare from work risks as is reasonably practicable. The HSWA shifts the focus from monitoring and recording

health and safety incidents to proactively identifying and managing risks so everyone is safe and healthy.

The HSWA requires identifying the risks associated with hazards and associated mitigation to reduce those risks.

Waitaki Water Supply Bylaw 2014

The Waitaki Water Supply Bylaw came into force on 10 December 2014. Under Section 10 – Breaches and Infringement Offences it clearly identifies (g) *Failure to prevent backflow on or from a premise as a breach of conditions of supply.*

Section 9.11 Backflow Prevention Consumer responsibility:

The consumer shall (under the Health Act 1956 and its amendments, and the Building Act 2004) take all necessary steps on the consumer's side of the point of supply to prevent water which has been drawn from the water supply system from returning to the water supply system. These steps include: (a) Backflow prevention either by providing an adequate air gap, or by the use of an appropriate backflow prevention device; (b) The prohibition of any cross-connection between the Council water supply system and: i. Any other water supply (potable or non-potable) ii. Any other water source iii. Any storage tank iv. Any other pipe, fixture or equipment containing chemicals, liquids, gases, or other substances. NOTE – Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or a storage tank or fire pump that operates at a pressure in excess of the water supply system's normal minimum operating pressure.

Unmanaged risk

Notwithstanding 9.11.1 the Council may fit a backflow prevention device on the Council side of the point of supply if it considers it is desirable or necessary to do so where the consumer cannot demonstrate that the risk of backflow is adequately managed. The Council may charge the consumer for the installation, maintenance, operation and ongoing testing and certification of this backflow prevention device as set out in the fees and charges section of the Council's Annual Plan.

Annual Testing

The Council may undertake annual backflow testing on point of supply backflow prevention devices. The owner of the premises at which the backflow prevention device is installed may be charged for such testing as set out in the fees and charges section of the Council's Annual Plan. The Council shall keep appropriate records of testing.

Standards and best practice guidelines

Drinking Water Standards for New Zealand 2005 (revised 2018)

Following is an excerpt from the Drinking Water Standards for New Zealand 2005 (revised 2018).

'The DWSNZ are applicable to networked drinking-water supplies, as defined in the Health Act 1956.

The DWSNZ do not set out how a water supply should be managed. The Health Act covers the high-level obligations of a water supplier, and the Local Government Act 2002 covers broader management obligations. Those obligations specific to risks are covered by a supplier's water safety plan.

The public health safety of drinking-water is best protected if multiple barriers to contamination are in place. These barriers include:

- *minimising the extent of contaminants in the source water that the treatment process must deal with*
- *removing undesirable soluble and particulate matter*
- *disinfecting to inactivate any pathogenic organisms that may be present*
- *protecting the treated water from subsequent contamination.*

Boundary Backflow Prevention for Drinking Water Supplies Code of Practice

This publication is a recommendation, as determined by Water New Zealand (formerly NZWWA), of how local authorities should carry out 'good practice' in protecting their water supplies from potential contamination, in particular via backflow into mains water supplies.

The Backflow Prevention Code of Practice (CoP) deals only with Boundary Protection, with internal protection at the source of potential contamination, principally controlled by the Building Act 2004 and the Building Code 1992.

Following the guidelines put forward in the Code of Practice will provide water suppliers with a means of compliance with the Health Act and should result in a more consistent approach to backflow prevention throughout New Zealand.

Adoption of the code requires Water Suppliers to:

- Ensure that the actions of customers do not have the potential for an adverse effect on other customers through potential contamination of water supply mains
- Be proactive in determining what customers pose significant potential hazards to the integrity of the water supply • Have clear policies on backflow prevention
- Have a 'risk management programme' to identify potential hazards and ensure that appropriate backflow devices are installed at all properties/premises. The risk management programme should include a database of containment devices, and include a system for regular testing of devices
- Ensure that all personnel are appropriately trained

WDC has used this Code of Practice in the preparation of this document.

Ministry of Health Water Safety Plan Guide (Distribution System) Backflow Prevention January 2014

The Ministry of Health produces various guides to assist water suppliers in complying with existing Drinking Water Standards and legislation. The Ministry of Health Guide Water Safety Plans (Distribution System) - Backflow Prevention provides guidance on the types of potential hazards associated with backflow events, identifying possible causes and preventive measures.

WDC have prepared Water Safety Plans for the drinking water supply areas of:

- Oamaru
- Waihemo

- Kurow
- Omarama
- Otematata
- Duntroon
- Lake Ohau
- Lower Waitaki

The WDC Water Safety Plans take into account the Ministry of Health Guide to Water Safety Plans (Distribution System) - Backflow Prevention.

AS/NZS 2845.1:2010 Water supply - Backflow prevention devices - Materials, design and performance requirements

Section 1.1

“This Standard specifies requirements for the materials, design, performance and testing of mechanical backflow prevention devices that are used for the protection of water supplies”. 3.5 AS/NZS 3500.1:2018 Plumbing and drainage – Water Services 3.5.1 Section 1.1 “This Standard specifies the requirements for the design, installation and commissioning of cold water services from a point of connection to the points of discharge, and non-drinking water from a point of connection to the points of discharge. It applies to new installations as well as alterations, additions and repairs to existing installations.”

Section 4.1

“Section 4 specifies the requirements and methods for the prevention of contamination of the drinking water within the water service and the water main and provides for the selection and installation of backflow prevention devices.”

Please note that AS/NZS 3500.4:2003 has the following reference for backflow prevention under Section 3.2 Cross-Connection and Backflow Prevention: “Cross-connection controls and backflow prevention devices shall be installed in accordance with AS/NZS 3500.1.”

AS/NZS 3500.5:2012 Plumbing and Draining Part 5: Housing Installations

Section 1.1

“This Standard specifies requirements for the design and the installation of-

- (a) Cold water services;
- (b) Heated water services;
- (c) Rainwater systems
- (d) Water supply systems that are combined with home fire sprinkler systems;
- (e) Greywater systems
- (f) Sanitary plumbing and drainage systems; and (g) Stormwater drainage systems for a property containing up to 19 Class 1a buildings (single dwellings).

Section 1.4.3

“This Standard may be used as an alternative solution for compliance with the New Zealand Building Code clause G12, Water Supplies, clause G13, Foul Water and clause E1, Surface Water.”

Sections 2.16, 2.20 and 2.23

Section 2.16 deals with the Protection of Potable (Drinking) Water Supplies while Section 2.20 deals with Provision of Backflow Prevention Devices and Section 2.23 specifically addresses protection of hazards relating to the installations of Irrigation and Lawn Watering.

NZ Industry Standard - Field Testing of backflow prevention devices and verification of air gaps

This document covers the testing of backflow prevention devices and verification of air gaps. The procedures in the document for testing backflow devices endeavours to help to ensure uniformity of practice and reliability of testing thus providing improved protection of public health from potential contamination of water supplies through cross connections and backflow.

NZS 4541: 2013 Automatic Fire Sprinkler Systems

This document provides rules for the design, installation and maintenance of sprinkler systems in order that such systems reliably protect against the loss of life and minimise property damage from fire.

AS/NZS 4404 Land Development and Subdivision Infrastructure

The Code for Subdivision and Development AS/NZS: 4404 is the principal document defining design requirements. New works within the urban areas are constructed in general accordance with NZS4404 Land Development and Subdivision Infrastructure which sets minimum standards for reticulation construction, including the provision of firefighting water.

Section 6.3.9.2 – Prevention of backflow

Drinking water supply systems shall be designed and equipped to prevent backflow. The location and operation of hydrants, air valves, and scours shall ensure no external water enters the system through negative pressure from normal operation.

Plans and policies

Waitaki District Council Policy on Drinking Water Quality

The policy states that: *“Waitaki District Council is committed to managing its water supplies to provide safe, high-quality drinking-water that consistently meets the expectations of the New Zealand Drinking-water Safety Plan Framework, the requirements of the Health (Drinking-Water) Amendment Act 2007 and Drinking-Water Standards for New Zealand, other relevant legislation, and consumers.”* Specifically, Clause 4 of the policy states that we will *“take a proactive approach to addressing potential drinking-water (including source water) quality issues through regular review and analysis of available data, and implementation of preventative measures (including multiple-barrier protection, where required) and current industry best practice.”*

Waitaki District Council Water Safety Plans

Council through its Water Safety Plans has identified backflow prevention as a high priority means of reducing the risk of contamination into the water supply. The Water Services unit have imposed backflow prevention during the building consent process. As a result, some commercial and industrial properties presently have backflow devices installed. However, it is believed that there is further scope for a more proactive programme to be developed that would seek to actively identify properties presenting backflow risks. This Backflow Prevention Policy and support Backflow Prevention Hazard Identification and Management Plan seeks to formalise the backflow prevention approach.

APPENDIX B: Hazard ratings

The full list of hazards and their classifications included below comes from Clause G12/AS1 of the Building Code:

HIGH HAZARD	MEDIUM HAZARD	LOW HAZARD
<p>Any condition, device or practice which, in connection with the potable water supply system, has the potential to cause death. May include but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) Autoclaves and sterilisers b) Systems containing chemicals such as anti-freeze, anti-corrosion, biocides, or fungicides c) Beauty salon and hairdresser's sinks d) Boiler, chiller and cooling tower make-up water e) Car and factory washing facilities f) Chemical dispensers g) Chemical injectors h) Chlorinators i) Dental equipment j) Direct heat exchangers k) Fire sprinkler systems and fire hydrant systems that use toxic or hazardous water l) Hose taps associated with High hazard situations like mixing of pesticides m) Irrigation systems with chemicals n) Laboratories n) Mortuaries o) Pest control equipment p) Photography and X-ray machines q) Piers and docks r) Sewage pumps and sump ejectors s) Sluice sinks and bed pan washers 	<p>Any condition, device or practice which, in connection with the potable water supply system, has the potential to injure or endanger health. May include but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) Appliances, vehicles or equipment b) Auxiliary water supplies such as pumped and non-pumped fire sprinkler secondary water c) Deionised water, reverse osmosis units and equipment cooling without chemicals d) Fire sprinkler systems and building hydrant systems e) Hose taps and fire hose reels associated with Medium hazard f) Irrigation systems with underground controllers g) Irrigation without chemicals h) Livestock water supply without added chemicals i) Untreated water storage tanks j) Water and steam cleaning k) Water for equipment cooling l) Drink dispensers with carbonators m) Swimming pools, spas and fountains <p>Note: The examples given are not an exhaustive list. Where there is doubt comparison must be made to the hazard definitions.</p>	<p>Any condition, device or practice which, in connection with the potable water supply system, would constitute a nuisance, by colour, odour or taste, but not injure or endanger health. May include but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) Drink dispensers (except carbonators). <p>Note: The example given is not an exhaustive list. Where there is doubt comparison must be made to the hazard definitions.</p>

<p>t) Livestock water supply with added chemicals</p> <p>u) Veterinary equipment</p> <p>Note: The examples given are not an exhaustive list. Where there is doubt comparison must be made to the hazard definitions.</p>		
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Clause G12/AS1 of the Building Code outlines the acceptable solutions for various hazard levels, as below:

Type of backflow protection	CROSS CONNECTION HAZARD		
	HIGH	MEDIUM	LOW

	back-pressure	back-siphonage	back-pressure	back-siphonage	back-pressure	back-siphonage
Air gap (see Note 1)	✓	✓	✓	✓	✓	✓
Reduced pressure zone device	✓	✓	✓	✓	✓	✓
Double check valve assembly (see Note 2)			✓	✓	✓	✓
Pressure type vacuum breaker (see Note 3)		✓		✓		✓
Atmospheric vacuum breaker (see Note 4)		✓		✓		✓
<p>Note:</p> <ol style="list-style-type: none"> 1. Air gaps must not be installed in a toxic environment. 2. Double check valves can be installed in a medium and low hazard toxic environment. 3. Pressure type vacuum breakers are designed to vent at 7 kPa or less. However, they require a significantly higher pressure to reseal and must be installed only in systems which provide pressures sufficient to ensure full closing of the valve. 4. Hose outlet vacuum breakers are a specific type of atmospheric vacuum breaker. 						

4.2 WAITAKI WATER SUPPLY BYLAW 2021

Author: Caitlin Brand, Senior Policy Planner - Water Services
Authoriser: Paul Hope, Acting Assets Group Manager
Attachments: 1. Waitaki Water Supply Bylaw 2021

RECOMMENDATIONS

That the Assets Committee recommends:

That Council:

1. Adopts the appended Waitaki Water Supply Bylaw 2021
2. Undertakes a more thorough review of the Waitaki Water Supply Bylaw 2021 within the next 18 months, with a view to creating a consolidated Waitaki Three Waters Bylaw, incorporating water supply, wastewater (including trade waste) and stormwater, by 2023.

DECISION OBJECTIVE

To ensure Council has a reviewed and adopted Water Supply Bylaw in place to regulate its water supply activities in accordance with legislative and service level requirements.

SUMMARY

A new Water Supply Bylaw for the Waitaki District was developed and adopted in December 2014, following a prolonged period of engagement with the community, including a Special Consultative Procedure in accordance with the requirements of the Local Government Act 2002 (the LGA).

Section 158 of the LGA makes provision for the review of new bylaws, and a new reviewed bylaw must be adopted again by Council within 7 years of being made, otherwise it is automatically revoked.

The review of the Waitaki Water Supply Bylaw 2014 concluded that the bylaw has been working as intended and is considered to be fit for purpose for the foreseeable future. Only minor changes are proposed to ensure the currency of introductory and technical information. These changes will have no impact on current water supply consumers or other supply stakeholders. As such, a public consultation process is not required, which is supported by Section 156 of the LGA, allowing councils to make minor changes to a bylaw.

On this basis, the Waitaki Water Supply Bylaw 2014 has been amended and the Waitaki Water Supply Bylaw 2021 is appended for adoption by Council.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Adopt the Waitaki Water Supply Bylaw 2021
Operational Decision-Making:	Ensure the effective implementation of the provisions within the Waitaki Water Supply Bylaw 2021
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance

Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	Moderate
Legal	Key	Cultural Considerations	No
Significance	No	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	Moderate
Community Views	No	Community Board Views	No
Consultation	No	Publicity and Communication	Moderate

BACKGROUND

Waitaki Water Supply Bylaw 2014

Council developed and adopted the current Waitaki Water Supply Bylaw in 2014 following a prolonged period of engagement with the community and a Special Consultative Procedure in accordance with the requirements of the Local Government Act 2002 (the LGA). This included significant engagement with the Rural Water Scheme Consumer Subcommittees, who provided governance for most of the rural water supplies at that time.

The previous Rural Water Scheme Bylaw 2001 was revoked in 2010 due to not meeting the Government’s LGA bylaw review requirements.

The new 2014 bylaw sought to incorporate all types of water supply within the district and had a technical focus consistent with the provisions of the Model General Bylaw (NZS9201: Part 7 – Water Supply).

The bylaw’s purpose is to ensure the district’s water supplies are managed and regulated in a way that meets the needs of all consumers. Its main functions are to:

- Ensure all consumers are protected from contamination of the water supply
- Ensure that the water supply system is not damaged or tampered with
- Outline the manner in which water is supplied
- Determine how applications to connect to the water supply, or change existing use, are managed
- Provide a regime for cost recovery
- Identify breaches and offences against the bylaw
- Set out the actions Council will take in the event of a breach or offence against the bylaw

Bylaw review

Under Section 158 of the LGA, councils must review a new bylaw within five years after the bylaw was made, and adopt the reviewed bylaw within two years of the review.

The review of the Waitaki Water Supply Bylaw 2014 concluded that the bylaw been working as intended and is considered to be fit for purpose for the foreseeable future.

Only minor changes are proposed to ensure the currency of introductory and technical information. These include:

1. Changing the bylaw preface to reflect current context, including referenced documents
2. Schedule of Water Supplies (p37) – updating the supplies to reflect changes since 2014

These changes and others have been tracked in the appended document and will have no impact on current water supply consumers or other supply stakeholders.

Under Section 156 of the LGA, Council may, by resolution publicly notified, make minor changes to, or correct errors in, a bylaw, but only if the changes or corrections do not affect an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies; or an existing status or capacity of any person to whom the bylaw applies.

Additionally, it is considered that because of the prolonged and comprehensive engagement undertaken for the development of the 2014 bylaw, and the fact the bylaw is working as intended with no issues recorded to date, a public consultation process is not required.

On this basis, the Waitaki Water Supply Bylaw 2014 has been amended and the Waitaki Water Supply Bylaw 2021 is appended for adoption by Council.

Future review

Officers have noted that there is an opportunity to undertake a more comprehensive, integrated review of its current three waters activities (water supply, wastewater and stormwater) over the next 18 months, with a view to creating a new integrated Waitaki Three Waters Bylaw, by 2023.

This approach has been taken by several other councils and will ensure alignment and consistency between the bylaws. It will also enable more streamlined, efficient, and cost-effective reviews in the future.

It will further ensure the Waitaki community has a Three Waters Bylaw in place that reflects the needs of our district, and that this is done prior to the transition to a new Three Waters entity, should that eventuate.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – adoption of the appended Waitaki Water Supply Bylaw 2021 (**preferred**)

Option 2 – adoption of the appended Waitaki Water Supply Bylaw 2021 with amendments

This option would mean adopting the bylaw, with further amendments. This option is only recommended if the proposed amendments are no more than minor and fit within the LGA's Section 156 requirements. More significant amendments may trigger a consultation process and cause delays, meaning the bylaw may be automatically revoked.

Option 3 – defer adoption of the Waitaki Water Supply Bylaw 2021

This would likely result in the bylaw being automatically revoked, necessitating the development of a new bylaw and a full Special Consultative Procedure to be undertaken.

ASSESSMENT OF PREFERRED OPTION

Option 1 – adoption of the appended Waitaki Water Supply Bylaw 2021

The Waitaki Water Supply Bylaw was extensively consulted on in 2014 and is working as intended. The only changes required, as noted in the report, are to ensure the preface and technical supply details reflect the current context. These will have no impact on current supply consumers or stakeholders.

This option will enable the bylaw to remain in place and operative until a more comprehensive review can be undertaken in conjunction with the review of other related bylaws, and the development of a new Waitaki Three Waters Bylaw by 2023.

CONCLUSION

For the reasons outlined above, it is concluded that Council should proceed with adopting the Waitaki Water Supply Bylaw 2021, as appended.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Publicity and Community Considerations

Section 157 of the LGA requires the following:

(1) As soon as practicable after a bylaw is made, the local authority must give public notice of the making of the bylaw, stating—

- a) the date on which the bylaw will come into operation; and
- b) that copies of the bylaw may be inspected and obtained at the office of the local authority on payment of a specified amount.

(2) A local authority must—

- a) keep copies of all its bylaws at the office of the local authority; and
- b) make its bylaws available for public inspection, without fee, at reasonable hours at the office of the authority; and
- c) supply to any person, on request and on payment of a reasonable charge, a copy of any of its bylaws.

Waitaki Water Supply Bylaw 2021



Based on NZS 9201:Part 7:2007
Model general bylaws
Part 7 – Water Supply

PREFACE

Purpose of the bylaw

The bylaw has been developed to ensure the district's water supplies are managed and regulated in a way that meets the needs of all consumers. Its main functions are to:

- Ensure all consumers are protected from contamination of the water supply
- Ensure that the water supply system is not damaged or tampered with
- Outline the manner in which water is supplied
- Determine how applications to connect to the water the supply or change existing use will be managed
- Provide a regime for cost recovery
- Identify breaches and offences against the bylaw
- Set out the actions Council will take in the event of a breach or offence against the bylaw

Although the bylaw seeks to regulate and protect water supplies to ensure safe and reliable access to water for current consumers, Council is also committed to supplying water to new consumers and for growth wherever possible to support its vision of 'Growing Waitaki'. Therefore, the bylaw also aims to ensure water supplies are effectively managed and protected so that capacity for supporting growth is maximised.

Terminology

Terminology used in the bylaw is generally consistent with that used in the Model General Bylaw. This includes use of the terms 'ordinary' and 'extraordinary' to differentiate the two general categories of water use and assist in determining the appropriate type of supply to be provided, and whether or not metering may be applied, based on the volume likely to be used.

Many of the uses listed as 'extraordinary' are associated with productive use of water – including commercial, business, horticultural and agricultural use. Because of the important role productive water use plays in helping Council achieve its vision of being a "Prosperous District" that is "attractive to new opportunities", it is crucial that this water is appropriately protected and allocated. Inclusion of productive types of water use under the bylaw's 'extraordinary' category affords it this greater degree of protection, which is generally achieved through the provision of a restricted flow supply (although metering may also be used, where appropriate).

Historic context

Town supply

Oamaru's urban (township) water supply had its genesis in the late 1860s when the town was growing fast on the wealth of its role as a shipping port which serviced the gold-rich hinterlands of Otago. After the gold came local sheep rearing for wool, and after that, grain and frozen meat. As Oamaru grew, its demand for water reached the point where roof collection and the polluted water extracted from Oamaru Creek were collectively insufficient - shortages were frequent and diseases rife.

Because Waitaki has a generally dry climate, there were no reliable local water sources for a supply that met the residents' health and fire-fighting needs. The Oamaru Municipal Council of 1874 therefore set the town on a course of action to build what would turn out to be New Zealand's most ambitious and expensive water supply system of the period.

Drawing water from the Waitaki River just downstream from Duntroon, the 'Borough Race' as it became known, comprised nearly 50km of open water channel and was designed by the Borough's Engineer, Donald McLeod. The design included six tunnels and seven large timber trestle aqueducts along with a massive intake structure.

The water was screened but not filtered or sanitised and by today's standards it was poor quality. However, in 1882 it was a miracle and a huge asset to the town. To cross some poor ground encountered during construction, and to rectify washouts and changes in topography, a total of nineteen aqueducts of one type or another, including timber fluming at ground level, were in place until the water supply [race only] was replaced by a pumped supply from the Lower Waitaki Irrigation Scheme in 1983.

The original Oamaru supply was unique in New Zealand and rare in the world, as McLeod's design incorporated a specification for the system to provide all the water needed for fire-fighting and domestic use, plus 300 spare horsepower. Councillors envisaged that the water supply would be a source of hydraulic energy for the town's industry. This specific requirement was satisfied by the reservoir at Ardgowan, to which the water flowed under gravity, being just on 300 feet (100 metres) above sea level and the falling mains that bring the water into town being of an extraordinary size for such a small town, which had a population of just 4000 people in 1880 when the system was turned on.

Vast quantities of piped water were consumed by industrial devices such as turbines and water engines of many types. These were used to power flour mills, manufactories of wire goods and spun wool products, grain warehouse lifts, elevators, and printing presses. Piped water at pressure was also ideal for generating electricity and one of Oamaru's defining characteristics was its very early use of electricity for lighting and industrial uses. The industrial use of water was metered. The use of the water supply for motive power of all types pretty much ceased in the 1920s when reticulated electricity became available.

A number of components of the system are, or shortly will be, protected heritage places in the District Plan and the whole of the supply works of 1880 have been recognised by the New Zealand Institution of Professional Engineers (IPENZ) as a civil engineering work of national significance.

Most of the cast iron pipes laid between 1879 and 1882 are still in use today. The falling mains [cast iron pipes made in Glasgow and shipped here by sailing ship] still bring water from the 1880 reservoir, down the hill to Eden Street and into Oamaru.

Waitaki District Council has an ongoing interest in the reservoir and all the piped reticulation as this part of the 1880 system is still the source of water for Oamaru and a vast rural area surrounding the town

Rural supply

Rural areas of Waitaki District are also served by water supply systems of considerable historic interest and value.

In the decades preceding the development of schemes for rural water supply, the district's dry climate meant that reliable water supply for stock grazing and household use was rare. In 1965, a survey on 62 separate farms around Enfield showed that the creeks, springs, wells and dams on these farms gave reliable water to only 35% of the 800 separate paddocks and 40% had no water at all. Rational pasture management was rendered impossible by the need for stock to pass through too many gates and cross too many paddocks (otherwise suitable for cropping of drought tolerant feed crops) to get to water.

In the very early 1900s, a petrol engine-pumped small-area supply had been built around Elderslie Estate and an electrically pumped supply in the same area was initiated in 1925. By the 1950s it became apparent that the three rivers of the inland basin between the Waitaki and the Kakanui Mountains would be the sources of

permanent water and that intensive mechanisation would be required to supply this. Once electricity was widely available in rural areas, the reliable and automatic mechanical supply of water to these areas became feasible.

It was the Waiareka Creek which was first tapped into to supply the Windsor area, conceived in 1954 by a number of residents of the area as a township water supply. The value of the supply to the adjacent rural area was immediately identified and the concept gradually evolved to include stock water supplies for adjacent lands. This scheme was the precursor to all other such in New Zealand and is comprehensively told in C K McDonald's book '*That flocks and men may live*'.

While the initial intention was for the supplies to be locally owned and operated, it was discovered that by involving the local authority, Crown grant money would be available and would fund half of the supply construction. The loans were made under the Local Authorities Loans Act of 1956 and this was of paramount importance to the ownership of water supply assets and determined who the ultimate owners of these supplies were.

While the grants schemes and guarantees played a key role in supply development, it was the foresight and determination of the local men and women that provided the impetus and drive to initiate the supplies. Local benefactors also willingly and extensively provided labour for scheme construction. Without this, costs for developing the supplies would have been beyond what was affordable.

For this reason, the very hard work of concreting the reservoirs and digging in and laying the hundreds of kilometres of pipes that provide water to thousands of people and tens of thousands of stock across the district, dominates memory of the systems' genesis.

Attaining Crown grant money was a complex process and could only be achieved under the proviso that the water was to a standard acceptable to the Medical Officer of Health, and this caveat on the grants saw the installation of water treatment on most supplies, ensuring the health of the communities served was adequately protected.

While originally developed as rural water supply schemes that operated independently of one another, changing demands, quality standards and an increasing need for improved reliability have resulted in much integration and amalgamation of these water supplies. However, most of the historic infrastructure on these supplies dating from the 1960s or 70s is, unlike the Borough Race, still in use.

Supply to rural areas is typically by way of pumping the water to one or more elevated reservoirs and then by gravity through a tree-like network of single end-fed pipes to the consumer. Early systems were automated by float valves and a combination of timers that dictated when pumps were active. Many are now sophisticated systems with telemetry and computerised management. Consumers have restrictor systems on their properties

- small devices which limit the daily water volume and ensure fair distribution in units, which are still based on the 400 imperial gallons/per day that was settled on at the concept stage.

A memorial built into the front wall of Totara Estate, nine kilometres south of Oamaru on State Highway 1, reflects the District's appreciation of the benefits made possible by the ingenious use of the restricted flow device that makes the reliable supply of water to rural areas possible. Nearly all rural water supply in New Zealand follow the pattern and concept of the revolution initiated by the Windsor scheme and others in Waitaki.

Waitaki District Council is well aware of the community pride in past and continuing personal contributions to the creation and development of the water supply to rural areas.

Council is committed to making its infrastructure work properly and fairly for all citizens. This bylaw is just one of the tools required to help us meet our statutory obligations to provide potable water and distribute it in the fairest way across the Waitaki District.

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REFERENCED DOCUMENTS

Reference is made in this document to the following:

New Zealand Standards

NZS 4503:2005 Hand operated fire-fighting equipment
NZS 4515:2009 Fire sprinkler systems for life safety in sleeping occupancies (up to 2000 m²)
NZS 4517:2010 Fire sprinkler systems for houses
NZS 4541:2020 Automatic fire sprinkler systems
NZS 9201:2007 Model general bylaws Part 7 – Water Supply

New Zealand Publicly Available Specification

SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice

International Publications

ISO 4064-1:2014/OIML R 49-1:2013 Water meters for cold potable water and hot water Part 1 Metrological and technical requirements.
ISO 4064-2:2014/OIML R 49-2:2013 Water meters for cold potable water and hot water Part 2 Test methods.
ISO 4064-3:2014/OIML R 49-3:2013 Water meters for cold potable water and hot water Part 3 Test report format.

British Standard

BS EN 14154-4:2014 Water meters. Test methods and equipment

Other Publications

Drinking Water Standards for New Zealand, 2005 (revised 2018)
Water NZ Boundary Backflow Prevention for Drinking Water Code of Practice, 2019
Water NZ Water Meter Code of Practice, 2003

New Zealand Legislation

Health (Drinking Water) Amendment Act 2007
Building Act 2004
Building Regulations 1992 Schedule 1 (New Zealand Building Code)
Fire Service Act 1975
Health Act 1956
Local Government Act 2002
Local Government (Rating) Act 2002
Resource Management Act 1991
Resource Management (National Environmental Standards for Sources of Human Drinking) Regulations 2007
Summary Proceedings Act 1957
Wildlife Act 1953
Utilities Access Act 2010
Civil Defence Emergency Management Amendment Act 2016
Animal Welfare Act 1999

RELATED DOCUMENTS

AS/NZS 4020:2018 Testing of products for use in contact with drinking water
NZUAG National Code of Practice for Utility Operators' Access to Transport Corridors

DRAFT WATER SUPPLY BYLAW 2021

1.0 TITLE

A Bylaw of the Waitaki District Council by way of Special Order pursuant to the provisions of 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 Waitaki District Council Water Supply Bylaw 2021.

2.0 COMMENCEMENT

This Bylaw shall come into force once resolved by Council following public consultation process.

3.0 REPEAL

The Waitaki District Council Water Supply Bylaw 2014 is repealed.

4.0 APPLICATION OF BYLAW

This Bylaw applies to Waitaki District Council Community Water Supplies under the care, control and management of the Waitaki District Council, as named in Schedule 1.

The Bylaw shall also apply to any premises outside the Waitaki District supplied with water from a Waitaki District Council Community Water Supply and shall also apply to any other Waitaki District Council community water supply which may hereinafter be constituted by the Council.

5.0 SCOPE

This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its consumers by the Waitaki District Council. The supply and sale of water by the Waitaki District Council is subject to:

(a) Statutory Acts and Regulations

- (i) Building Act 2004
- (ii) Fire Service Act 1975
- (iii) Health Act 1956
- (iv) Health (Drinking Water) Amendment Act 2007
- (iv) Local Government Act 2002
- (v) Local Government (Rating) Act 2002
- (vi) Resource Management Act 1991
- (vii) Utilities Access Act 2010
- (viii) Civil Defence Emergency Management Amendment Act 2016

(b) Takes consideration of the Relevant Codes and Standards

- (i) Drinking Water Standards for New Zealand 2005 (revised 2018)
- (ii) BS EN 14154-4:2014 Water meters. Test methods and equipment.
- (iii) SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice
- (iv) Water NZ Boundary Backflow Prevention for Drinking Water Code of Practice 2019
- (v) Water NZ Water Meter Code of Practice 2003
- (vi) Waitaki District Council Bylaws & Codes of Practice

(c) Other relevant Acts, Regulations, Codes and Standards passed or introduced subsequent to the date that this Bylaw comes into force, in replacement of or in addition to those set out in clause 5(a) and (b).

6.0 INTERPRETATION

References to a repealed enactment include its replacement.

For the purpose of this Bylaw, the word “shall” refers to practises that are mandatory for compliance with this Bylaw, while the word “should” refers to practises that are advised or recommended.

7.0 DEFINITIONS

For the purpose of this Bylaw, unless inconsistent with the context, the following definitions apply:

Air gap separation	A minimum vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank
a)	Approved agent An employee, contractor or nominated party engaged to carry out the undertakings of the Council
Approved	Approved in writing by the Council, either by resolution of the Council or by any officer of the Council authorised for that purpose
Backflow	The unplanned flow of water, or mixtures of water and contaminants, in a reverse direction to the normal water supply flow
Council	The Waitaki District Council or any officer or approved agent authorised to exercise the authority of the Council under this Bylaw
b)	Consumer A person who uses, or has obtained the right to use or direct the manner of use of, water supplied by the Council
Detector check valve	A check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply
Domestic and food preparation use	<p>In relation to water, means use for any of the following purposes:</p> <ul style="list-style-type: none">a) human consumptionb) preparing food or drink for human consumptionc) preparing or processing products ultimately intended for human consumptiond) washing utensils used for preparing, storing, or serving food or drink for human consumptione) washing utensils used by people for eating or drinkingf) human oral hygiene <p>(Being the same meaning as defined in the Health (Drinking Water) Amendment Act 2007)</p>
Drinking water standards	Are the:

	<p>a) standards issued or adopted under section 69O of the Health (drinking water) Amendment Act 2007); or</p> <p>b) if section 14(5) of the Health (Drinking Water) Amendment Act 2007 applies, the Drinking-Water Standards for New Zealand 2005 (revised 2018)</p> <p>(being the same meaning as defined in the Health (Drinking Water) Amendment Act 2007)</p>
Extraordinary use	When the water supplied is used for all purposes for which water is supplied other than ordinary use and which may be subject to specific conditions and limitations
Fees, charges and/or rates	The list of items, terms, and prices for services associated with the supply of water as prescribed by the Council from time to time in accordance with the LGA 2002 and the Local Government (Rating) Act 2002
Filter	A porous device for removing solid particles from flowing water which prevents those particles entering fixtures, fittings and accessories on the water supply system
Level of service	The measurable performance standards on which the Council undertakes to supply water to its consumers as stated in the Long Term Plan for the current period
Limited reticulation capacity	Where a part of the water supply network has hydraulic limitations and/or low pressure
Long Term Plan	Is the Council's plan for the next 10 consecutive financial years adopted in accordance with Section 93 of the Local Government Act 2002
Manager	The manager, or his or her appointed deputy, responsible within the Waitaki District Council for the delivery of water supply services
Notice	Is written notice
On demand supply	A method of supply which delivers the consumer a volume of water directly from the point of supply
Ordinary use	When a supply is used solely for domestic purposes, but excluding filling a spa or swimming pool, a decorative or functional pond, or other water storage in excess of 10m ³ in capacity, or any other use defined as extraordinary
Owner	Means the person owning the premises to which the water is supplied
Over-delivering	When a restricted flow device delivers a greater volume of water to the point of supply than is intended
Over-reading	When a water meter is reading or recording a volume greater than the volume actually delivered to the point of supply

Person	A natural person, corporation or a body of persons whether corporate or otherwise
Point of supply	The point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the consumer and the Council, irrespective of property boundaries
Potable	Drinking water that does not contain or exhibit any determinands to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the drinking-water standards (being the same meaning as defined in section 69G of the Health Act 1956 (and its amendments))
Premises	Includes the following: 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 or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or c) Land held in public ownership (e.g. reserve) for a particular purpose; or d) A property or collection of allotments held under common ownership and common rates assessment reference, and operated as a single entity
Public notice	Includes the following: a) A notice published in— (i) 1 or more daily newspapers circulating in the region or district of the local authority; or (ii) 1 or more other newspapers that have at least an equivalent circulation in that region or district to the daily newspapers circulating in that region or district; and b) Includes any other public notice that the local authority thinks desirable in the circumstances (being the same meaning as defined in section 5 of the Local Government Act 2002)
Reserve storage (or stock valve)	The volume of water contained within the <i>restricted flow storage</i> which can only be accessed by opening the reserve storage access valve
Reserve storage access valve	The valve that is normally closed and is opened only when the restricted flow storage has been consumed to such a point that water cannot be accessed by the normal off-take

Restricted flow	The volume of water supplied to a consumer on a restricted flow supply. Expressed as m ³ /day. From time to time, and solely for convenience, restricted flow volumes may be expressed as units per day, points per day or crib units per day
Restricted flow storage	The volume of storage required on-site for premises on each restricted supply. Expressed as m ³ or number of days of restricted flow volume
Restricted flow supply	A method of supply which delivers a specific allocation of water to the consumer through a flow control device (restrictor) over a 24-hour period. Storage is provided by the consumer to cater for the consumer's demand fluctuations. Volume and delivery is subject to the specified level of service.
Restrictor	A flow control device fitted to the service pipe to limit the flow rate of water to a consumer's premises
Roading authority	A territorial authority or the New Zealand Transport Agency
Service pipe	The section of water pipe between a water main and the point of supply
Service valve (toby)	The Council valve at the consumer's end of the service pipe which allows their supply to be isolated from the main Council supply
Storage tank	Any tank having a free water surface under atmospheric pressure to which water is supplied across an air gap separation
Supply pipe	The section of pipe between the point of supply and the consumer's premises through which water is conveyed to the premises
Subsistence jetting	Fitting of a restricted flow device at the point of supply where such restricted flow is set to deliver a water volume sufficient solely for the purpose of maintaining sanitary conditions
Tank supply	A method of supply delivery which provides the consumer with a volume of water delivered solely to a storage tank from the point of supply, subject to the level of service
The Act	Local Government Act 2002
Under-reading	When a water meter is reading or recording a volume lesser than the volume actually delivered
Under-delivering	When a restricted flow device is delivering a lesser volume of water than is intended through the <i>restricted flow device</i>
Water supply system	All the components of the water supply network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and

	pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices, restricted flow units and service valves (tobies)
Wear and tear	Damage that naturally and inevitably occurs as a result of normal wear or aging

8.0 PROTECTION OF WATER SUPPLY

8.1 Water Supply System

8.1.1 Access to system

No person other than the Council and its approved agents may access any part of the Council water supply system, except to:

- (a) operate the service valve
- (b) clear a restricted flow supply filter
- (c) lag or protect the water supply system from damage
- (d) connect to the point of supply when such connection is authorised by the Council

8.1.2 No person to connect to, or interfere with a water supply system

Except as set out in 8.1.1, 8.1.3 and 8.1.4, no person shall make any connection to, or otherwise interfere with, any part of the water supply system.

8.1.3 Fire hydrants

Only the attending Fire Service/s shall gain access to, and draw water from fire hydrants for the purpose of fighting fires, training, and testing.

8.1.4 Other uses

The right to gain access to, and draw water from the water supply for uses other than fire-fighting shall be restricted to:

- (a) The Council or its approved agents
- (b) Permit holders, being those persons who, after having submitted an application to the Council, are subsequently approved to draw water from the fire hydrants or tanker fill points. Such permits shall be valid only so long as the permit holder complies with the conditions endorsed on the permit. Without prejudice to other remedies available, the Council may remove and hold any equipment used by an offender to gain access to, or draw water from a fire hydrant or any other appurtenance or fixture, and access and recover the value of the water drawn without authorisation and any other associated costs.

8.1.5 Working around buried services

Any person proposing to carry out excavation work shall, prior to undertaking such work, establish whether any part of the water supply system is located in the vicinity of the proposed excavation work, and notify the Council in writing of an intention to excavate in the vicinity of the water supply system at least five working days prior to commencing such work. No such work may be undertaken until approval in writing is obtained from the Council.

The Council keeps records ('as-builts') of the location of its buried services. This information is available for inspection at no cost. Charges may be levied to cover the costs of providing copies of this information.

On approval, the Council may impose such restrictions on excavation work as it considers necessary to protect the water supply system. When the Council considers it appropriate, the Council or its approved agent will mark out the ground to indicate the location of the water supply system to within ± 0.5 m in Residential areas and to within ± 2.5 m in Rural areas. The Council may impose a charge for this service.

Such location markings shall not be inferred to be an exact representation of the service location, and where doubt exists the person carrying out the works shall, by hand excavation, locate and confirm the position of the service.

Any person excavating and working around the water supply system shall exercise care not to damage the system, and shall reinstate bedding and backfill in accordance with the Council's specification.

Any damage to the water supply system shall be reported to the Council immediately. If the damage is found to be caused through negligence of the person causing the damage, they shall be required to reimburse the Council for all costs associated with repairs, and any other costs incurred by the Council as a result of the damage. The Council will not impose costs where the damage is found to have been the result of normal wear and tear.

8.2 Protection of Source Water

8.2.1 Open catchments

In open catchment areas, whether designated or not, there will generally be no restriction on activities other than any provisions of the regional or district plan and the National Environmental Standard.

8.2.2 Spillages and adverse events

In the event of a spillage, or any event which may have an adverse effect on the water supply, the person responsible shall advise the Council immediately. This requirement is in addition to any other notification required to be given.

9.0 CONDITIONS OF SUPPLY

9.1 Application for Supply

9.1.1 Initial application

Every application for a supply of water shall be made in writing on the standard Council form accompanied by the prescribed application charges. The applicant shall provide all the details required by the Council.

On receipt of the application the Council or its approved agent shall, after consideration of the matters in 9.4 and 9.5, either:

- a) Approve the application and inform the applicant of the type of supply, the level of service, the size of the connection, and any particular conditions applicable; or
- b) Refuse the application and notify the applicant of the decision giving reasons for refusal.

For the agreed level of service to the applicant, the Council or its approved agent should determine the sizes of all pipes, fittings and any other equipment, up to the point of supply.

The Council or its approved agent shall supply and install the service pipe up to the point of supply at the applicant's cost, or may allow the supply and installation of the service pipe to be carried out by approved contractors at the applicant's cost.

Installations shall be in strict accordance with the design and instructions approved by the Manager.

The applicant shall have the authority to act on behalf of the owner of the premises for which supply is sought, and shall produce written evidence of this if required.

An approved application for supply which has not been accepted by the applicant and paid for within 30 days of the date of approval shall lapse unless a time extension has been approved. Any refund of application fees and charges shall be at the discretion of the Manager.

9.1.2 Change of use

Where a consumer seeks a change in the level of service or end use of water supplied to the premises, and/or changes from ordinary to extraordinary use of supply, or vice versa, a new application for supply shall be submitted by the consumer.

9.1.3 Subdivisions and building alterations

Any subdivision, land use consent or land use change, separation of underlying land parcel, building consent or building alteration affecting the premises shall constitute a change in use and may require an application for supply for the premise or any new premises created, including the parent premise or part thereof.

Where any of the subsequently created premises, including the parent premise or part thereof, require extraordinary use of the supply, they shall be subject to the requirements as apply to extraordinary use.

9.1.4 Prescribed fees and charges

Fees and charges applicable at the time of application may include:

- (a) The application processing fee
- (b) Officer time taken in the processing, liaison, research and determination of the application

Charges applicable at the time of connection may include:

- (a) Payment to the Council for the cost of the physical works and the administration and management of same, or any set fee to cover such costs, as are required to provide the connection
- (b) A development contribution charge determined in accordance with the Local Government Act 2002
- (c) A financial contribution charge determined in accordance with the Resource Management Act 1991
- (d) Officer time for processing, liaison, research, design and design review, co-ordination, supervision and record-taking associated with the connection

9.2 Point of Supply

9.2.1 Responsibility for maintenance

The Council owns, and is responsible for maintenance of the service pipe and fittings up to and including the service valve and (where fitted) filter, restrictor or water meter at the point of supply.

The consumer owns, and is responsible for maintenance of, the supply pipe, fittings, storage tanks, associated accessories and the like beyond the point of supply.

9.2.2 Responsibility for frost protection

The consumer is responsible for the provision and maintenance of suitable frost protection of the service valve and, where fitted, the filter, restrictor and water meter at the point of supply.

Where inadequate frost protection has contributed to frost damage, the cost of repairs may be charged to the consumer.

9.2.3 Responsibility for protection from accidental damage

The consumer is responsible for the protection from accidental damage of the service valve and, where fitted, filter, restrictor and water meter at the point of supply.

Where inadequate protection has contributed to any accidental damage, the cost of repairs may be charged to the consumer.

9.2.4 Identification of point of supply

- a) *On-demand supply* - The point of supply shall be up to and include the outlet from the service valve or water meter (where fitted), whichever occurs furthest downstream. In cases where a water meter is fitted within the premises' end of a supply pipe, the point of supply shall be up to and include the outlet from the service valve only.
- b) *Restricted flow supply* - The point of supply shall be up to and include the outlet from the restrictor.
- c) *Tank supply* - The point of supply shall be up to and include the outlet from the service valve.

9.2.5 Change to location of point of supply

A change to the location of a point of supply on a premises will be treated as a new supply connection. As such, a consumer intending to move the point of supply to another location on their premises, or to any adjoining premises, shall make an application to the Council in accordance with the conditions set out in 9.1 and shall be liable for any prescribed application charges.

9.2.6 Serviceability

The Council gives no guarantee of the serviceability of the service valve (to be) located on the service pipe. Where there is no consumer stopcock, or where maintenance is required between the service valve and the consumer stopcock, the consumer may use the service valve to isolate the supply. However, the Council may charge for the repair of this valve if it is damaged by such consumer use.

9.2.7 Supply across premises

No supply shall extend beyond the boundaries of the premises supplied nor supply any fixture or water to any other premises without the express approval of the Council.

9.2.8 Single ownership

For individual consumers, the point of supply is located generally in accordance with Figure 2, Figure 3 and Figure 4 (whichever is applicable – see following pages) or as close as possible to that point if other permanent structures present an obstruction.

There shall be only one point of supply for each consumer, unless otherwise approved by the Council.

Figure 1: Typical point of supply outside premises – On-Demand Supply

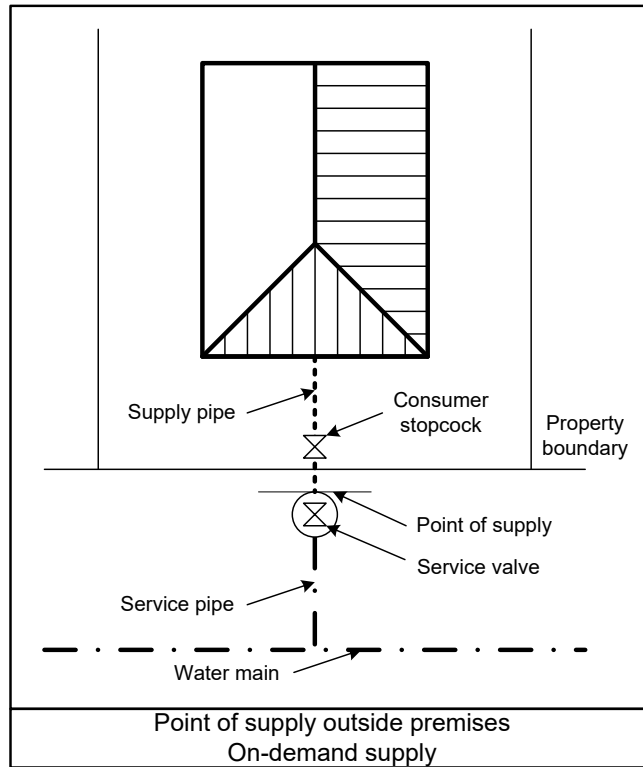


Figure 2: Typical point of supply outside premises – Restricted flow Supply

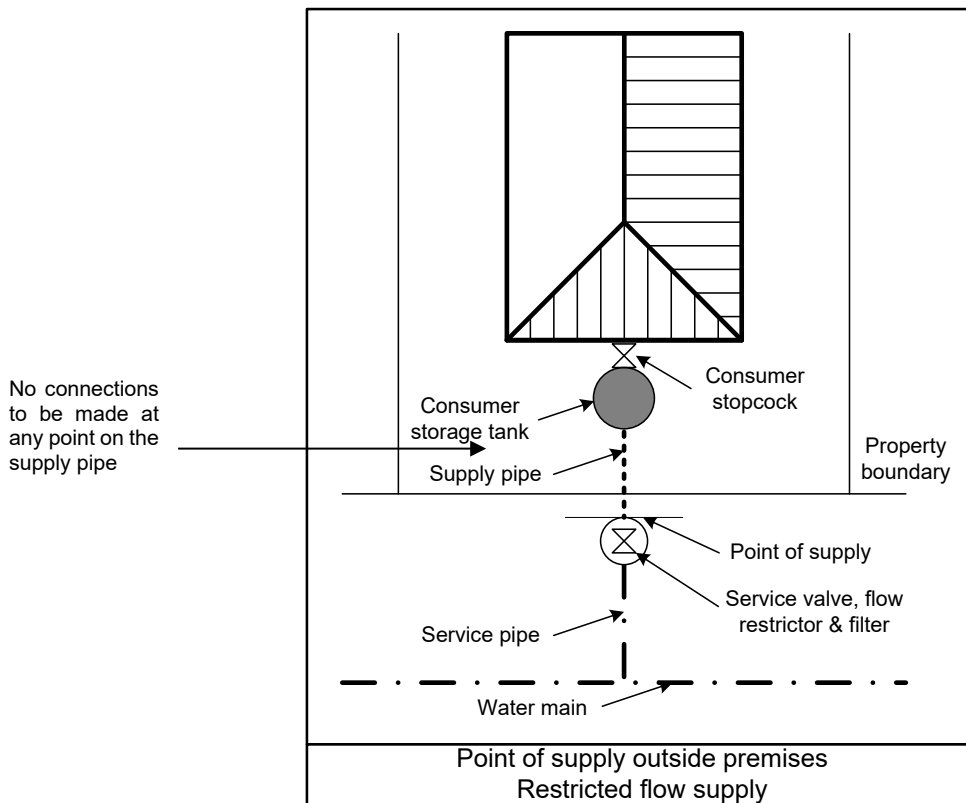


Figure 3: Typical point of supply inside premises – Restricted flow Supply

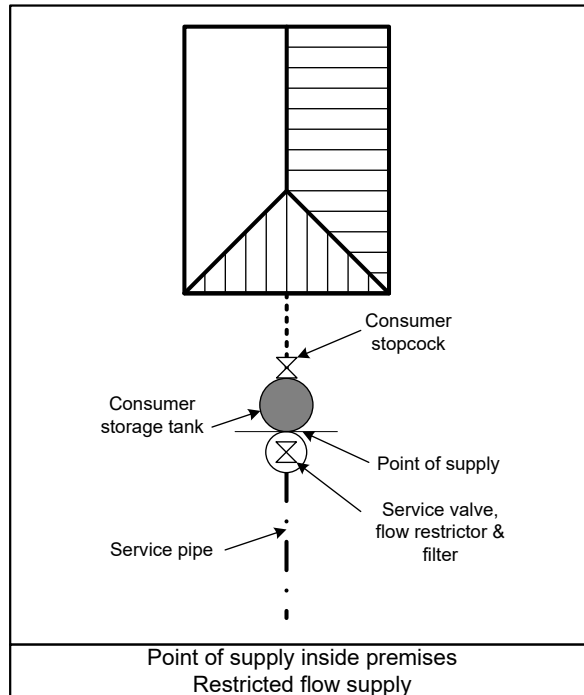
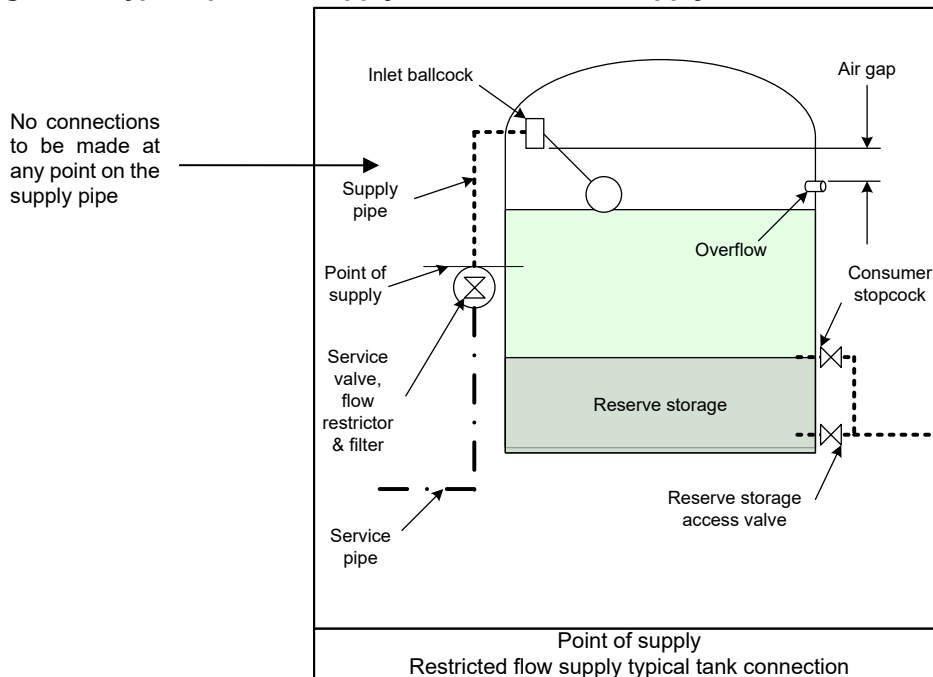


Figure 4: Typical point of supply– Restricted flow Supply tank connection



9.2.9 Multiple ownership

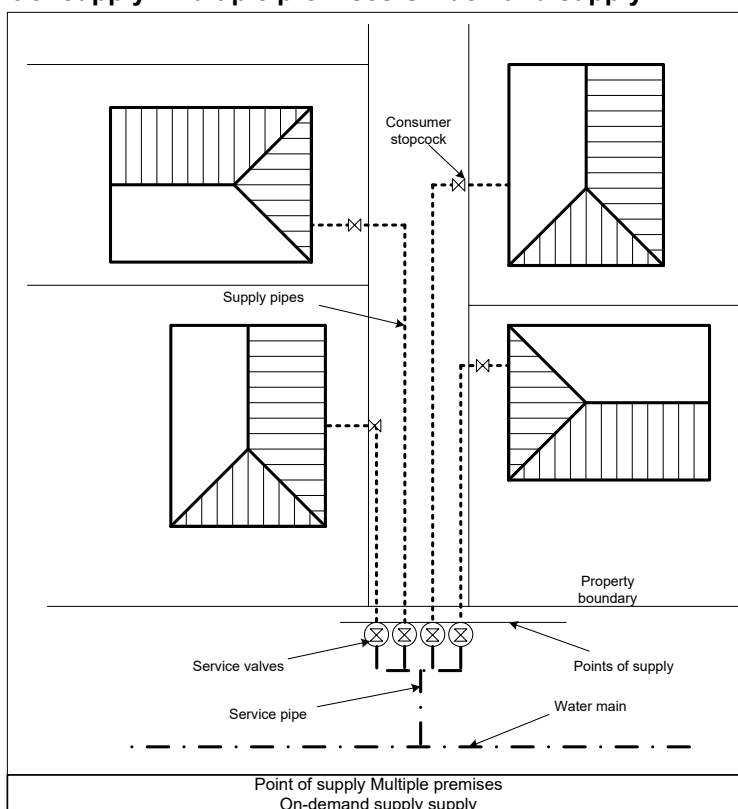
The point of supply for the different forms of multiple ownership of premises and/or land is:

- (a) For properties that have multiple owners but only one valuation number – a single connection to the premises.
- (b) For properties that have multiple owners and multiple valuation numbers – a single connection per valuation number.

- (c) For properties that have multiple owners, where the supply was in existence prior to the commencement of this Bylaw, the point of supply is in accordance with the arrangement existing at that time, or as determined by agreement with the Manager for any individual case.

The typical layout at a point of supply where multiple ownership exists, is generally in accordance with Figure 5.

Figure 5: Typical point of supply– Multiple premises On-demand supply



9.3 Access to, and About, Point of Supply

9.3.1 Rights of access

Where the point of supply is on private property, the consumer shall allow the Council or its approved agent access to and about the point of supply between 7.30am and 6pm on any day for the purpose of:

- (a) Meter reading without notice; or
- (b) Checking, testing and maintenance work with notice being given whenever practicable.

Outside these hours (such as for night time leak detection) the Council will give notice to the consumer where possible. If a Council officer or an approved agent of the Council is prevented from having access to the premises at any of the above times and a return visit is required, the Council may charge an inspection fee for that visit as set out in the fees and charges section of the Council's Annual Plan.

Under emergency conditions, or where urgent repairs or maintenance are required, or for matters that relate to supply security, continuity and safety, the consumer shall allow the Council and/or its approved agents free and unimpeded access to, and about, the point of supply at any time.

9.3.2 Maintenance of access

The consumer shall maintain the area in and around the point of supply by keeping it free of soil, vegetation, or other matter which obstructs convenient access to the point of supply.

9.4 Types of Supply

9.4.1 General

Supply of water to consumers is classified by the method of delivery, being either:

- a) on demand supply;
- b) restricted flow supply; or
- c) tank supply

9.4.2 On-demand supply

An on-demand supply may be permitted where the premises are located within an area which typically has an on-demand supply (refer section 12.0 *Schedule of Water Supplies*), provided always that the provision of an on-demand supply is for ordinary use of water only (unless metered) and does not adversely affect the operation of the supply at any time.

9.4.3 Restricted flow supply

A restricted flow supply may be permitted where the premises are located within an area that typically has a restricted flow water supply (refer section 12.0 *Schedule of Water Supplies*), or within an area which typically has an on-demand water supply where use of the water supply by the consumer is extraordinary (refer 9.5.3), provided always that the provision of a restricted supply does not adversely affect the operation of the supply at any time.

9.4.4 Tank supply

Existing tank supplies are permitted where the premises are within either an area that typically has an on-demand water supply or a restricted flow water supply (refer section 12.0 *Schedule of Water Supplies*), provided always that the provision of a tank supply does not adversely affect the operation of the supply at any time. No new tank supplies shall be approved by the Council.

9.5 Use of Supply

9.5.1 Ordinary and extraordinary use

The use of any water supply by consumers set out in 9.4 may be deemed either ordinary or extraordinary and shall be at the discretion of the Manager.

The definition of water use as either ordinary or extraordinary is based solely on overall volumes likely to be required by the consumer. It clarifies the appropriate type of supply to be provided and assists in determining whether or not that supply should be subject to restricted flow or metering. This ensures allocated water can be effectively and reliably supplied to all current consumers on the supply network.

9.5.2 Ordinary use

Ordinary use of the water supply is for domestic purposes and shall include:

- (a) Single dwelling domestic household use
- (b) Washing down a car, boat or similar
- (c) Garden watering by hand
- (d) Garden watering by portable sprinkler
- (e) Lawn watering by hand
- (f) Lawn watering by portable domestic sprinkler

Ordinary use of the supply shall not exhibit any of the characteristics of extraordinary use and shall be subject to any restrictions as may from time to time be imposed by the Council.

The Council is under no obligation to provide a supply of water for ordinary use for any new connections.

9.5.3 Extraordinary use

Extraordinary use of the water supply includes any one or more of the following uses:

- (a) Swimming pool in excess of 50m³
- (b) Spa pool, water feature, pond or water storage in excess of 10m³ capacity
- (c) Commercial and business
- (d) Industrial
- (e) Agricultural (including stock water)
- (f) Horticultural
- (g) Viticultural
- (h) Lifestyle block
- (i) Fire protection systems
- (j) Out of District (supply to, or within another local authority)
- (k) Temporary supply
- (l) Premise exceeds 1 hectare
- (m) Lodging or accommodation houses
- (n) Multiple dwelling units
- (o) High instantaneous draw off rates
- (p) Any device or use requiring specific approval from the Council
- (q) Any premises where part or all of the premises is not zoned residential in the Council's operative or transitional District Plan
- (r) Daily usage assessed by the Manager as being in excess of 1m³
- (s) Any supply area defined by resolution of the Council

The Council is under no obligation to provide a supply of water for extraordinary use for any new connections.

The Council is under no obligation to provide an additional supply of water for extraordinary use to existing consumers over and above their current supply allocation.

9.5.4 Restricted supply for extraordinary use

Where, at any time, use of water supply is deemed by the Manager to be extraordinary, it shall be supplied to the consumer as a restricted flow supply only, unless specific approval for a metered supply is granted by the Manager.

9.5.5 Conditions of ordinary or extraordinary use

Every premise connected to the supply, whether for ordinary or extraordinary use, shall be subject to the following conditions:

- (a) Approval to connect to the supply in accordance with 9.1 has been granted
- (b) Adherence to the conditions of approval for connection to the supply

- (c) The provision of the supply does not deleteriously affect the use of the supply by other consumers, where deleteriously affect shall mean the lowering of the agreed level of service
- (d) The exclusion of its use for garden watering and other discretionary use under any restrictions made by the Council
- (e) Payment of the appropriate rates, fees, levies and charges in respect of that property has been made
- (f) No use of water shall constitute a nuisance nor be wasteful
- (g) No rapid acting device nor hydraulic machinery shall be connected or utilise the hydraulic power of the water supply
- (h) Payment of other fees or costs associated with subdivision or development has been made
- (i) Any other relevant conditions in this Bylaw have been adhered to.

Restricted flow supply

Additionally, where the supply is a restricted flow supply the following conditions shall apply:

- (j) The supply shall be restricted so that the restricted flow is supplied evenly across a full 24hour period
- (k) The consumer shall provide restricted flow storage of a volume equal to or greater than THREE times the daily restricted flow downstream from the point of supply
- (l) No connection shall be made between the point of supply and the storage tank (refer Figures 2 and 4)
- (m) Restricted flow storage shall be fitted with a vermin-proof overflow with a capacity not less than twice the incoming flow and located not less than 40mm below the level of the bottom of the inlet spout of the inlet ballcock
- (n) All new connections should have reserve storage provided within the restricted flow storage of not less than 33% of the restricted flow storage by the provision of a normal off-take set one third the distance from the bottom of the restricted flow storage and accessed by operating the reserve storage release valve (refer Figure 4)
- (o) No use or taking of water shall occur prior to the provision of restricted flow storage by the consumer
- (p) The service valve, filter, restrictor and piping shall be sufficiently protected from frost and accidental damage

Tank supply (existing only)

Additionally, where the supply is a tank supply the following shall apply:

- (q) Storage of a volume equal to or greater than 1,000 litres shall be provided downstream from the point of supply
- (r) No connection shall be made between the point of supply and the storage tank (refer Figure 4)
- (s) The storage tank shall be fitted with a vermin proof overflow with a capacity not less than twice the incoming flow and located not less than 40mm below the level of the bottom of the inlet spout of the inlet ballcock
- (t) Reserve storage shall be provided within the storage tank of not less than 33% of the Storage volume by the provision of a normal off-take set one third the distance from the bottom of the storage tank and accessed by operating the reserve storage release valve

9.5.6 Metering

Both ordinary and extraordinary use of a water supply may be metered. The Council reserves the right to fit a meter (in accordance with 9.13) and charge for water passing through the meter where it considers water use to be excessive, where supply equitability issues are raised or for any other reason whatsoever. The consumer shall pay all charges for meter installation and the supply of water as determined by Council.

The Council may also install a meter for monitoring purposes.

9.6 Prohibition of Certain Uses

The Council may, for the purpose of maintaining supply continuity, improving water use efficiency, financial equitability or in response to Central Government policy direction, prohibit use of water which is deemed wasteful or inefficient, and shall do so without exposure to liability.

Uses likely to be prohibited include, but are not limited to:

- (a) Unlined or uncovered water features, ponds or water storage units
- (b) Fixed garden irrigation systems
- (c) Fixed lawn irrigation systems
- (d) Irrigation or watering by fixed or portable devices

The Council may prohibit uses ordinarily permitted where such use adversely affects neighbouring properties or consumers, such as excess watering causing run-off.

9.7 Level of Service

The Council will make every reasonable attempt to achieve the level of service specified for the provision of water in the Long Term Plan.

Where the provided level of service exceeds that specified in the Long Term Plan, the Council may, without reference to consumers or exposure to liability, reduce or adjust the level of service to, or approaching, that in the Long Term Plan.

9.8 Continuity of Supply

9.8.1 Supply

The Council cannot guarantee, nor has any burden to provide, an uninterrupted or constant supply of water, or the continuous maintenance of any particular supply pressure.

The maintenance of the satisfactory operation of accessories, equipment or facilities, including fire suppression systems which require water supply at volumes or pressures greater than the level of service specified for the provision of water in the Long Term Plan, shall be the sole responsibility of the consumer.

9.8.2 Uninterrupted service

If a consumer has a requirement for an uninterrupted level of service (flow, pressure, or quality) for any reason whatsoever (including fire suppression), which exceeds the normal level of service specified for the provision of

water in the Long Term Plan, it is the responsibility of that consumer to provide any storage, back-up facilities or equipment necessary to provide that level of service.

9.8.3 Demand management

The consumer shall comply with any restrictions imposed by the Council to manage high seasonal or other demands, or unforeseen events where restriction of the supply is deemed necessary by the Manager. Such restrictions shall, if practical, be advised by public notice.

When restrictions apply, the Council will take all practicable steps to ensure that an adequate supply for domestic purposes is provided to each point of supply.

9.8.4 Restrictions

The Council may, at any time, restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all consumers. Such restrictions shall, if practical, be advised by public notice.

The consumer must comply with any restrictions or prohibitions imposed by the Council under this Bylaw.

The Council may prescribe penalties over and above those contained in this Bylaw to enforce these restrictions. The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Manager.

9.8.5 Maintenance, repair and other works

The Council may shutdown the supply for maintenance, repair or any other works. Wherever practicable, the Council shall make every reasonable attempt to notify the consumer of a scheduled shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice and no compensation shall be payable to the consumer affected.

9.9 Liability

The Council shall endeavour to meet the level of service requirements of 9.7, but shall not be liable for any loss, damage or inconvenience which the consumer (or any person using or benefiting from the supply) may sustain as a result of deficiencies in, or interruptions to, the water supply nor owing to the effects of damage arising from leakage, breakage or other events.

9.10 Fire Protection Connection

9.10.1 Connection application

Fire connections shall not normally be approved.

Where any such connection is approved or exists, the Council shall not be required to meet any particular service level.

Any proposed connection for fire protection shall be the subject of a specific application, submitted with all details and information as required by the Council, made to the Council for approval.

Any such application subsequently approved shall be subject to the conditions specified by the Council.

9.10.2 Design and performance

It is the consumer's responsibility to ascertain and monitor whether the supply available is adequate for the intended purpose.

It is the consumer's responsibility to confirm, in writing to the Council, the adequacy of the supply for the consumer's purpose.

The Council is under no obligation to provide fire protection supply at any particular flow or pressure, neither at time of approval (where approval is granted) nor any future time.

Failure of a fire connection to satisfy any particular design criteria shall be the sole responsibility of the consumer.

9.10.3 Use of fire protection connection

Fire protection connections shall not be used for any purpose other than fire protection, fire-fighting and testing of fire protection systems.

9.10.4 Fire protection connection metering

Fire protection connections shall not normally be metered.

Where the supply of water for fire protection, and ordinary or extraordinary use are combined, the supply shall be metered by a non-invasive measuring device such as an electromagnetic or ultra-sonic flow meter to the satisfaction of the Council.

In exceptional circumstances the Council may allow the supply of water for the purposes of fire protection to be made in a manner which bypasses the meter, provided that:

- (a) The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
- (b) A Council approved detector check valve has been fitted on the meter bypass.

Where a fire connection has been installed or located so that, in the opinion of the Manager, it is likely or possible that water may be drawn from it by a person for purposes other than fire-fighting, the Council may require the supply to be metered.

9.10.5 Fire hose reels

Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503.

9.10.6 Fees

Water used for the purpose of extinguishing fires is supplied free of charge. Where the fire protection connection is metered and water has been used for fire-fighting purposes, the Council may estimate the quantity of water used, and credit to the consumer's account an amount based on such an estimate.

9.10.7 Ongoing testing and monitoring

Consumers intending to test fire protection systems in a manner that requires a draw-off of water, shall obtain the approval of the Council prior to testing. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by the Council.

9.11 Backflow Prevention

9.11.1 Consumer responsibility

The consumer shall (under the Health Act 1956 and its amendments, and the Building Act 2004) take all necessary steps on the consumer's side of the point of supply to prevent water which has been drawn from the water supply system from returning to the water supply system. These steps include:

- (a) Backflow prevention either by providing an adequate air gap, or by the use of an appropriate backflow prevention device;
- (b) The prohibition of any cross-connection between the Council water supply system and:
 - (i) Any other water supply (potable or non-potable)
 - (ii) Any other water source
 - (iii) Any storage tank
 - (iv) Any other pipe, fixture or equipment containing chemicals, liquids, gases, or other substances.

NOTE – Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or a storage tank or fire pump that operates at a pressure in excess of the water supply system's normal minimum operating pressure.

9.11.2 Unmanaged risk

Notwithstanding 9.11.1 the Council may fit a backflow prevention device on the Council side of the point of supply if it considers it is desirable or necessary to do so where the consumer cannot demonstrate that the risk of backflow is adequately managed. The Council may charge the consumer for the installation, maintenance, operation and ongoing testing and certification of this backflow prevention device as set out in the fees and charges section of the Council's Annual Plan.

9.11.3 Annual Testing

The Council may undertake annual backflow testing on point of supply backflow prevention devices. The owner of the premises at which the backflow prevention device is installed may be charged for such testing as set out in the fees and charges section of the Council's Annual Plan. The Council shall keep appropriate records of testing.

9.12 Council Equipment and Inspection

9.12.1 Care of water supply system

The consumer, or any person contracted by the consumer, shall take due care not to damage any part of the water supply system, including, but not limited to pipework, valves, meters, restrictors, chambers, and backflow prevention devices.

Where damage has been caused to any part of the water supply system through negligence or by actions other than normal wear and tear, costs incurred by the Council for works undertaken to rectify any damage shall be charged to the consumer or owner of the premises where the damage has occurred, as set out in the fees and charges section of the Council's Annual Plan.

9.12.2 Inspection

Subject to the provisions of the Local Government Act 2002, the consumer shall allow the Council or its approved agents, with or without equipment, access to any area of the premises for the purpose of determining

compliance with the conditions of this Bylaw. An inspection fee may be charged to the consumer as set out in the fees and charges section of the Council's Draft Annual Plan.

9.13 Meters and Flow Restrictors

9.13.1 Installation

Meters for on demand supplies, and restrictors for restricted flow supplies, shall be supplied, installed and maintained by the Council, and shall remain the property of the Council.

Where on demand supplies are not universally metered, the Council, where it considers water use is unusually high, may install a meter at the consumer's cost and charge accordingly.

Subsequent demonstration that the water use is not unusually high shall not entitle the consumer to a refund of the meter installation cost.

9.13.2 Protection

The pipes, fittings and devices at the point of supply, whether situated above or below ground, or located at the boundary or at the restricted flow storage shall be suitably lagged and protected as to protect them from frost without compromising access for operation, maintenance, inspection, repair or replacement.

The pipes, fittings and devices at the point of supply, whether situated above or below ground, or located at the boundary or at the restricted flow storage shall be suitably secured, fenced, housed and protected as to protect them from stock and other damage without compromising access for operation, maintenance, inspection, repair or replacement. Where the Council deems the provided protection to be inadequate to protect the water supply the Council may charge for any remedial works required.

Any inspections, replacement meters or restrictors required as a result of inadequate protection or reasons other than normal wear and tear, shall be a cost payable by the consumer as set out in the fees and charges section in Council's Annual Plan.

Location

Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and if practicable immediately on the Council side of the point of supply.

9.13.3 Accuracy

Meters shall be tested as and when required or as prescribed in OIML R49. The maximum permissible error for the upper flow rate zone ($Q_2 < Q < Q_4$) is $\pm 2\%$, for temperatures from 0.3°C to 30°C and the maximum permissible error for the lower flow rate zone ($Q_1 < Q < Q_2$) is $\pm 5\%$. This accuracy shall be applied to all water meters with $Q_3 < 100 \text{ m}^3/\text{h}$ and may be applied to water meters with values of $Q_3 > 100 \text{ m}^3/\text{h}$. The flow restrictors shall be accurate to within $\pm 10\%$ of their rated capacity.

NOTE: Where Q is the flow rate:

Q1 is the minimum flow rate;

Q2 is the transitional flow rate;

Q3 is the permanent flow rate; and

Q4 is the overload flow rate as defined in OIML R49-1.

Any consumer may apply to the Council for the accuracy of a meter or restrictor to be tested provided at least three months has elapsed since the last test. If the test shows non-compliance with the accuracy above, the consumer shall not be charged for the test. If the test shows compliance with the accuracy above, the consumer shall pay a fee as set out in the fees and charges section in Council's Annual Plan.

Meters shall be tested as prescribed in OIML R 49-2 and the test report made available as prescribed in OIML R 49-3.

The variation in the error curve shall not exceed 3% for flow rates in the lower zone and 1.5% for flow rates in the upper zone. For the purpose of determining these requirements the mean values of the errors (of indication) at each flow rate, shall apply.

The curves shall not exceed a maximum error of $\pm 6\%$ for flow rates in the lower zones and $\pm 2.5\%$ for flow rates in the upper zones.

Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period of not less than 1 hour at the expected minimum operating pressure

If the test shows non-compliance with the accuracy above, the consumer shall not be charged for the test. If the test shows compliance with the accuracy above, the consumer shall pay a fee in accordance with the council current fees and charges.

A copy of independent certification of the test result shall be made available to the consumer on request.

9.13.4 Adjustment

If any meter or flow restrictor, after being tested, is found to register or supply a greater or lesser consumption than the quantity of water actually passed through such a meter or flow restrictor, the Council shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the Manager but not exceeding 12 months, and the consumer shall pay a greater or lesser amount according to the adjustment.

Where a meter is under-reading by more than 20% or has stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.

Where a meter is over-reading, the Council shall make appropriate adjustments to the consumer's invoice(s), based on a period of similar use and backdated for a period at the discretion of the Council but not exceeding 12 months.

Where a flow restrictor is over-delivering by more than 20%, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.

Where a flow restrictor is under-delivering, the Council shall make appropriate adjustments to the consumer's invoice(s), based on a period of similar use and backdated for a period at the discretion of the Manager but not exceeding 12 months.

9.13.5 Estimating consumption

Should any meter be out of repair, cease to register, or be removed, the Council may estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the consumer or any other reasonable assessment Council may devise) and the consumer shall pay according to such an estimate. Provided that when by reason of a large variation of consumption, due

to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the consumer shall pay according to such an estimate.

The consumer is liable for the cost of water which passes through the meter regardless of whether this water is used or is wasted as the result of leakage.

Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described above.

9.13.6 Incorrect accounts

Where the recorded consumption does not accurately represent the actual consumption on a premises, the account may be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.

Where an adjustment is required, whether in favour of the Council or the consumer, this shall not be backdated more than 12 months from the date the error was detected.

9.14 Plumbing System

Quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service, shall not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council.

The installation and operation of any device utilising hydraulic power derived from the water supply shall be subject to specific approval of the Council.

In accordance with the Building Regulations 1992 the plumbing system shall be compatible with the water supply.

9.15 Prevention of waste

The consumer shall not intentionally allow water to run to waste from any pipe, tap, or other fitting, nor allow the condition of the plumbing within the premises to deteriorate to the point where leakage or wastage occurs.

The Council provides water for consumptive use not as an energy source. The consumer shall not use water or water pressure directly from the supply for driving lifts, machinery, eductors, generators, or any other similar device, unless specifically approved by the Council.

The consumer shall not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by the Council.

The consumer should, as soon as practical, advise the Council of any leak or suspected leak they may encounter or observe.

9.16 Payment

The consumer is liable to pay for the supply of water and related services in accordance with the rates, fees and charges in the Council's Annual Plan.

New consumers, or current consumers who are allocated additional water from the supply, shall pay an apportioned charge based on the number of months connected to the supply in the initial financial year. Where the volume of water supplied, or level of service provided to the consumer exceeds any charges levied, the difference will be charged to the consumer.

The Council may recover all unpaid water fees and charges as prescribed in the Local Government (Rating) Act 2002, sections 57 to 82.

9.17 Transfer of rights and responsibilities

The consumer shall not transfer to any other party or premises (as defined under this Bylaw) the rights and responsibilities set out in this Bylaw.

A supply pipe may serve only one consumer unless the specific approval of the Council has been gained, and shall not extend by hose or any other pipe beyond that consumer's premises.

In particular, and not in limitation of any of the above, any water which the consumer draws from the Council supply shall not be provided to any other party without the approval of the Council.

9.18 Change of Ownership

Where a premise is metered the outgoing consumer shall give the Council five working days notice to arrange a final meter reading.

9.19 Permanent Disconnection at the Consumer's Request

The consumer shall give 20 working days notice in writing to the Council of the requirement for a permanent disconnection of the supply. Disconnection is at the consumer's cost.

A property subject to a permanent disconnection shall, in the event of requiring supply at some future date, be required to submit an application and pay all fees and charges as are prescribed in section 9.0 of this Bylaw.

9.20 Temporary Disconnection

The supply shall be temporarily disconnected where:

- a dwelling or building on a premises is being demolished or torn down
- a dwelling or building on a premises has been substantively damaged or condemned
- an activity on a premises exposes the water supply system to damage or contamination

Temporary disconnection shall involve severing the supply pipe and the plugging or capping of the service line at the point of supply to prevent damage to the Council's pipes and equipment on the Council side of the point of supply.

10.0 BREACHES AND INFRINGEMENT OFFENCES

10.1 Breaches of conditions of supply

The following are deemed breaches of the conditions to supply water:

- (a) Submissions of an incorrect application for supply which fundamentally affects the conditions of supply or decision to approve the application
- (b) Failure to meet and comply with the conditions of supply
- (c) Failure to pay the appropriate rates, fees and/or charges by the due date
- (d) Failure to repair a leak on premises, or failure to undertake repairs, on any pipe, tap or other fitting after having received notice from the Council to undertake such repairs
- (e) Wilfully allowing water to run to waste, or to be misused
- (f) Fitting any equipment which may cause pressure surges or fluctuations in the water supply system, or compromise the ability of the Council to maintain the levels of service stated in its Long Term Plan
- (g) Failure to prevent backflow on or from a premises
- (h) Failure to comply with water use restrictions or prohibitions imposed by the Council for any specified purpose
- (i) Use of water or water pressure directly from the supply for driving lifts, machinery, eductors, generators, or any other similar device, unless specifically approved by the Council
- (j) Use of water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved by the Council
- (k) Extending by hose or any other means a private water supply beyond the consumer's premises
- (l) Providing water drawn from the Council supply to any other party without approval of the Council
- (m) Making a connection to the public water supply without formal written approval from the Council
- (n) Using fire hydrants without formal written approval from the Council, except in an emergency
- (o) Failing to install required water conservation fittings (dual flush toilet, low flow shower heads etc) in accordance with those specified in the Council's water conservation policy
- (p) Bypassing or tampering with a Council water meter or flow restrictor
- (q) Interfering with the Council water supply system

- (r) Introducing any contaminant into the water supply system, headworks or water supply catchment
- (s) Wilfully giving the Council or its approved agents false information upon any matter pertaining to water supply
- (t) Impeding the Council or its approved agents from undertaking works or inspections necessary in the operation of the supply, or frustrating the Council's ability to carry out all its obligations adequately and effectively

10.1.1 In event of breach

In the event of a breach, the Council may serve notice on the consumer advising the nature of the breach and the steps that are to be taken by the consumer to remedy it. If, after the required time for remedying the breach has elapsed, the consumer persists in the breach, the Council may take steps to remedy the breach and/or reduce the flow rate of water to the consumer without further notice. The flow rate may not be reduced below that sufficient for domestic and food preparation use as defined in the Health [Drinking water] Amendment Act 2007.

The full service of the supply shall be re-established only after payment of any appropriate fees and charges, and/or remedy of the breach to the satisfaction of the Council.

In the event of a breach where reducing flow to the consumer is required to rapidly restore the supply network in order to secure water supply for other consumers on the network, the Council may do so without notice.

10.1.2 In event of serious breach

A serious breach is any breach that may impact on the supply of water to other consumers on the supply, or create a risk to public health and safety, or to the environment. In the event of a serious breach, the Council shall take any immediate action necessary to remedy the breach. Without prejudice to its other rights and remedies, the Council shall be entitled to recover any costs incurred in remedying the breach.

10.1.3 Interference with equipment

Any tampering or interference with Council equipment, either directly or indirectly, shall constitute a breach of this Bylaw. Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with 9.13.5) and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered or interfered with, and recover any costs incurred.

10.1.4 Unlawful connections to water supply

In the event of any connection made to the supply that has not been approved by the Council in accordance with 9.1, the Council may:

- a) Immediately remove the unlawful connection and take any action required to remedy damage caused by the unlawful connection. Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with 9.14.5) and charge for the additional water consumption not recorded where an unlawful connection has been made and recover any costs incurred in remedying the breach; or
- b) Serve notice on the consumer requesting an application be made in accordance with 9.1. If the time specified for making the application lapses without the application being made, the Council may take action as outlined in 10.4 (a) above; or
- c) Take any other action provided for under this Bylaw.

10.1.5 Notifying the Police

In cases where the Council suspects the supply has been directly tampered with and/or water theft has occurred, the Police will be notified. Without prejudice to its other rights and remedies, the Council may also elect to prosecute the consumer.

10.1.6 Recording breaches against premises

Where a customer breaches the conditions of supply relating to clauses 9.5.5 (k) and 9.5.5 (n) and does not subsequently rectify the breach, and where this may impact on successive owners of the premises, this information may be recorded on the premises' property file held at the Council's offices and made available for public inspection.

10.2 Offences

Every person who fails to comply with this Bylaw commits an offence and is liable on conviction to a fine not exceeding \$20,000 or as set out in section 242 of the Local Government Act 2002. A decision to prosecute does not prevent the Council from seeking an injunction under section 162 of the Local Government Act 2002 or otherwise restraining the person from committing a breach of this Bylaw.

Every person commits an offence who:

- a) fails to comply with any provision of this Bylaw
- b) breaches the conditions of supply granted pursuant to this Bylaw
- c) fails to comply with a notice served under this Bylaw

- d) takes water from a fire hydrant without the required authority
- e) misuses the Council's equipment (fire hydrant upstands, meters, restrictors)
- f) undertakes theft of water from the water supply network
- g) tampers with the water supply
- h) connects to the water supply network without the written approval from the Council, or
- i) contravenes any other provision of this Bylaw

11.0 BYLAW ADMINISTRATION

11.1 Revision of a decision

11.1.1 Notice requesting review

If any person is dissatisfied with any decision by the Council or an approved agent made under this Bylaw, that person may, by notice delivered to the Chief Executive of the Council not later than five working days after the decision by the Council or its approved agent is served upon that person, request the Chief Executive, Mayor (or Deputy Mayor) and one Councillor to review any such decision and the decision of any such review shall be final.

11.1.2 Review of reduced supply

Where the decision being reviewed under 11.1.1 above is a decision to reduce supply and a request for a review of the decision is received before the Council reduces the supply, the Council shall not reduce the supply until the Chief Executive has made a decision on the review. This does not apply to situations where health or safety concerns require the Council to proceed with immediate steps to reduce the supply.

Nothing in this clause shall affect any right of appeal or review available under the Act.

11.2 Charges and Payments

11.2.1 Charges

The Council may recover fees and charges in accordance with the Act.

11.2.2 Recovery of costs

In all cases the Council may recover costs under the Act relating to section 150 (fees) and section 151 (general provisions).

In all cases the Council may recover costs associated with damage to the water supply system in accordance with section 163 (recover for removal or alteration of an unlawful connection) and section 175 (recover for damage by wilful or negligent behaviour) of the Act.

Following prosecution and conviction for a breach of the Bylaw the Council may recover costs under section 176 (remedying damage arising from breach of Bylaw) of the Act, in addition to any other penalty for which the offender is liable.

In all cases, where payment of outstanding fees or charges is not made by the consumer within the period specified, and the Council incurs costs associated with recovering or attempting to recover any payments due, the Council may recover those full costs from the consumer in addition to the payments due.

11.2.3 Cease to supply

The consumer shall be deemed to be continuing to use the water supplied and shall be liable for all charges, until the final meter reading.

11.3 Council Officers and Approved Agents

All officers of the Council, approved agents or other persons authorised under section 174 or section 177 or paragraph 32 of Schedule 7 of the Act shall possess and produce on request warrants of authority and evidence of identity.

The extent and level of delegation to Council officers and approved agents will be in accordance with the Council's Register of Delegations and Warrants.

Authorisation for entry to premises is given under sections 171 – 173 and section 182 of the Act and entry will be in compliance with the health and safety policies of that particular site.

11.4 Service of Documents

11.4.1 Delivery or post

Any notice or other document required to be given, served or delivered under this Bylaw to the consumer may (in addition to any other method permitted by law) be given or served or delivered by being:

- (a) Sent by pre-paid ordinary mail, courier, facsimile, or email to the consumer at their last known place of residence or business
- (b) Where the consumer is a body corporate, sent by pre-paid ordinary mail, courier, facsimile, or email to, or left at its registered office, or
- (c) Personally served on the consumer

11.4.2 Service

If any notice or other document is:

- (a) Sent by post it will be deemed received on the first working day after posting;
- (b) Sent by facsimile or email and the sender's facsimile or email machine produces a transmission report indicating that the facsimile or email was sent to the addressee, the report will be prima facie evidence that the facsimile or email was received by the addressee in a legible form at the time indicated on that report; or
- (c) Sent by courier and the courier obtains a receipt or records delivery on a courier run sheet, the receipt or record of delivery on a courier run sheet will be prima facie evidence that the communication was received by the addressee at the time indicated on the receipt or courier run sheet, or left at a conspicuous place at the premises or is handed to a designated person(s) nominated by the consumer then that will be deemed to be service on, or delivery to the consumer at that time.

(NOTE – It should be verified that notice has been served on the correct person).

11.4.3 Signature

Any notice or document to be given, served or delivered shall be signed by an officer of Council or an approved agent.

11.4.4 Powers of the Chief Executive

The Chief Executive of the Council may determine and prescribe the manner or time in which:

- (a) Any forms are drafted or utilised, and
- (b) Flow measuring, monitoring, sampling or analysis is to be undertaken

12.0 SCHEDULE OF WATER SUPPLIES

12.1 Areas within the Waitaki District and types of water supply

Supply	Zone	Typical supply type
Awahokomo		Restricted
Awamoko		Restricted
Bushy Creek		Restricted
Duntroon		Restricted
Kauru Hill		Restricted
Kurow		On-demand metered (by resolution of the Council)*
Lake Ohau Village		Restricted
Lower Waitaki		Restricted
Oamaru	Central	On-demand*
	North End	On-demand*
	South Hill	On-demand*
	Tower	On-demand*
	Ardgowan	On-demand
	Kakanui	Restricted
	Hampden/Moeraki	Restricted
	Herbert/Waianakarua	Restricted
	Weston/Enfield	Restricted
Omarama		On-demand*
Otematata		On-demand*
Stoneburn		Restricted
Tokarahi		Restricted
Waihemo	Palmerston	On-demand*
	Dunback	Restricted
	Goodwood	Restricted
Windsor		Restricted

* for Ordinary use only. Supply for Extraordinary use shall be metered or restricted. Refer to Clause 9.5 Use of Supply.

4.3 TRADE WASTE BYLAW 2021

Author: Caitlin Brand, Senior Policy Planner - Water Services

Authoriser: Paul Hope, Acting Assets Group Manager

Attachments: 1. Trade Waste Bylaw 2021

RECOMMENDATIONS

That the Assets Committee recommends:

That Council:

1. Adopts the appended Trade Waste Bylaw 2021;
2. Undertakes a more thorough review of the Trade Waste Bylaw within the next 18 months, with a view to creating a consolidated Waitaki Three Waters Bylaw, incorporating water supply, wastewater (including trade waste) and stormwater, by 2023; and
3. Instructs officers to engage with current and potential trade waste customers in the district to ensure they are advised of and prepared for any changes and impacts that may result from a new Three Waters Bylaw, prior to and during its development.

DECISION OBJECTIVE

To ensure Council has a reviewed and adopted Trade Waste Bylaw in place to regulate trade waste activities in accordance with legislative and service level requirements.

SUMMARY

The current Trade Waste Bylaw for the Waitaki district was reviewed and adopted in 2009 in accordance with the requirements of the Local Government Act 2002 (the LGA).

Section 159 of the LGA makes provision for the review of existing bylaws. An existing bylaw, that has previously been reviewed, must be reviewed and adopted again by Council within 12 years of its last review, otherwise it is automatically revoked.

The review of the Trade Waste Bylaw 2009 concluded that the bylaw, with some minor changes, can continue to fulfil its intended purpose for the time being, but will need a more comprehensive review within the next 18 months to ensure it is consistent with legislative and regulatory changes, and with other changes being brought about by the Government's Three Waters reform process.

Because the amendments at this stage are minor, and there is no significant impact on trade waste customers, this does not require a consultation process. This is supported by Section 156 of the LGA which allows councils to make minor changes to a bylaw.

On this basis, the Trade Waste Bylaw 2009 has been amended and the Trade Waste Bylaw 2021 is appended for adoption by Council.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Adopt the Trade Waste Bylaw 2021
Operational Decision-Making:	Ensure the effective implementation of the provisions within the Trade Waste Bylaw 2021
Communications	<p>Media Releases – contributed to by officers and Elected Members</p> <p>Media/public enquiries regarding governance decision-making topics above can be addressed by governance</p> <p>Media/public enquiries regarding operational decision-making topics above can be addressed by officers</p>

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	Key
Legal	Key	Cultural Considerations	No
Significance	No	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	Moderate
Community Views	Moderate	Community Board Views	No
Consultation	No	Publicity and Communication	Moderate

BACKGROUND

Trade Waste

Trade waste is any liquid that is discharged to the public wastewater system from commercial, industrial, manufacturing or trade premises resulting from any processes or operations.

Trade waste includes tankered waste (from septic tanks/porta-loos) and can be high in contaminants (fats, chemicals), volume/flow and temperature.

Examples of trade waste customers include industry – meat processors, factories; business – restaurants, drycleaners; and health care – hospitals, dentists, medical centres.

Trade waste can have a significant impact on Council’s wastewater network and treatment plants:

Pipework and pumpstations

- Fats and solids – block mains and pumps when it solidifies as it cools, causing overflows
- Chemicals and contaminants – corrode assets, dangerous to workers repairing the network and the public and the environment if there are overflows
- Volume – consumes capacity and can cause overflows

Treatment Plants

- Fats and solids can block screens
- Chemicals and contaminants can corrode assets

The Trade Waste Bylaw

Council needs to regulate trade waste discharges in a specific way so that receiving waters are protected from toxic substances, the wastewater system is protected from damage, and we meet relevant environmental and other regulations.

A trade waste bylaw is specifically identified by the LGA 2002. Sections 146(a) and 148 set out the requirements for trade waste bylaws.

The current Trade Waste Bylaw for the Waitaki district was reviewed and adopted in 2009 in accordance with the requirements of the LGA. It is a relatively standard trade waste bylaw and aligns with NZS 9201: Part 23: 2004 Model General Bylaw and bylaws from other councils.

The bylaw:

- Provides categories for permitted, conditional and prohibited discharges
- Sets out the application process
- Specifies consent application requirements for all permitted and conditional discharges
- Sets the limits/maximum values for specific trade waste characteristics for conditional discharges (volume/quality etc)
- Can require infrastructure for monitoring and pre-treatment be installed (meters, screens, grease traps)
- Specifies consent terms – unlimited for permitted and 10 years for conditional
- Includes enforcement provisions.

Bylaw review

Section 159 of the LGA makes provision for the review of existing bylaws. An existing bylaw, that has previously been reviewed, must be reviewed and adopted again by Council within 12 years of its last review, otherwise it is automatically revoked.

The review of the Trade Waste Bylaw 2009 concluded that the bylaw, with some minor changes, can continue to fulfil its intended purpose for the time being, but will need a more comprehensive review to ensure it is consistent with legislative and regulatory changes, and with other changes being brought about by the Government's Three Waters reform process.

The minor changes proposed are intended to ensure the currency of introductory and technical information, and consistency with best practice. These include:

- Table 7.1 – some additional definitions included for clarity
- Section 10.9 – the notification period for cancellation of right to discharge changed from 10 to 20 working days
- Section 10.10 – reference to fees and charges amended to refer to Annual Plan
- Section 10.12 – statement regarding transfer or termination of rights and responsibilities reworded
- Section 10.15 – minor word changes regarding flow metering
- Schedule 3A – change Permitted Discharge Characteristics to exclude "*Fibrous, woven, or sheet film...*"
- Schedule 3A – change Prohibited Discharge Characteristics to include "*Fibrous, woven, or sheet film...*"

These changes and others have been noted in red within the appended document and will have no impact on current trade waste customers.

Because the amendments at this stage are minor, and there is no significant impact on trade waste customers, this does not require a consultation process.

Under Section 156 of the LGA, Council may, by resolution publicly notified, make minor changes to, or correct errors in, a bylaw, but only if the changes or corrections do not affect an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies; or an existing status or capacity of any person to whom the bylaw applies.

On this basis, the Trade Waste Bylaw 2009 has been amended and the Trade Waste Bylaw 2021 is appended for adoption by Council.

Future review

Officers have noted that there is an opportunity to undertake a more comprehensive, integrated review of its current three waters activities (water supply, wastewater and stormwater) over the next 18 months, with a view to creating a new integrated Waitaki Three Waters Bylaw by 2023.

This approach has been taken by several other councils and will ensure alignment and consistency between the bylaws. It will also enable more streamlined, efficient, and cost-effective reviews in the future.

It will also ensure the Waitaki community has a Three Waters Bylaw in place that reflects the needs of our district, and that this is done prior to the transition to a new Three Waters entity, should that eventuate.

Engagement with current and future trade waste customers

A more comprehensive review of the Trade Waste Bylaw within the next 18 months will likely result in more stringent requirements and monitoring for trade waste that will have an impact on current trade waste customers and apply to industry and businesses that do not currently pay for trade waste discharge.

It is proposed that prior to, and as part of the more comprehensive review of the bylaw, officers engage with current and potential trade waste customers in the district, to ensure they are advised of and prepared for any changes and impacts that may result from a new Three Waters Bylaw.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – adoption of the appended Trade Waste Bylaw 2021 (**preferred**)

Option 2 – adoption of the appended Trade Waste Bylaw 2021, with amendments

This option would mean adopting the bylaw, with further amendments. This option is only recommended if the proposed amendments are no more than minor and fit within the LGA's Section 156 requirements. More significant amendments may trigger a consultation process and cause delays, meaning the bylaw may be automatically revoked.

Option 3 – defer adoption of the Trade Waste Bylaw 2021

This option would likely result in the bylaw being automatically revoked, necessitating the development of a new bylaw and a full Special Consultative Procedure to be undertaken.

ASSESSMENT OF PREFERRED OPTION

Option 1 – adoption of the appended Trade Waste Bylaw 2021

The current Trade Waste Bylaw is generally consistent with the Model General Bylaw and those of other councils, and is considered to be fit for purpose for the immediate future. The only changes required, as noted in the report, are relatively minor and will have no impact on current trade waste customers.

This option will enable the bylaw to remain in place and operative until a more comprehensive review can be undertaken in conjunction with the review of other related bylaws, and the development of a new Waitaki Three Waters Bylaw by 2023.

A more thorough review and new integrated Three Waters Bylaw will ensure that trade waste is regulated in a way that aligns with the changing three waters context and can achieve better long-term outcomes for the Waitaki community.

This option also enables us to undertake a process to inform and prepare current and potential trade waste customers for future changes that are likely to impact on them.

CONCLUSION

For the reasons outlined above, it is concluded that Council should proceed with adopting the Trade Waste Bylaw 2021, as appended.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Publicity and Community Considerations

Section 157 of the LGA requires the following:

(1) As soon as practicable after a bylaw is made, the local authority must give public notice of the making of the bylaw, stating—

- a) the date on which the bylaw will come into operation; and
- b) that copies of the bylaw may be inspected and obtained at the office of the local authority on payment of a specified amount.

(2) A local authority must—

- a) keep copies of all its bylaws at the office of the local authority; and
- b) make its bylaws available for public inspection, without fee, at reasonable hours at the office of the authority; and
- c) supply to any person, on request and on payment of a reasonable charge, a copy of any of its bylaws.



Trade Waste Bylaw 2021

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REFERENCED DOCUMENTS

Reference is made to the following:

New Zealand Legislation	
Building Act 2004 Hazardous Substances and New Organisms Act (HSNO) 1996 and associated regulations Health Act 1956 Health and Safety at Work Act 2015 Land Transport Rule Dangerous Goods 2005 Rule 45001/1 Local Government Act 2002 Resource Management Act 1991 and associated regulations	
New Zealand Standards	
NZS 4304: 2002	Management of healthcare waste
NZS 5465:2001	Self containment for motor caravans and caravans
NZS 9201	Model general bylaws
Part 22:1999	Wastewater drainage
Part 23:2004	Trade Waste
Joint Australian/New Zealand Standards	
AS/NZS 5667: Part 1: 1998	Water quality - Sampling Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples
Part 10: 1998	Guidance on sampling of waste waters
British Standards	
PD ISO/TR 9824: 2007	Hydrometry: Measurement of free surface flow in closed conduits
ISO 4064-2:2014	Water meters for cold potable water and hot water- Part 2: Test methods
ISO 5667-10: 2020	Water quality- Sampling – Part 10: Guidance on sampling of waste water
ISO 5667-1: 2020	Water quality - Sampling - Guidance on the design of sampling programmes and sampling techniques
ISO 5667-3: 2018	Water quality – Sampling - Part 3: Preservation and handling of water samples
Other Publications	
Title	Source
New Zealand Building Code Handbook 2014 and Approved Documents	Ministry of Business, Innovation and Employment (MBIE)
Module 2: Hazardous Waste Guidelines. Landfill waste acceptance criteria and landfill classification (004)	Ministry for the Environment (MfE)
New Zealand Waste Strategy (2010)	
ORS C11 Code of practice for unsealed radioactive materials (2020)	Ministry of Health

	(MoH)
Guidelines for the safe application of biosolids to land in New Zealand (2003)	Water New Zealand
New Zealand Municipal Wastewater Monitoring Guidelines (2002)	
Liquid and hazardous wastes Code of Practice (2012)	WasteMinz
Guidelines for Sewerage Systems: Acceptance of Trade Wastes (Industrial Waste) (1994)	Agricultural and Resource Management Council of Australia and New Zealand (ARMCANZ) and Australia New Zealand Environment and Conservation Council (ANZECC)
Standard methods for the examination of water and wastewater 23rd Edition (2017)	American Water Works Association
Method 9095B Paint Filter Liquids Test (2004)	United States Environment Protection Agency (US EPA)

FOREWORD

This Bylaw regulates the discharge of Trade Waste to a Sewerage System operated by Waitaki District Council.

The Bylaw is based on the Waitaki Trade Waste Bylaw 2009 and incorporates a number of principals contained within NZS9201: Part 23: 2004.

Waitaki District Council

TRADE WASTE Bylaw 2021

1.0 TITLE

The title of this Bylaw is the Waitaki District Council Trade Waste Bylaw 2021.

2.0 COMMENCEMENT

This Bylaw comes into force on [Insert Date](#)

3.0 REVOCATION

The Oamaru Trade Waste Bylaw 2009 is revoked on [Insert Date](#)

4.0 APPLICATION OF BYLAW

This Bylaw applies in the Waitaki District and regulates the discharge of trade wastes from premises or tankers to the Sewerage System operated by Council or its agents.

Pursuant to section 196 of the Local Government Act 2002 the Council may refuse to allow the discharge of any Trade Waste which does not comply with this bylaw.

5.0 SCOPE

This Bylaw provides for the:

- a) Long-term, intermittent, or temporary discharge of trade waste to the sewerage system
- b) Classification of trade waste as permitted, conditional or prohibited trade waste
- c) Evaluation of individual trade waste discharges against specified criteria
- d) Storage of materials in such a manner as to protect the sewerage system from spillage
- e) Installation of flow meters, samplers or other devices to measure the flow and quality of trade waste discharges
- f) Establishment of standards for pre-treatment of waste before it is accepted for discharge to the sewerage system
- g) Sampling and monitoring of trade waste discharges
- h) The Council to accept or refuse a discharge of trade waste
- i) Charges to be set for the cost of conveying, treating and disposing of, or reusing, trade waste and the associated costs of administration and monitoring
- j) Administrative mechanisms for the operation of the bylaw
- k) Establishment of waste minimization and management programmes (including sludges) for trade waste producers
- l) **Correct disposal of tankered waste to protect the sewerage system**

This Bylaw is to be read in conjunction with all other relevant Bylaws of the Waitaki District Council currently in force, except that where such reading would result in inconsistency the provisions of this Bylaw prevail.

6.0 INTERPRETATION

6.1 Compliance with Other Acts

Nothing in this bylaw derogates from any of the provisions of the Health Act, the Health and Safety in Employment Act, the Resource Management Act, the Building Act, the Hazardous Substances and New Organisms Act and its regulations or any other relevant statutory or regulatory requirements. Where there is inconsistency between this bylaw and any legislation the more stringent requirement applies.

References to a repealed enactment include its replacement.

7.0 DEFINITIONS

7.1 Definitions

In this Bylaw, unless context otherwise requires:

In this Bylaw, unless context otherwise requires:

ACCESS POINT		means a place where access may be made to a Private Drain for inspection (including sampling or measurement), cleaning or maintenance. The location of the Access Point shall be in accordance with the New Zealand Building Code.
ACT		means the Local Government Act 2002 and its amendments.
ANALYST		means an approved testing laboratory
APPROVAL	or	means approval or approved in writing either by resolution of Council
APPROVED		or by an authorised officer.
AUTHORISED OFFICER		means any person appointed by the Council as an enforcement officer under section 177 of the Act having the powers of entry authorised by sections 171-174 of the Act.
BIOSOLIDS		means Sewage Sludge derived from a Sewage 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 term Biosolid/Biosolids is used generically throughout this document to include products containing Biosolids (e.g. compost)
CHARACTERISTIC		means any physical, chemical or quantitative characteristic of a trade waste. means the implementation on Trade Premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimise and manage Trade Waste by:
CLEANER PRODUCTION		a) Using energy and resources efficiently, avoiding or reducing the amount of wastes produced b) Producing environmentally sound products and services c) Achieving less waste, fewer costs and higher profits

CONDENSING WATER	means water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension
COOLING WATER	has the same meaning as condensing water
CONDITIONAL	means trade waste that has, or is likely to have, characteristics which exceed any of the characteristics listed in schedule 3A, but which does not have any prohibited characteristics listed in schedule 3C
CONSENT	means written authorisation given by the Council under this bylaw to discharge trade wastes to the waste water system
CONSENT HOLDER	means a person occupying trade premises who has been granted a Consent, and includes any person who does any act on behalf or with the express or implied permission of the consent holder (whether for reward or not) and any licensee of the consent holder
CONTAMINANT	includes 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 – <ul style="list-style-type: none">a) When discharged into water, changes or is likely to change the physical, chemical, or biological condition of waterb) 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
CONTINGENCY MANAGEMENT PROCEDURES	means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects on the environment of an unexpected or unscheduled event resulting in discharge, or potential discharge of contaminants into the sewerage system.
COUNCIL	means the Waitaki District Council or an Authorised Officer
DISCHARGE	means any act, whether deliberate, accidental, negligent or otherwise and whether an act of omission or commission, as a result of which trade waste enters the sewerage system.
DISCHARGE PERMIT	means the discharge permit, granted under the Resource Management Act 1991 and held by the Council, which authorises the Council's sewage treatment facility.
DISCONNECTION	means the physical cutting and sealing of any of the Council's water services, utilities, drains or Sewers
DISTRICT	means the Waitaki District
DOMESTIC SEWAGE	means liquid wastes (including matter in solution or suspension) 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 be lawfully discharged to the sewerage system.
FOUL WATER	means the waste water and other matter discharged from any sanitary fixture or sanitary appliance including machines for washing dishes and clothes
HAZARDOUS SUBSTANCE	has the same meaning as in the Hazardous Substances and New Organisms Act 1996.
HAZARDOUS WASTE	has the same meaning as hazardous substance
MANAGEMENT PLAN	means a plan for the management of operations at premises from which trade wastes are discharged, which may include provisions for cleaner production, waste minimization, discharge, contingency

		management procedures, and reference to any relevant industry code of practice.
MASS LOADING		means the total mass of any characteristic that may be discharged to the Council's Sewerage System over any 24 hour period, or as Council may determine from time to time, from any single Point of Discharge or collectively from several points of discharge
MAXIMUM CONCENTRATION		means the instantaneous peak concentration that may be discharged at any instant in time
METER		means any device or apparatus for measuring flow
OCCUPIER		means a person occupying trade premises that are connected to the sewerage system
PERMITTED		means trade waste having physical and chemical characteristics that comply with the all the standards in Schedule 3A of this bylaw, or a discharge the Council certifies in writing to be a permitted discharge.
PERSON		includes a corporation sole and a body of persons whether corporate or unincorporate.
POINT DISCHARGE	OF	means the boundary between the public sewer and a private drain, or a point designated as a point of discharge in a trade waste consent for the purposes of monitoring, sampling and testing means either: a) A property of 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 company lease and for which a certificate of title is available; or c) Land held in public ownership (e.g. reserve) for a particular purpose; or d) Individual units in buildings which are separately leased or separately occupied
PREMISES		
PRE-TREATMENT		means any processing of trade waste before it is discharged to the sewerage system, which is designed to reduce or vary any characteristic in order to comply with a trade waste consent.
PRIVATE DRAIN		means a drain connecting premises to the sewerage system
PROHIBITED		means trade waste that has any characteristic listed in schedule 3C
PUBLIC SEWER		means any Council sewer, and includes any public drain under the control of the Council by which domestic sewage or trade wastes may enter the sewerage system
RECEIVING ENVIRONMENT		means the environment to which the trade wastes and other sewage of the district will ultimately be discharged under normal operation of the sewerage system
SELF CONTAINED VEHICLE		means a vehicle with sanitary facilities available to its occupants, such as campervans, buses and caravans.
SEWAGE		means foul water and may include trade wastes
SEWAGE SLUDGE		means the material settled out and removed from sewage during the treatment process
SEWER		means the pipework drainage system that conveys sewage

SEWERAGE SYSTEM	means the infrastructure, including all sewers, pumping stations, storage tanks, sewage treatment plants, outfalls, and related structures operated by the Council and used for the reception, treatment and disposal of trade wastes or sewage
STORMWATER	means any rainwater, surface water, ground water, roof run-off or sub-surface drainage waters
TANKERED TRADE WASTE	means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle, but does not include domestic sewage discharged directly from house buses, caravans, buses and similar vehicles means any discharge from a vehicle, other than a self-contained vehicle, to the wastewater system.
TEMPORARY DISCHARGE	means any discharge of an intermittent or short duration
TRADE PREMISES	means <ul style="list-style-type: none">a) premises used or intended to be used for any industrial or trade purpose; orb) premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials, or for other waste management purposes, or for composting organic materials; orc) premises from which a contaminant is or may be discharged in connection with any industrial or trade process; ord) premises from which a contaminant other than domestic sewage is discharged, including land or premises wholly or mainly used for agricultural or horticultural purposes, or commercial food preparation, ore) premises from which waste having an adverse effect on the sewage system, wastewater treatment plant and associated processes is discharged
TRADE WASTE	means any liquid, with or without matter in suspension or solution, that is, or may be, or is prohibited from being, discharged from trade premises 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 which may include condensing or cooling waters, or stormwater which cannot practically be separated, or domestic sewage means any discharge or proposed discharge into the wastewater system, other than domestic wastewater discharged directly from a premise or self-contained vehicle, to the wastewater system. For the avoidance of doubt, trade waste includes tanker waste.
VEHICLE WASH FACILITIES	means any premise:

- a) with facilities to commercially wash vehicles; or
- b) where vehicles are washed on site as part of operations, such as vehicle sales yards, bus depots, truck yards.

WORKING DAY

means any day other than:

- a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Labour Day and Otago Anniversary Day
- 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

7.2 Abbreviations

\$/kg	dollars per kilogram
\$/L/s	dollars per litre per second
\$/m ³	dollars per cubic metre
°C	degrees Celsius
ANZECC	Australian New Zealand Environment and Conservation Council
B	boron
BOD ₅	Biochemical Oxygen Demand
Br ₂	bromine
Cl ₂	chlorine
CN	cyanide
COD	Chemical Oxygen Demand
DAF	dissolved air floatation
DP	deposited plan
DS	dry solids
F	fluoride
FOGs	fats, oils and greases
g/m ³	grams per cubic metre
GST	goods and services tax
H ₂ S	hydrogen sulphide
HAHs	halogenated aromatic hydrocarbons
HCHO	formaldehyde
HCN	hydrogen cyanide
hr	hour
HSNO	Hazardous Substances and New Organisms Act

kg/day	kilogram per day
L	litre
L/s	litre per second
m ³	cubic metre
max.	maximum
MBAS	methylene blue active substances
MfE	Ministry for the Environment
mg/L	milligram per litre
mL/L	millilitre per litre
mm	millimetres
MSDS	material safety data sheets
NFR	Non filterable residue
N	nitrogen
NH ₃	ammonia
NH ₃ -N	ammoniacal nitrogen
P	phosphorus
PAHs	polycyclic (or polynuclear) aromatic hydrocarbons
PBBs	polybrominated biphenyls
PCBs	polychlorinated biphenyls
RMA	Resource Management Act
s	second
s.	section
s. s	sections
SBR	sequencing batch reactor
SO ₄	sulphate
SS	suspended solids concentration
TAs	territorial authorities
UV	ultra violet
UVT	ultra violet transmission
WC	water closet

8.0 MANAGEMENT OF TRADE WASTES

8.1 Council's Objectives

The Council's objectives are:

- a) That where public sewers are available, permitted trade wastes, and conditional trade wastes subject to certain conditions, may be discharged to the sewerage system, provided that;
 - i. If the sewerage system is of insufficient capacity, the Council may refuse to allow a discharge or may grant a consent to discharge subject to conditions.
 - ii. The Council may determine to grant consent to discharge trade wastes and any conditions imposed on such consent having regard to the effects of the discharge on the waste water system and receiving environment, and the effects on absolute concentrations and/or mass loadings at the point of discharge.
 - iii. The Council will not approve any application for a consent to discharge trade waste if the discharge contains, or is likely to contain, a characteristic which is prohibited, except where the Council is satisfied the prohibited characteristic can be treated adequately to avoid any adverse effects on the sewerage system, the receiving environment, and people and animals.

8.2 Classification of Trade Waste Discharges

For the purposes of this bylaw, discharges of trade waste are classified as either:

- a) Permitted; or
- b) Conditional; or
- c) Prohibited

8.3 Storage, Transport, Handling and Use of Hazardous or Harmful Materials

- a) Every occupier of trade premises commits an offence against this bylaw who, without authorisation in accordance with this bylaw, by any act or omission, causes or allows the entry into the sewer system of any hazardous substance or any:
 - i. matter containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
 - ii. matter likely to generate toxic, flammable, explosive or corrosive substances in quantities likely to be hazardous when mixed with waste water; or
 - iii. matter likely to be injurious to the health and safety of the Council's staff, contractors or the public; or
 - iv. matter likely to be harmful to the sewerage system
- b) Every contractor, employee and agent of every occupier on trade premises commits an offence who, without authorisation in accordance with this bylaw, causes the entry into the sewer system of any hazardous substance or any:
 - i. matter containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials; or
 - ii. matter likely to generate toxic, flammable, explosive or corrosive substances in quantities likely to be hazardous when mixed with waste water; or

- iii. matter likely to be injurious to the health and safety of the Council's staff, contractors or the public; or
- iv. matter likely to be harmful to the sewerage system
- c) No person may store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance, or any matter listed in bylaw 8.3(a)(i-iv), in a manner that may allow that matter to enter the sewerage system and cause any harmful effect to the sewerage system or the receiving environment, or people and animals.
- d) This bylaw applies in addition to the provisions of the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991

9.0

Control of Discharges

- 9.1.1 Permitted trade waste may be discharged in accordance with this bylaw.
- 9.1.2 No Person may cause or allow the discharge of a prohibited trade waste.
- 9.1.3 Conditional trade waste may not be discharged except in accordance with a consent.
- 9.1.4 No person may add or permit the addition of condensing or cooling water to any trade waste being discharged, except in accordance with a consent.
- 9.1.5 No Person may add or permit the addition of stormwater to any trade waste being discharged, except in accordance with a consent.
- 9.1.6 The Council may physically prevent any unauthorised discharge to the sewerage system
- 9.1.7 Consent to discharge trade waste to the sewerage system does not affect any additional obligation under any other legislation or regulation.

10.0

TRADE WASTE DISCHARGES AND CONSENTS

10.1 Application to Discharge Trade Waste

Anyone may apply to the Council:

- a) For consent to discharge trade waste; or
- b) To vary the conditions of a consent.

10.1.1 An application for consent, or to vary the conditions of an existing consent must be made in the form in part 1 of the first schedule to this Bylaw.

10.1.2 An application and any associated documentation submitted must be signed by the applicant. Any act done for, or on behalf of, the consent holder (whether for reward or not) in making any such application is deemed to be an act of the consent holder.

10.1.4 Separate applications may be required in respect of discharges from different departments or sections of trade premises or as a result of different industrial processes within trade premises.

10.2 Changes to Application Details

10.2.1 An application to amend a consent, including volume, composition, and rate of discharge will be processed as if it is an application for a new consent.

10.2.2 For the avoidance of doubt, notification of changes to the consent holder's contact details is not an application to amend a consent.

10.3 Consideration of Application and Decision

Within 20 working days of receipt of an application for consent to discharge trade waste or to alter an existing consent, the Council may:

- a) Notify the applicant that it requires additional information which it considers necessary to reach an informed decision. Such information may include a report or statement completed by a suitably qualified, experienced and independent person; and
- b) Require the applicant to submit a management plan to be approved by the Council; and
- c) Where the Council considers it appropriate, investigate and analyse the discharge in accordance with clauses 10.15.1 and 10.15.3 of this bylaw.

The cost of preparing an application and providing any additional information required to support that application are to be borne by the applicant.

Within 20 working days of the receipt of an application or further information, whichever is the later, the Council may:

- d) Grant consent to discharge a permitted trade waste, and inform the applicant of the decision by issuing a written consent; or
- e) Grant consent to discharge a conditional trade waste subject to such conditions as it considers necessary, and inform the applicant by issuing a written consent; or
- f) Decline the application and notify the applicant of the decision in writing, giving reasons for the decision.

10.4 Consideration Criteria

In considering any application for a consent to discharge trade waste or tankered waste into the sewerage system, and in imposing any conditions a consent, the Council must take into consideration the quality, volume, and rate of discharge of the trade waste, having regard to:

- a) The health and safety of Council staff, contractors and the public;
- b) The limits and/or maximum values of any characteristics of the trade waste;
- c) The extent to which the trade waste may react with other trade waste or foul water and produce an undesirable effect, including but not limited to the settlement of solids, production of odours, accelerated corrosion and deterioration of the sewerage system;
- d) The flows and velocities in the sewerage system and the material or construction of the sewerage system;
- e) The capacity and performance of the sewerage system and any other relevant facilities;
- f) The nature of any sewage treatment process and the degree to which the trade waste is capable of being treated in the sewerage treatment works;
- g) The timing and balancing of flows into the sewerage system;
- h) Any statutory requirements relating to the discharge of raw or treated sewage to the receiving environment, the disposal of sewage sludge, any beneficial use of Bio-solids, and any discharge to air, including any requirement to comply with any resource consent, discharge permit or water classification held by or on behalf of the Council;
- i) The effect of the discharge on the receiving environment;
- j) The possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to people and animals, the sewerage system and the environment;
- k) The effect on any other existing or future discharges;
- l) Amenability of the trade waste to pre-treatment;
- m) Existing pre-treatment works on the premises and the potential for their future use;
- n) Cleaner production techniques and waste minimization practices;
- o) Requirements and limitations of sewage sludge disposal and reuse;
- p) Control of stormwater;
- q) The existence and effect of a management plan;
- r) Other tankered waste discharges for which consent has been granted.

10.5 Conditions of Consent

A consent to discharge conditional trade waste may be granted subject to any conditions the Council considers necessary, including conditions which may:

- a) Specify the particular part of the sewerage system to which the discharge may be made; and
- b) Limit the maximum daily volume and composition of the discharge and the maximum rate of discharge, and the duration of maximum discharge; and
- c) Limit the period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made; and
- d) Limit the acidity or alkalinity of the discharge; and
- e) Limit the temperature of the discharge; and
- f) Require the installation, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control the characteristics of the discharge; and
- g) Require the provision and maintenance, at the consent holder's expense, of inspection chambers, manholes or other apparatus or devices to provide reasonable access for sampling and inspection; and
- h) Forbid the discharge of any specified harmful elements; and

- i) Require the installation and maintenance, at the consent holder's expense, of screens, grease traps, silt traps or other methods of preventing or controlling the discharge of solids or grease; and
- j) Require the implementation of a programme of sampling, analysis and testing and flow measurement at the consent holder's expense; and
- k) Determine the methods to be used for measuring flow rates, measuring volumes and taking samples of the discharge; and
- l) Require the provision and maintenance, at the expense of the consent holder, of meters or devices to measure the volume or flow rate of any discharge; and
- m) Require any meters or other devices to be calibrated and determine the method to be used for that calibration; and
- n) Require the provision and maintenance, at the consent holder's expense, of services, including electricity, water, compressed air or otherwise, necessary to operate meters and similar devices; and
- o) Require the consent holder to provide flow and/or volume records, and records and results of analyses (including analyses of pre-treatment by-products), and maintenance records at times specified by the Council; and
- p) Require the consent holder to submit and implement a management plan; and
- q) Require the consent holder to provide a risk assessment of damage to the environment due to an accidental discharge; and
- r) Impose waste minimization and management practices; and
- s) Require the use of cleaner production techniques; and
- t) Require the implementation of facilities for the remote control of discharges; and
- u) Specify third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including sewage sludge disposal); and
- v) Require the consent holder to permit the entry of authorised officers for the inspection of drains, screens, traps or other apparatus or devices in the drainage system and for taking samples and readings of meters or other recording or measuring apparatus; and
- w) Require the consent holder to provide a bond or insurance in favour of the Council if failure to comply with the consent could result in damage to the sewerage system, or treatment plants, or could result in Council being in breach of any statutory obligation; and
- x) Require remote monitoring of discharges; and
- y) Require the payment of charges for the acceptance and disposal of trade wastes; and
- z) Require dental facilities to install and maintain an amalgam trapping and disposal system; and

10.6 Duration of Consent

10.6.1 Permitted trade waste

The period for which a consent to discharge permitted trade waste is valid is unlimited unless:

- a) Otherwise specified in a consent; or
- b) Consent is cancelled in accordance with clause 10.9 of this bylaw; or
- c) The amendment or replacement of this bylaw results in the classification of the discharge as a conditional or prohibited discharge; or
- d) There is a change to the resource consents held by the Council authorising the sewerage system and/or the disposal of waste from that system.
- e) The consent has not been exercised during the preceding 12 months.

10.6.2 Conditional Consents

- a) The period for which a consent to discharge conditional trade waste may be granted is for any term not exceeding ten years specified in the consent.

10.6.3 Exercise of a consent while applying for a new consent

- a) Nothing in this bylaw authorises the continuing discharge of trade waste when the status of the trade waste discharged (as permitted or conditional tradewaste) changes, whether that change results from a change in the characteristics of the discharge or from a change in the classification of the characteristics of the discharge, or for any other reason, except that:
- b) When an application for a new discharge consent is submitted within 20 working days of the expiry of an existing consent, or other such period as the Council may determine is appropriate in the circumstances, the consent holder may continue to operate under the existing consent until the application for new consent is granted or declined.

10.7 Review of Decisions

If any person is dissatisfied with any decision made under this bylaw, that person may request the Chief Executive Officer to review the decision. Such request must be made in writing within 20 working days of the date of the decision. The Chief Executive Officer's decision is final.

10.8 Technical Review and Variation

10.8.1 New or varied conditions

The Council may at any time during the term of a trade waste consent, by written notice to the consent holder, vary any condition to such an extent as Council considers necessary to avoid any adverse effects on the sewerage system or the environment.

The Council may vary a consent when any new information becomes available relevant to that consent, or when necessary to ensure compliance with any resource consent authorising a discharge from the Council's treatment plant, or with any other requirement imposed on the Council.

A consent holder may seek to vary any condition of consent at any time during the term of a consent by written application to the Council.

10.9 Cancellation of the Right to Discharge

10.9.1 Suspension or Cancellation on Notice

The Council may suspend or cancel any consent or right to discharge at any time following 20 working days' notice to the consent holder or person discharging any trade waste in the event of:

- a) failure to comply with a consent or any condition of consent; or
- b) failure to maintain effective control over the discharge; or
- c) negligence which, in the opinion of the Council, threatens the health or safety of any person or may cause damage to any part of the sewerage system or treatment plant; or
- d) any occurrence that, in the opinion of the Council may cause an adverse effect on the environment; or
- e) any breach of a relevant resource consent; or
- f) failure to provide and maintain a management plan as required in a consent authorising a conditional discharge; or

- g) failure to comply with a management plan during an unexpected, unscheduled or accidental event; or
- h) refusal of the Council's request for permission to access the premises and to obtain samples of the discharge; or
- i) failure to pay any fees or charges owing under this bylaw; or
- j) any other circumstances which, in the opinion of the Council make it necessary in the public interest to cancel or suspend a consent or right to discharge; or
- k) conviction of the consent holder for any offence under this Bylaw.

10.9.2 Summary Cancellation

At any time the Council may immediately cancel any consent to discharge trade waste by giving written notice of cancellation to the consent holder if:

- a) The consent holder causes or allows the discharge of prohibited tradewaste; or
- b) The Council is lawfully directed by a Court to cancel the Consent; or
- c) The consent holder causes or allows any unlawful discharge; or
- d) The discharge poses an immediate threat to the environment or public health; or
- e) The discharge breaches a resource consent held by Council.

10.10 Fees and Charges

10.10.1 Fees and Charges

Fees and charges for the issue of consents and the provision of other services provided by the Council under this bylaw are included in the Fees and Charges section of the Annual Plan.

10.10.2 Disconnection

A consent holder is deemed be discharging trade waste and is liable for all the fees and charges for that discharge until the Council gives notice of disconnection.

10.10.3 Failure to Pay

Fees and charges payable under this bylaw are recoverable as a debt due to the Council.

10.11 Authorised Officers

Pursuant to sections 171 and 172 of the Local Government Act 2002, an authorised officer may enter premises from which, in the opinion of that officer, trade wastes are being or have been discharged to and may:

- a) Take readings and measurements
- b) Observe accidental occurrences and clean-up

10.12 Transfer or Termination of Rights and Responsibilities

10.12.1

The holder of a consent to discharge trade waste:

- a) must not cause or allow a point of discharge to serve any premises other than that for which a consent is held, or extend a private drain by pipe or any other means so that it serves another premises; and
- b) must not cause or allow sewage from any place other than that for which the consent is held to be discharged at the point of discharge.

The holder of a consent may transfer that consent to another owner or occupier of the site for which the consent is granted, subject to the prior written approval of the Council. A transfer of consent without approval is invalid, and the transferor remains liable for any breach of the consent or this bylaw.

10.12.2

~~A consent holder must give 48 hours notice in writing to the Council of a requirement to disconnect a discharge and/or terminate a consent, except that where demolition or re-laying of a discharge drain is required, 7 working days notice in writing must be given.~~

A consent holder shall give 48 hours notice in writing to the Council of their requirement to disconnect a discharge and/or terminate a consent. Where demolition or relaying of the discharge drain is required the written notice shall be given at least seven working days prior to demolition or relaying.

On termination of a discharge or consent, the consent holder must notify the Council of the address to which a final invoice can be sent.

On permanent Disconnection and/or termination the consent holder may, at Council's discretion, be liable for trade waste charges to the end of the current charging period.

10.12.3

When a consent holder ceases to occupy premises from which trade wastes are discharged and a consent terminates the consent holder remains liable for all obligations existing under the consent at the date of termination.

10.13 Service of Documents

10.13.1 Delivery or Post

Any notice or other document required to be given, served or delivered under this bylaw may (in addition to any other method permitted by law) be:

- a) Sent by pre-paid ordinary mail, courier, facsimile, or email to the recipient at his or her last known place of residence or business; or
- b) Sent by pre-paid ordinary mail, courier, facsimile, or email to the recipient at any address for service specified by him or her; or
- c) Where the recipient is a body corporate, sent by pre-paid ordinary mail, courier, facsimile, or email to, or left at its registered office; or
- d) Delivered to the recipient in person.

10.13.2 Signature

Any notice or document to be given, served or delivered must be signed by an authorised officer.

10.14 Accidents and Non-Compliance

The consent holder must inform the Council immediately of any accident including spills or process mishaps which may cause a breach of this bylaw.

In the event of an accident in relation to a discharge authorised by a consent, the Council may review that consent, or require the consent holder to review the contingency management procedures and re-submit the management plan to the Council within 20 working days.

10.15 Flow Metering

10.15.1

The Council may require the flow of a discharge to be metered when:

- a) there is no relationship between a metered water supply to the premises, and the discharge of trade waste; or
- b) the Council declines to approve a method of flow estimation; or
- c) that discharge represents a significant proportion of the total flow or load discharged to the sewerage system.

10.15.2

The consent holder is responsible for the supply, installation, reading and maintenance of any meter or other device the Council considers necessary for the measurement of the rate or quantity of discharge.

Any meter or other device installed to measure the rate or quantity of discharge is subject to the Council's approval, but remains the property of the consent holder.

10.15.3

Records of flow and volume must be made available to the Council upon request at any reasonable time, and must be submitted to the Council in accordance with the consent.

10.15.4

Meters must be located in a position approved by the Council and installed according to the manufacturer's instructions.

10.15.5

The consent holder must ensure flow metering equipment and instrumentation is installed and calibrated by a person and method approved by the Council and is calibrated at least once a year from the date of installation.

A meter must be accurate to within 10%, with no greater deviation from the previous meter calibration than of $\pm 5\%$. Independent certification of each calibration result must be submitted to Council within 20 working days of installation, and annually within 20 working days of the anniversary of the installation date.

Where any meter is found to be inaccurate by more than 10% the Council may adjust any fees or charges to take account of that inaccuracy. Such adjustments to fees or charges may be back-dated for such period not exceeding 12 months as the Council considers appropriate.

10.16 Estimating discharge

10.16.1

The Council may determine the installation of flow metering equipment is unnecessary and may instead impose fees or charges by estimating the rate or quantity of discharge as a proportion of the water supplied to premises or on any other such basis it considers appropriate.

10.16.2

If a meter is out of repair or ceases to register, or is removed, the Council may estimate the discharge. Such estimate may be based on previous readings and any other relevant

information including seasonal variation. The consent holder must pay the fees and charges determined by the Council according to such estimate.

10.16.3

If the Council considers a meter has been tampered with, it may declare the reading void and charge fees according to its reasonable estimate of discharge, without prejudice to other remedies available.

10.17 Sampling and analysis

10.17.1

The Council may require the consent holder to undertake or allow sampling, testing and monitoring of any discharge to determine:

- a) compliance with this bylaw; or
- b) classification of the trade waste discharged as permitted, conditional, or prohibited; or
- c) fees or charges applicable.

10.17.2

The taking, preservation, transportation and analysis of any sample must be undertaken by an authorised officer or agent of the Council, or by the consent holder in accordance with accepted industry standard methods, or by a method specifically approved by the Council. The consent holder or person responsible for the discharge must meet all reasonable costs of sampling. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator at the cost of the consent holder or person responsible for the discharge.

10.18 Monitoring

10.18.1 **Monitoring for Compliance**

The Council may monitor and audit any discharge as follows:

- a) The Council may cause a sample of a discharge to be taken and analysed in an approved laboratory by agreed or approved methods; or
- b) The Council may audit the sampling and analysis carried out by or on behalf of a consent holder; or
- c) The Council may audit compliance with consent conditions including any management plan.

All costs of monitoring and audit must be met by the consent holder or the person responsible for the discharge.

10.18.2 **Sampling Methodology**

A sample may be a single or a composite sample, split equally into three portions and distributed as follows:

- a) One portion is to be retained by the consent holder; and
- b) A second portion is to be analysed at a laboratory approved by the Council; and
- c) A third portion is to be retained by the Council for 20 working days, and may be used for additional analysis if required.

The Council must have regard to any changes that could occur in retained samples, and those responsible for retained samples must adopt appropriate methods to mitigate against such changes where practicable.

All samples must be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

10.19 Tankered Trade Wastes

No one may cause or allow a discharge of tankered trade wastes except with the Council's permission.

Any person may apply to the Council for permission to discharge tankered trade wastes at an approved location. Any person transporting or discharging tankered trade waste:

- a) Must hold a consent to discharge domestic septic tank or industrial wastes; and
- b) Must supply material safety data sheets (MSDS) to the Council detailing the contents of the waste; and
- c) Must obtain tests to determine the characteristics of the waste where those characteristics are otherwise not known.
- d) Must obtain specialist advice on pre-treatment if required by the Council and meet the cost of all testing and advice; and
- e) Must not collect or transport the waste to the disposal site until appropriate arrangements and method for disposal have been approved; and
- f) Must give the Council 24 hours notice prior to the disposal of wastes other than those sourced from domestic septic tanks.

Any person disposing of, or causing the disposal of Tankered Waste other than in accordance with this bylaw commits an offence against this bylaw.

11.0

OFFENCES

Every person who:

- a) Fails to comply with this bylaw; or
- b) Breaches the conditions of any consent granted under this bylaw,

commits an offence and is liable to a fine not exceeding \$200,000.

SCHEDULE 1 APPLICATION AND CONSENT FORMS

Part 1: Form of Application under the Trade Wastes Bylaw

APPLICATION FOR CONSENT TO DISCHARGE TO THE SEWER

Permitted Trade Waste Registration (No 1-14)

is for premises with discharges complying with Schedule 3A of the Waitaki District Council Trade Waste Bylaw 2021 and which have a discharge of less than or equal to 5m³ (5,000 litres) per working day or have a minimum instantaneous flow less than or equal to 2.0 litres per second per working day. To register your discharge please complete items 1-14 of this application form.

Conditional Trade Waste Consent (No 1-25)

is for premises with discharges not complying with Schedule 3A of the Waitaki District Council Trade Waste Bylaw 2021 or having a discharge of greater than 5m³ (5,000 litres) or having an instantaneous flow greater than 2.0 litres per second per working day. To apply for consent to discharge please complete items 1-25 of this application form. Applications for Conditional consent are to be lodged with the Waitaki District Council and must be accompanied by a Management Plan.

*** These fields must be completed. Please print clearly.**

<p>1. *I/We <i>Full Legal name of company/Partnership etc./names of applicants</i></p>
<p>2. *Trading as: <i>Being the Owner/Occupier(s) of the Premises Located at:</i></p> <p>Request consent from the Waitaki District Council to discharge trade waste to the Council's foul sewer in accordance with the terms of the Waitaki District Council Trade Waste Bylaw 2021.</p>

3. Postal	* 4. Contact Details	* 5. Site Contact Details
Name:	Name:	Name:
Address:	Designation:	Designation:
	Phone:	Phone:
	Cellphone:	Cellphone:
	Fax:	Fax:
	Email:	Email:
6. Name and details of owner of premises if different from above:		

7. Property Valuation Number:	
8. Legal Description: THIS APPLICATION RELATES TO: (Please tick the appropriate box)	
<input type="checkbox"/> Proposed change of wastes discharged	<input type="checkbox"/> Proposed new discharge
<input type="checkbox"/> An existing discharge (Consent No.)	<input type="checkbox"/> Proposed change in volume
	<input type="checkbox"/> Renewal of a consent
9. Is Pre-treatment provided? Identify type(s)	
10. What is the frequency of maintenance?	
11. Name of the Liquid Waste Contractor removing liquid or solid trade waste from your site?	
12. The new discharge or change will commence from:(date)	
13. Principal Business Activity	

14. A Site plan / Sketch is to be provided detailing:

- (a) Street name and number
- (b) North point of site
- (c) Buildings and their use including processing areas
- (d) Location of any existing or proposed pre-treatment facilities (i.e. grease traps) and existing or proposed sampling point(s)
- (e) Location of any flow recording equipment for trade waste discharge
- (f) Location of water meter(s), additional supplies (e.g. wells) and existing or proposed backflow prevention devices.
- (g) Location of drains and any emergency spill containment devices.

TRADE WASTE CONDITIONAL CONSENT

NOTE:

1. Please complete Questions 1 to 23 for all **CONDITIONAL TRADE WASTE DISCHARGES**
2. A separate **“PROCESS”** sheet is required for each individual process that discharges to the Council’s sewers from the premises identified. (A copy of the **“PROCESS”** sheet is attached to this application form)

15. Number of PROCESS sheets attached:						
16. Waste Tract Customer Number? (If applicable)						
17. Number of Staff working on site?						
18. Number of discharge days per annum?						
19. Total volume of trade waste processes (from PROCESS Sheets)						
Total volume per annum:			.....m ³		
Average Daily Flow:			.....m ³		
Average 8am to 4pm flow:			.....m ³		
Average 4pm to 8am flow:			.....m ³		
Maximum Daily volume:			.....m ³		
Maximum flow:			.....l/sec		
20. Seasonal fluctuation:						
From (month)	.....	To (month)	.....	Max flow	.....m ³ per.....
From (month)	.....	To (month)	.....	Max flow	..... m ³ per.....

21. Do you have Batch processes? YES NO

If NO please go to Question 21

Total Batch discharges:

Maximum Quantity:	.....m ³
Maximum Frequency: (specify e.g. 2 per day, 3 per week)	.....
Maximum Rate of discharge:	.....litres/sec

22. Do the wastes being discharges contain condensing water or stormwater?

YES NO

23. Do the drains on the premises exclude the possibility of condensing water or stormwater from becoming mixed with trade waste?

YES NO

24. Is a mixture of domestic waste and trade waste discharges prior to any sampling point?

YES NO

25. Are backflow devices fitted at the point of the water supply to the site

YES NO

I am duly authorized to make this application and confirm to the best of my knowledge and belief that all the information in this application is true and correct.

****Signature***

.....

If a person is signing for the applicant or signing as an authorized agent please ensure all contact details are provided,

(Please tick box if the signature is by an agent acting on behalf of Owner)

****Date***

.....

SCHEDULE 3A: PERMITTED DISCHARGE CHARACTERISTICS

Introduction

The nature and levels of the Characteristics of any Trade Waste discharged to the Council Sewerage System shall at all times comply with the following requirements, except where the nature and levels of such Characteristics are varied by the Council as part of a Consent to discharge a Trade Waste. If a discharge Characteristic is not specifically mentioned in this Schedule and it is not referred to in Schedule 3C it may be the subject of a Conditional Trade Waste Consent

Contaminant	Limit
Flow	The 24 hour flow must be less than 5m ³
	Maximum instantaneous flow rate must be less than 2.0 L/s
Temperature	must not exceed 40 °C
Solids	Maximum dimension of non-faecal gross solids must not exceed 15 mm .
	Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of sewage in the drainage system or treatment plant must not be present.
	The maximum concentration of suspended solids of any trade waste must not exceed 600 g/m3 .
	The settleable solids content of any trade waste must not exceed 50mL/L .
	The total dissolved solids concentration in any trade waste is subject to the approval of the Council having regard to the volume of the waste to be discharged, and the suitability of the sewerage system and the treatment plant to accept such waste.
Oil and grease	There must be no free or floating layer.
	Fat, oil or grease of other than animal or vegetable origin must not exceed 200 g/m3 .
	Fat, oil or grease of animal or vegetable origin must not exceed 500 g/m3 .
	No fat, oil or grease may be discharged that contains substances that become viscous between 0°C and 65°C
Solvents and other organic liquids	There must not be a free layer (whether floating or settled) of solvents or organic liquids.
Emulsions of paint, latex, adhesive, rubber, plastic	Emulsions may be discharged into the Sewer provided the total suspended solids do not exceed 600 g/m3. Higher concentrations may only be discharged with Council's approval.
	The Council may determine that emulsions must be pre-treated if it considers that trade waste containing emulsions unreasonably interferes with the operation of the Council treatment plant, for example by reducing the percentage of UVT (ultra violet transmission).
	Emulsions, of both treatable and non-treatable types, may be discharged to the Sewer only at a concentration and pH range that avoids coagulation and blockage at the mixing zone in the public Sewer.
Radioactivity	Radioactivity levels must not exceed National Radiation Laboratory Guidelines.

Contaminant	Limit
Colour	Waste must not have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or breaches the Council's resource consent to discharge sewage.
pH value	The pH must not be less than 6.0 or greater than 9.0.
Organic strength	The Council may restrict the permitted level of Biochemical Oxygen Demand (BOD5) of any waste where the capacity for receiving and treating BOD5 is limited. A BOD5 restriction may be related to mass limits.
	Where there is no Council treatment system for organic removal the BOD5 must not exceed 1000g/m³ , except that this limit may be reduced to 600g/m³ at the Council's discretion.

Maximum concentrations

The maximum acceptable concentrations of chemical characteristics of a conditional discharge are set out in 3A.2, 3A.2 and 3A.3.

3A 2 General Chemical Characteristics

Characteristic	Maximum Concentration (g/m ³)
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
free ammonia	50
ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	500 (1500 (with good mixing))
Sulphite (measured as SO ₃)	15
Sulphide - as HaS on acidification	5
Chlorine (measured as Cl ₂) free chlorine hypochlorite	3 30
Dissolved aluminium	100
Dissolved iron	100

Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide - weak acid dissociable (as CN)	5

3A2 Heavy Metals Limits

Metal	Maximum Concentration (g/m ³)	Metal	Maximum Concentration(g/m ³)
Anitimony	10	Manganese	20
Arsenic	5	Mercury	0.05
Barium	10	Molybdenum	10
Beryllium	0.005	Nickel	10
Cadmium	0.05	Selenium	10
Chromium	5	Silver	2
Cobalt	10	Thallium	10
Copper	10	Tin	20
Lead	10	Zinc	10

3A3 Organic Compounds and pesticides Limits

Compound	Maximum Concentration(g/m ³)
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02

Compound	Maximum Concentration(g/m3)
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

SCHEDULE 3B CONDITIONAL DISCHARGES

CONDITIONAL TRADE WASTE means trade waste that has, or is likely to have, characteristics which exceed any of the characteristics defined in Schedule 3A, but which is not defined as prohibited trade waste. Consent is required and conditions of consent may be imposed by the Council. These consents are referred to as 'conditional trade waste consents'.

A conditional trade waste consent may impose controls on a trade waste discharge by specifying mass limits for any characteristic.

Mass limits may be imposed for any characteristic. Any characteristic of a discharge for which a mass limit is imposed shall also have a daily maximum concentration not exceeding the value scheduled in schedule 3A, where one is given, unless approved otherwise.

Schedule 3C: PROHIBITED TRADE WASTES

Prohibited Characteristics

Prohibited Characteristics	
<p>Any discharge has prohibited Characteristics if it has any solid liquid or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:</p>	a) Interfere with the free flow of Sewage in the Sewerage System;
	b) Damage any part of the Sewerage System;
	c) In any way, directly or indirectly, cause the quality of the treated Sewage or residual Biosolids and other solids from any Sewage treatment plant in the catchment to which the waste was discharged to breach the conditions of a Consent issued under the Resource Management Act, or water right, permit or other governing legislation;
	d) Pose an unacceptably high risk to the health and safety of people working in activities related to sewerage treatment;
	e) After treatment be toxic to fish, animals or plant life in the receiving waters;
	f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
	g) Have a colour or colouring substance that causes the discharge from any sewage treatment plant to receiving waters to be coloured.
<p>A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in schedule 1A unless specifically approved for that particular consent.</p>	
<p>A discharge has a prohibited characteristic if it has any amount of:</p>	Harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
	Liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1A), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Sewage;
	Asbestos;

Prohibited Characteristics	
	The following organo-metal compounds: Tin (as tributyl and other organotin compounds);chromium (as organic compounds)
	Any organochlorine pesticides
	Genetic wastes, including all wastes that contain or are likely to contain genetically altered organisms, unless approved by the Council;
	Any health care waste prohibited for discharge to the Sewerage System by NZ Standard 4304 or any solid wastes from any hospital, clinic, office or surgery of a medical or veterinary facility or laboratory, convalescent or nursing home or health transport facility; including, but not limited to: hypodermic needles; syringes; instruments; utensils; swabs; dressings; bandages; or any paper or plastic item of a disposable nature; or any portions of human or animal anatomy; Plus infectious or hazardous wastes deemed to pose a threat to public health and safety.
	Radioactivity levels in excess of the National Radiation Laboratory Guidelines
	Fibrous, woven, or sheet film i.e. wet wipes or any other materials which may adversely interfere with the free flow of sewage in the drainage system or treatment plant must not be present

4.4 ŌAMARU CENTRAL PARKING

Author: Mike Harrison, Roading Manager

Authoriser: Paul Hope, Acting Assets Group Manager

RECOMMENDATIONS

That the Assets Committee recommends:

That Council:

1. Approves the development of a Central Ōamaru Parking Plan.
2. Appoints three (3) Committee members to a Steering Group to guide the development of a Central Ōamaru Parking Plan with officers.

DECISION OBJECTIVE

This report seeks a recommendation from the Committee for Council approval to commence a review of public parking in Central Ōamaru.

SUMMARY

Consenting of land development has historically included requirements for managing parking demand on the development site. The new Government Policy Statement on Urban Development has removed this requirement with effect from 30 December 2021 and councils will be required to manage the parking issues.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Approve the development of a Central Ōamaru Parking Plan
Operational Decision-Making:	Develop a Central Ōamaru Parking Plan
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Moderate	Environmental Considerations	Moderate
Legal	No	Cultural Considerations	No
Significance	Moderate	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	Moderate
Community Views	Key	Community Board Views	Moderate
Consultation	Key	Publicity and Communication	Key

BACKGROUND

The release of the new National Policy Statement on Urban Development (NPSUD) and parking has removed the ability for councils to require developments to meet the parking requirements of their residents and patrons. Councils must remove the provisions in plans relating to minimum parking rates before 20 February 2022. Accordingly, it is timely for our Council to consider a parking plan that maximises the use of on-road parking and off-road carparks and plans for increased future demand if it is required.

The parking plan will need to cover the various needs and demands that Council and the community may expect, including but not limited to, metering and charging, timed parking areas, loading zones, electric vehicle charging, bicycle parking, mobility device parking, mobility car and van parking, taxi zones, bus zones and making allowances for the parking of e-scooters. The Parking Plan will also need to consider elements such as entry/exit from vehicles, routes to and from parking areas, electric charging capabilities, business requirements for customers, inwards and outwards goods delivery, visibility and marketing.

While not directly connected, safe journeys through roads and intersections, whether affected or not, would be included in the review for consistency.

A parking plan has the potential to enhance or detract from the central business district of a town. As such, the plan must not solely look at increasing parking in Ōamaru, but rather it must:

- Plan for providing increased public parking demand
- Retain and be sympathetic to the historical nature of Ōamaru
- Remove barriers to all transport modes
- Increase people on the street where they need to be
- Increase business activity
- Provide public spaces that are attractive.

The plan must answer some fundamental questions, such as:

- How much is the right amount of parking?
- Where can additional parking be made available?
- How can we provide and maintain access for delivery vehicles?
- How can we improve our pedestrian movements and crossings?
- Can we create more community space for events?
- How can we better guide our community through improved signage and wayfinding?
- What role does street-art, street-use for business, and space for community events have in the parking plan and how can the parking plan give effect to the community's ambitions?

TIMELINES

Once a plan is prepared, community engagement is proposed to extend over several months and will be coordinated as a package that includes Ōamaru Central Parking, Heavy Vehicle Routes, and State Highway Intersections.

Any physical works are proposed to be presented as new projects through the 2024 Long term Plan process. Elected Members will be invited to be involved with community engagements as they arise, and community engagements will be reported through the Assets Committee.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – Approve the development of a plan with community engagements (**preferred**)

Option 2 – Approve the development of a plan without community engagements.

Without community engagement, the plan is likely to be less than optimal and is unlikely to have buy-in from business. As such, this option is not recommended.

Option 3 – Progress a Parking Plan at a later date.

The changes made through the National Policy for Sustainable Urban Development (NPSUD) require Council to have a local response to parking challenges. Council may choose to do this in the future rather than now, but that would put it at risk of being behind development in the planning of how best to service the community's needs. As such, this option is not recommended.

ASSESSMENT OF PREFERRED OPTION

Option 1 will see a plan developed that, whilst necessary due to a Government Policy change, will create an opportunity for Council to examine how parking in Ōamaru Central can better support business and the community.

Parking management has long been held as a precursor to a successful business district and positive community spirit. As such, it is vital that appropriate planning occurs well in advance of any increased demand to ensure Council can build and develop its services in a controlled manner.

Through an open and transparent planning process that engages the community, the plan can be directed by community to ensure it meets all of its requirements and enhances Ōamaru Central.

CONCLUSION

Creating a parking plan for Central Ōamaru is far more than just meters and signs. Creating space for parking has many possible options, all of which will create change through a holistic view and transparency of process that will support the community.

The recommended action to develop the plan is the option that would best support community engagement.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities, so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Policy and Plan Considerations

Replacing the parking policies with a development plan for community benefit.

Community Views

Vibrant and successful public spaces.

Financial Considerations

Developing a long term plan enables future planning and budgeting management.

Legal Considerations

National Policy statement on Urban Development changes require a change to the District Plan rules.

Environmental Considerations

Transitioning to alternative modes and electric vehicles requires a transitional plan.

Publicity and Community Considerations

The public space discussion will require a high level of community and business engagement.

4.5 ŌAMARU CENTRAL HEAVY VEHICLE ROUTES

Author: Mike Harrison, Roading Manager

Authoriser: Paul Hope, Acting Assets Group Manager

RECOMMENDATION

That the Assets Committee recommends:

That Council:

1. Approves the development of a Ōamaru Central Heavy Vehicle Route Plan.
2. Instructs officers to formally establish a Heavy Vehicle Industry Representatives Group to assist in the development of a Ōamaru Central Heavy Vehicle Route Plan

DECISION OBJECTIVE

This report seeks a Committee recommendation for Council approval to commence the development of an Ōamaru Central Heavy Vehicle Route Plan Ōamaru.

SUMMARY

The Network Operating Framework (NOF) document recorded the routes that are currently used by transport modes in Ōamaru. The previous improvement projects have developed safety intervention designs that focus on the incident location. The network-wide view provided with the NOF provides a knowledge opportunity to consider the preferred routes for different modes. Understanding the constraints and destinations with and through consultation have delivered safety benefits in other regions. This route plan commences a discussion and targeted investment choices.

This project will inform and integrate with parking and intersection improvement programmes.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Approve the development of a Central Ōamaru Heavy Vehicle Route plan
Operational Decision-Making:	Develop a Central Ōamaru Heavy Vehicle Route plan
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	Moderate
Legal	No	Cultural Considerations	No
Significance	No	Social Considerations	Moderate
Financial Criteria	Moderate	Economic Considerations	No
Community Views	Moderate	Community Board Views	No
Consultation	Moderate	Publicity and Communication	Moderate

BACKGROUND

The Network Operating Framework (NOF) identified several routes important to Heavy Commercial Vehicle users. The routes identified were surprising to some and raised the following question:

- Are these the best routes for the activity, and what effect would alternatives create?
- If we designed on a network need basis, would we have designed our roads and intersections the way we do today?
- How do we enable free flowing traffic while considering other users?
- What is the impact of route planning on vehicle emissions?
- What is the impact of the route on heritage buildings?

The completed NOF is reflective of discussions with the community which covered what activities should be undertaken where, and what modal activities clashed with others. The next stage in planning is to further the discussions with the community by using the information captured through the NOF process to inform future projects on wider network activities and modal demands.

TIMELINES

The community engagement is proposed to extend over several months and will be coordinated as a package that includes Ōamaru Central Parking, Heavy Vehicle Routes, and State Highway Intersections. Any proposed physical works would be presented as new projects for the 2024-27 Long Term Plan. The Elected Members will be invited to be involved with the community engagements as they arise. The community engagements will be reported through the Assets Committee.

SUMMARY OF OPTIONS CONSIDERED

- Option 1** – Approve the development of an Ōamaru Central Heavy Vehicle Route plan (**Preferred**)
Option 2 – Do nothing

ASSESSMENT OF PREFERRED OPTION

Option 1 builds upon the community engagement that occurred with developing the NOF. Having the forum to have open and meaningful conversations is an open-door pathway to considering the community’s needs and plans. Offers were received from the industry to pre-test designs, this is a step further forward to engaging before designs commence. With the plan, this presents an understandable progression that supports the mode for which the route is designed.

There is a planning cost in developing the plan, but it is a small fraction of what could be wasted with an incomplete scoping.

CONCLUSION

Heavy vehicles have found infrastructure changes such as bulbous kerb build-outs, bollards, mountable kerbs, narrow roads difficult to manoeuvre around. The Ōamaru Victorian Precinct in particular has been difficult for Heavy Vehicles to move through. Considering options on whole-of-route alternatives can ensure designs are appropriate for the intended use for those routes and will result in more positive outcomes.

Having an open and transparent conversation early with stakeholders will ensure route choices address the needs of both the community and business.

The Committee's recommendation to Council to endorse this planning exercise will enable the engagement process with the community to commence with an open and clear forum.

Reporting on these engagements will include the outline of what the outcome was, what could be delivered, when, and at what cost. It is expected that any physical works that come out of the engagement process would commence in subsequent Long Term Plan and National Land Transport periods.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Community Views

Safe, vibrant and successful public spaces.

Financial Considerations

Developing a long-term plan enables future planning and budgeting management.

Environmental Considerations

Efficient and safety outcomes will have effect to the fuel and emissions in preferred routes.

Publicity and Community Considerations

The public space discussion will require community and business engagement.

4.6 STATE HIGHWAY INTERSECTION SAFETY IMPROVEMENTS

Author: Mike Harrison, Roding Manager

Authoriser: Paul Hope, Acting Assets Group Manager

RECOMMENDATION

That the Assets Committee approves the development of a State Highway Safety Improvements Plan in partnership with Waka Kotahi New Zealand Transport Agency.

DECISION OBJECTIVE

This report seeks Committee approval to commence the development of a State Highway Safety Improvements Plan for Ōamaru Intersections. This will be via a partnership approach between Council and Waka Kotahi New Zealand Transport Agency.

SUMMARY

The routes that are most used by the various transport modes have been recorded in the Network Operating Framework (NOF) document. When cross-referenced to the draft Spatial Plan, there are a number of sites that are highlighted as transport network pressure locations in Ōamaru. Existing traffic volumes, indicated in the NOF, suggest that any increase in demand could require infrastructure changes to address the impact of those increases. The impacts most likely to occur include safety for vehicles turning right onto the highway, safety for pedestrians and cyclists crossing the highway, and congestion at uncontrolled intersections.

There are several triggers for improving highway intersections in Ōamaru. These include land use changes for residential and commercial property development, community developments such as the Waitaki Indoor Sports and Events Centre, increasing heavy vehicle traffic, and an increase in the number of over-dimension loads and growth of activity in Ōamaru and the Corriedale Ward.

Waitaki does not attract large-scale Highway Investment on a national scale due to its size and the demand on its network, and at this point in time, there are no plans for a town bypass. Accordingly, the planning of improvements to the existing corridor is an appropriate course of action.

Due to the interconnectivity of our local roads and the State Highway network, and Waka Kotahi's limited planning resource in this area, to ensure our community is not heavily impacted by the additional pressures that will be placed upon our roading network, it is prudent that Council commences planning of safety improvements for state highway intersections. This will be done in conjunction with Waka Kotahi but led by Council.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Approve the development of a State Highway Intersections improvement plan
Operational Decision-Making:	Develop a State Highway Intersection improvement plan
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance

Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	Moderate
Legal	No	Cultural Considerations	No
Significance	No	Social Considerations	No
Financial Criteria	No	Economic Considerations	No
Community Views	Moderate	Community Board Views	No
Consultation	Key	Publicity and Communication	Moderate

BACKGROUND

It has been difficult historically to work with Waka Kotahi on community works in and around the State Highway, with an ever-increasing funding challenge for Waka Kotahi, and a higher cost burden that comes with running a national state highway asset. In recent months, Council has successfully collaborated with Waka Kotahi on works in Duntroon on SH83, improving road safety improvements there through the Duntroon toilet project. This work has developed a model for how local authorities can assist State Highway management to respond to community pressures and has developed trust in Council’s ability to plan safety improvements on State Highways with Waka Kotahi planners.

The development of a State Highway Intersection Improvement plan for Ōamaru will leverage off this work and will focus on achieving similar outcomes for the local road network.

SUMMARY OF OPTIONS CONSIDERED

Option 1 – Approve the development of a State Highway Intersections improvement plan for Ōamaru (preferred)

Option 2 – Do nothing

ASSESSMENT OF PREFERRED OPTION

Commencing work on a State Highway Intersection Improvements plan for Ōamaru will build upon current planning for the planned Indoor Sports and Events Centre and will integrate with the District Plan Review, the Spatial Plan and the Network Operating Framework processes.

How we travel and live has substantially changed over the last two years, and the demand expectations of our road network are constantly evolving. Council needs to get in front of the anticipated changes from development, traffic growth and modal changes.

Advanced planning for our community’s demands from the State Highway will need to be signalled in the Regional and National Land Transport development programmes. As such, to have any opportunity to have an NLTP-funded project, Council needs to start having discussions with Waka Kotahi now.

CONCLUSION

There is a need for safety improvements at highway intersections. This need will continue to grow as external pressures such as development and traffic growth impact travel in the region. It is important for Council to start an engagement process with Waka Kotahi to establish a case for change.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Community Views

Safe, vibrant and successful public spaces.

Financial Considerations

Developing a long term plan enables future planning and budgeting management.

Publicity and Community Considerations

Stakeholder engagement with Waka Kotahi and the public discussion will require engagement planning with the community and business.

5 MEMORANDUM REPORTS

5.1 NATIONAL LAND TRANSPORT FUNDING OUTCOME

Author: Mike Harrison, Rooding Manager

Authoriser: Paul Hope, Acting Assets Group Manager

RECOMMENDATION

That the Assets Committee receives and notes the information.

PURPOSE

This report is to advise the Assets Committee about the outcome of the 2021-24 National Land Transport programme funding allocation and the implications of the allocation on Rooding Operations and Projects.

SUMMARY

The 2021-24 funding allocation for financially assisted rooding activities was announced by the Minister of Transport on 7 September 2021. Further details have been provided over the past two weeks which are discussed in this report.

The approved allocation and a comparison with the 2018-21 and indicative allocation (June 2021) is shown below in Table 1.

Table 1: 2021 Funding allocation

Activity Class	2018-2021 Allocation (\$)	2021-2024 Indicative Allocation (\$)	2021-2024 Final Approved Funding Allocation (\$)
Local Roads Maintenance	30,703,000	32,856,000	35,017,000
Road Safety Promotion	536,000	526,000	536,000
Local Roads Improvements	6,300,000	Not indicated	2,469,000
Road to Zero	0	Not indicated	1,761,000
Walking and Cycling Improvements	450,000	Not indicated	270,000

NATIONAL LAND TRANSPORT PROGRAMME PROCESS

The National Land Transport Programme (NLTP) was developed from the Regional Land Transport Programmes (RLTP) across the country. Each road controlling authority develops its programmes through the Activity Management Plan and Business Cases, which are combined regionally into the RLTP. Funding for local roads maintenance continuous programmes (includes operations, maintenance, renewals, and management) is moderated nationally. Capital projects are regionally prioritised and nationally moderated.

Funding is allocated within bands set in the Ministry of Transport’s Government Policy Statement on Land Transport, which also details the government priorities for investment. The announcement of funding allocations was delayed due to the complexity of modelling the impacts of COVID-19 and economic activity on the Land Transport Fund.

The indicative funding allocations provided in May-June were provided from the total fund available from the Ministry. At that time, the signalled allocations were significantly less than the requested funding for local roads maintenance. Across all New Zealand councils, this caused a high level of concern that levels of service may be significantly affected. This concern was raised with central government and in September it was announced that an additional \$2 billion had been forwarded by the Government to boost maintenance and capital investment.

BUSINESS CASE OPTIONS

The NLTP allocation processes commenced with an Asset Management Plan and the Business Case. The Business Case provided the four options as detailed below. From these options, Council considered the indicative funding for financially-assisted maintenance, operations and renewals and endorsed Option 3 – the 2021-24 Regional Land Transport Programme.

Business Case Option (including all financial and non-financial assisted activities)	Total Funding Sought	Comment
One: Baseline strategy and policy approach	\$46.7M	Not supported
Two: Modified baseline approach	\$49.2M	Originally favoured
Three: Strategy and policy approach	\$52.6 M	Submitted
Four: Accelerated programme for change	\$57.2 M	Not supported

NLTP FUNDING ALLOCATION TO WAITAKI DISTRICT COUNCIL

Council received advice of the 2021-24 funding allocation for financially-assisted roading activities from the Minister of Transport on 7 September 2021. Further details were provided over the following two weeks that increased this initial allocation, and this is discussed in the following report.

Table 2 (next page) presents the comparisons of the final 2021-24 allocation, the previous 2018-21 allocation, and the indicative allocation (June 2021). The column with the requested allocation is based upon the Business Case and Asset Management Plan. The commentary on the allocation result is presented in the final column which indicates the scale of the reduction because of the National Land Transport funds available.

Table 2: 2021 Funding allocation and analysis

Activity Class	2021-24 Final Allocation	2018-21 Allocation	2021-24 Indicative Funding	2021-24 Funding Requested	Comparison comments
Local roads maintenance	35,017,000	30,703,000	32,856,000	38,190,000	14% greater than 2018-21 7% greater than indicated 8% less than requested
Road safety promotion	536,000	536,000	536,000	536,000	Same as previous, no change from indicative and requested
Local roads improvements	2,469,000	6,300,000	Not indicated	2,469,000	(Total 4,500,000) 29% less than 2018-21 50% of request
*Road to Zero	1,761,000	*see note below		1,761,000	
*Walking and Cycling	270,000			4,730,000	

*Road to Zero and Walking and Cycling were categorised as Local road Improvements in the 2018-2021, these are now separate categories

The allocation to Waitaki district is comparable to other Territorial Local Authorities, with local road maintenance being funded closer to the amount supported by the Business Cases than to the (lower) indications advised in June.

Across the Otago region, the approved programme equated to approximately:

Walking and Cycling Activity Class	23.1% of RLTP request total
Local Roads Maintenance	93.1% of RLTP request total
Local Roads Improvements	109.9% of RLTP request total (predominantly Dunedin and Queenstown Lakes District Councils)
State Highway Maintenance	84.5% of RLTP request total

(Source: ORC Agenda 1/10/2021)

IMPLICATIONS OF THE FUNDING ALLOCATION

The Business Cases reflected Councils asset condition based on reliable data. The quality of the data was independently audited and formed the valuation of the works required and the cost of those works. With the funding allocation for maintenance being 8% less than the lower cost option, there will be an impact on the programme.

Operational maintenance operations service levels will not be affected in 2021-22 as the budgets support the current level of operation. The effect over the next two years 2022-2024 will be a change to services by the capped NLTP funding, inflation (current 5%), and a new maintenance contract pricing. The funding allocation for maintenance has been considered throughout the development of the Road Maintenance contract, with a focus on achieving outcomes within the budget available for 2021-22. Some change in priorities and levels of service can be expected in subsequent years of the 2021-24 NLTP. The response to the combined effects of these three matters will be reported to Assets Committee in the middle of the 2022-23 year.

Many Councils have received around 50% of the funding sought for Low Cost Low Risk Improvement projects (Minor Safety). Further sub-categorisation of these improvements has been split into local road improvements, road to zero, and walking and cycling.

Road safety promotion is a Government and Council priority and has been funded accordingly.

Although a key safety and climate change initiative, the requested walking and cycling programme has not been fully funded. Waitaki District Council has only received 5% of what was requested for walking and cycling. This will limit the extent of new works undertaken over the next three years.

Local roads improvements have received minimal funding outside the metropolitan centres, where high traffic numbers were relied on by Waka Kotahi to assume greater benefits to be achieved. There is some ongoing discussion with Waka Kotahi regarding improvement projects and what is actually approved. This will be discussed and presented through a separate report as and when the information becomes available.

5.2 ROADING CAPITAL PROJECTS 2021-24

Author: Mike Harrison, Roading Manager

Authoriser: Paul Hope, Acting Assets Group Manager

RECOMMENDATION

That the Assets Committee receives and notes the information.

PURPOSE

To inform the Assets Committee of the identified Capital Projects proposed for completion in the 2021/24 financial years. The projects comprise both road pavement rehabilitation renewals to be completed in Ōamaru as well as intersection treatments giving effect to the Road to Zero Safety Strategy.

PAVEMENT REHABILITATION (ROAD RENEWALS)

Each year Council completes pavement rehabilitation which renews the road pavement structure. In urban areas, weak spots in the pavement are repaired, removing the sealed surface, strengthening the pavement, and then reshaping as required. The final surface sealing is either with a chip seal, or asphalt surface and is graded to match the kerb and channel levels. In rural areas, it is generally completed by adding additional aggregate depth to strengthen and reshape the pavement which then has a chip seal surface installed.

For the 2021-24 financial years, it is proposed that Council completes road renewals in the Central Business District area as well as sections of Ōamaru's busier streets.

Pavement rehabilitation site selection is a process where many forms of data are collated and analysed, producing a detailed Candidate Site Selection list. The data includes all sealed road treatment lengths older than two years and considers a wide range of factors including:

- roughness,
- pavement strength (failure),
- maintenance costs, and
- heavy commercial traffic.

The calculation then lists the roads by ONRC (road network) classification / priority from which a programme is derived. The Candidate Site Selection tool creates a four-year Pavement Rehabilitation and Seal Renewal programme which is updated annually as new maintenance costs are recorded. This improved process is used by other councils, Auckland Transport, Hastings District Council and Tauranga City Council which indicates how progressive the Roading Unit is in using new technology for informed decision-making.

For pavement rehabilitations, the priority roads are selected by classification and network priority. The Waka Kotahi rules for co-investment condition of the 2021-24 NLTP require an NPV (Net Present Value) calculation for economic confirmation of treatment selection. The reconstruction cost must be cheaper than the maintenance cost in order for the site to be selected. If it is not, the site must be discarded, and a new site considered. Waka Kotahi completes technical audits every 3-5 years of the road network including review of whether the correct NPV process has been completed.

The Candidate Site Selection tool has identified six possible sites for this year. Of the six sites that have been selected for evaluation for the 2021-22 programme, three sites have a positive NPV:

- Eden Street – between #91-107 (primary collector)
- Eden Street – between Humber and Thames Street (secondary collector)
- Orwell Street – between Thames Highway and Reed Street (secondary collector).

2022-2023 Programme Sites being considered (subject to positive NPV calculations) are:

- Ribble Street – between Thames and Reed Street (secondary collector)
- Solway Street – between Wansbeck and Hayle Street (secondary collector)
- Nore Street – between Frome and Ashburn Streets (secondary collector).

The available budget for the 2021-2022 financial period is \$1,456,000 and budgets for 2022-23 and 2023-24 are \$1,721,364 and \$1,769,563 respectively.

LOW COST LOW RISK IMPROVEMENTS (MINOR SAFETY)

The selection of sites for the Low Cost Low Risk (LCLR) Programme has been changed in recent years, with councils historically being able to select sites they wanted to improve. Now these sites must be submitted by the local authority to the National Land Transport Programme, and sites are reviewed and approved by Waka Kotahi.

This is to ensure that works align with, and give effect to, the Road to Zero Safety Strategy and the Government Policy Statement on Transport. It also ensures projects deliver on the value for money test nationally and is a symptom of the extreme pressure on national investment for these activity classes. Projects put forward by local authorities are prioritised according to Waka Kotahi criteria.

A total of \$4.5M was approved in the 2021-24 NLTP for Low Cost Low Risk Improvements (LCLR) and costs are itemised for each activity.

Waka Kotahi has grouped these into activity classes:

1. Road to Zero
2. Local Road Improvements
3. Walking and Cycling.

Road to Zero projects approved in the 2021-24 NLTP total \$1.8M and are mainly intersection treatments with most on primary and secondary collectors on urban and rural roads.

This work comprises of an endorsed intersection programme from a co-design workshop with Waka Kotahi in 2020. This is now a mandatory requirement as part of the Safety Network Programme. Council's approved budgets are just over \$1M which means not all Road to Zero projects will be completed in the first year and will be completed over multiple years instead. A list of all projects with aerial plans are included below with a brief description of the problems and issues to be addressed.

The endorsed and approved intersection sites for the three-year programme are shown below:

Road Type	Road Intersection	2021/2022	2022/2023	2023/2024
		Funding available: \$825,100	Funding available: \$800,700	Funding available: \$120,000
Primary Collector	Reed Street Intersections - Ribble, Dee and Exe Street	X		
	Wansbeck Street Intersections - Greta, Tees (Lune), Ure and Hull Streets	X		
	Humber Street Intersections - Usk Street	X		
	Seven Mile Road Intersections - Peebles, Gibson, Papakaio, Gray, Ferry and Steward Roads	X		
Secondary Collector	Weston Road Intersections - District Road and Essex Street (funding permitting)	X		
	Westview Drive - Gordon Street and Whiterocks Road (funding permitting)	X		
	Whiterocks Road and District Road		X	
	Redcastle Road - Warwick Street and Shortland Street		X	
	Thousand Acre Road and Gardners Road		X	
	Cormacks Kia Ora Road and Fortification Road Intersection		X	
	Weston Ngapara Road - Battersby Road and Ngapara-Georgetown Road Intersection		X	
	Island Cliff Road and Tokarahi-Ngapara Road Intersection		X	
	Livingstone Duntroon Road and Settlement Road Intersection		X	
Access Roads	Parsons Road and Homestead Road Intersection (funding permitting)		X	
	Gilligan Street and District Road Intersection			X

Local Road Improvements approved in the 2021-24 NLTP total \$2.5M. The programme includes seal widening, bridge renewals, streetlight upgrades, signage upgrades and coastal road protection. The programme of prioritised projects is yet to be approved by Waka Kotahi as there is no Council budget available for this financial year. These works will be held over until the 2022/23 financial year and completed over two years.

A list of prioritised proposed projects is also included below.

Other Activities in the Low Cost Low Risk programme for years 2022 -2024 (Final programme to be confirmed by Waka Kotahi)				
	Road	Seal Widening Sites:	Coastal Road Protection:	Bridges (component or full renewal)
Primary Collectors:	Weston Ngapara Road from Queens Flat to Ngapara	X		
	Seven Mile Road	X		
Secondary Collectors				
Access Roads	Weston Rail Overbridge			X
	<u>Maheno</u> Iron Bridge			X
	Domain Road Bridge			X
	<u>Ainges</u> Road Structure			X
	Harris Street Structure			X
	Boundary Creek Culvert			X
	Ben Omar Bridge			X
	Rutherford Road			X
	Beach Road		X	

AERIAL PLANS

Pavement Rehabilitation sites 2021-22

Eden Street – Humber to Thames Street (SH1) 2021-22



Eden Street between #91 + 107 2021-22



Orwell Street between Thames (SH1) and Reed Street 2021-22



Pavement Rehab sites 2022-23

Ribble Street between Thames (SH1) and Reed Street 2022-23



Solway Street between Wansbeck (SH1) and Hayle Street 2022-23



Nore Street between Frome and Ashburn Street 2022-23



LOW COST LOW RISK IMPROVEMENTS – Road to Zero

Reed Street and Ribble Street Intersection 2021-22

Road Info	
Refresh	
Location	
Coordinates	1440188.29, 5004503.19
Road	REED ST (1171)
Location	484 m
Side	Left
Offset	1.11 m
Road Type	Local Authority
Carriageway #1055	
Location	370 - 1323 m
Width	12.9 m

New development, ie Mitre 10, will increase turning movements into the Ribble/Reed intersection. Install central island on Ribble Street with control. Install right turn bay on Reed Street.

Reed Street and Dee Street Intersection 2021-22

Road Info	
Refresh	
Location	
Coordinates	1440225.44, 5004619.60
Road	REED ST (1171)
Location	604 m
Side	Left
Offset	3.51 m
Road Type	Local Authority
Carriageway #1055	
Location	370 - 1323 m
Width	12.9 m

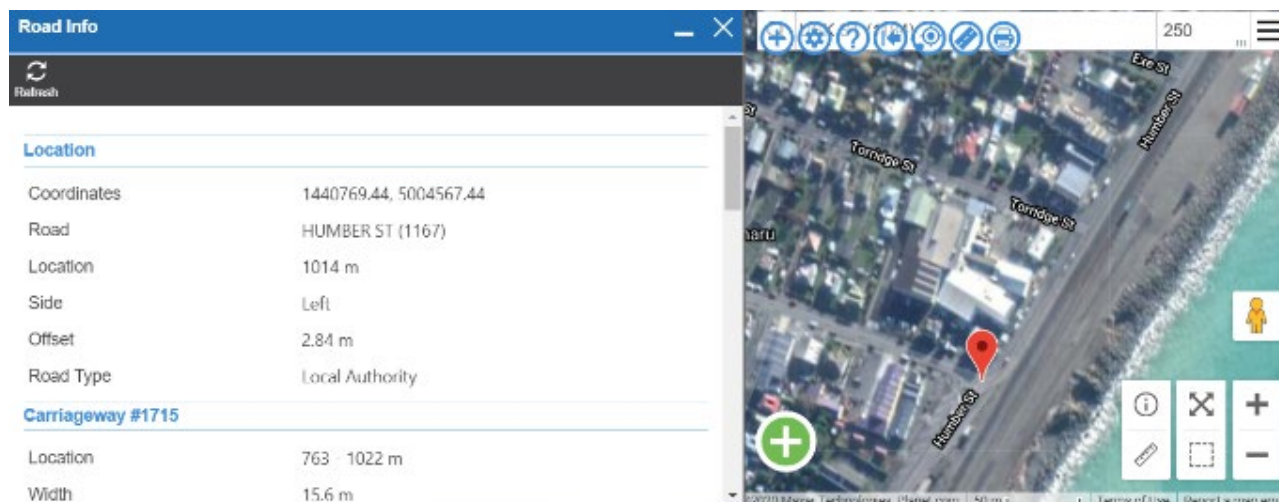
New development, ie Mitre 10, will increase turning movements into Dee/Reed Street intersection. Consider Install central island on Dee Street with control. Install right turn bay on Reed Street.

Reed Street and Exe Street Intersection 2021-22

Location	
Coordinates	1440344.78, 5004967.18
Road	EXE ST (1186)
Location	587 m
Side	Left
Offset	0.4 m
Road Type	Local Authority
Carriageway #963	
Location	318 - 589 m
Width	12.5 m
Name	SH1 - REED ST

School speed zone as well as electronic warning signs and traffic engineering such as platforms/islands/crossings etc.

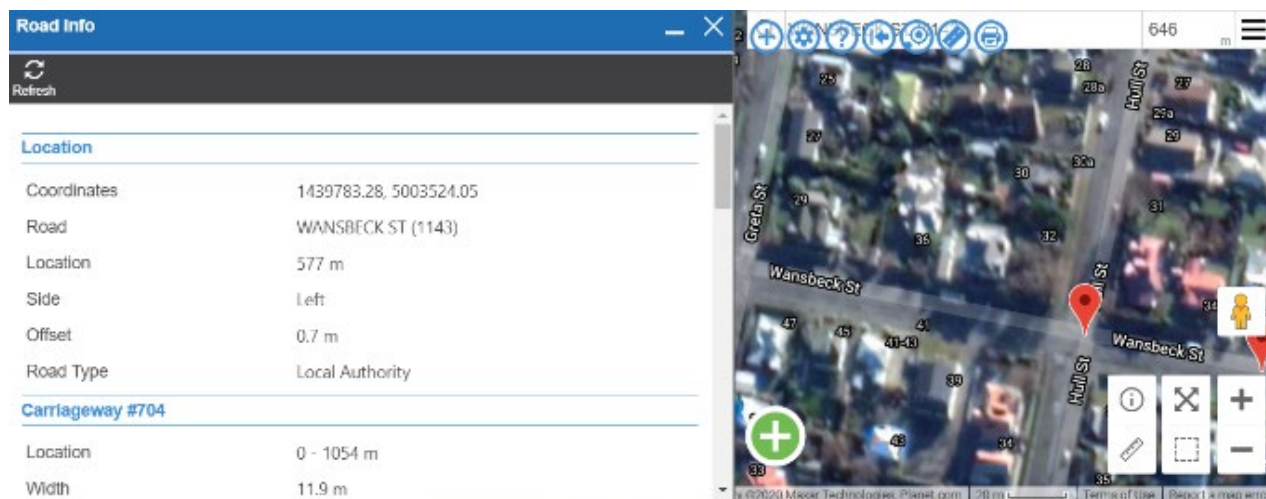
Humber Street and Usk Street Intersection 2021-22



Traffic cutting corners and no controls. Accident site – consider install central island in Humber Street with controls.

Also, wide intersection with poor layout. Accident site – install kerb and channel and roadmaking to improve layout.

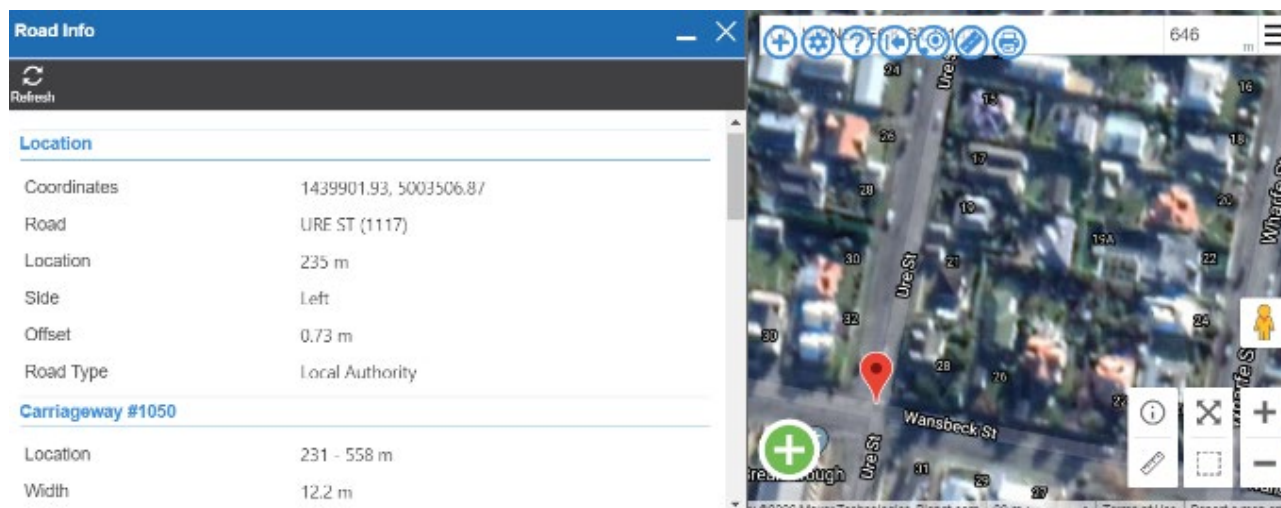
Wansbeck Street and Hull Street Intersection 2021-22



Poor visibility at intersection. Accident site.

Install bulbous kerb treatments and upgrade road markings and signage to indicate intersection. This will also give continuity of intersection treatments along Wansbeck Street.

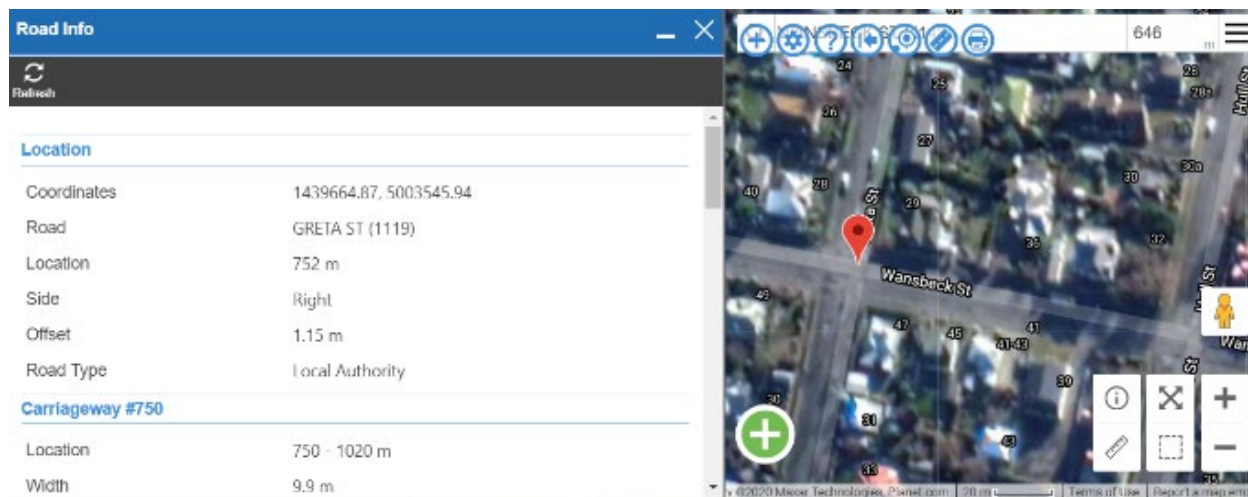
Wansbeck Street and Ure Street Intersection 2021-22



Poor visibility at intersection.

Install bulbous kerb treatments and upgrade road markings and signage to indicate intersection. This will also give continuity of intersection treatments along Wansbeck Street.

Wansbeck Street and Greta Street Intersection 2021-22

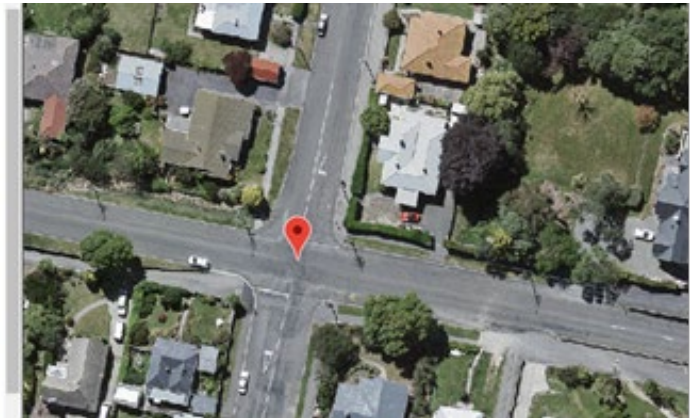


Poor visibility at intersection. Accident site.

Install bulbous kerb treatments and upgrade road markings and signage to indicate intersection. This will also give continuity of intersection treatments along Wansbeck Street.

Wansbeck Street and Lune Street Intersection 2021-22

Location	
Coordinates	1439427.10, 5003585.96
Road	WANSBECK ST (1143)
Location	219 m
Side	Left
Offset	0.96 m
Road Type	Local Authority
Carriageway #704	
Location	0 - 1054 m
Width	11.9 m
Name	SH1 - TYNE ST



Poor visibility at intersection. Accident site.

Install bulbous kerb treatments and upgrade road markings and signage to indicate intersection. This will also give continuity of intersection treatments along Wansbeck Street.

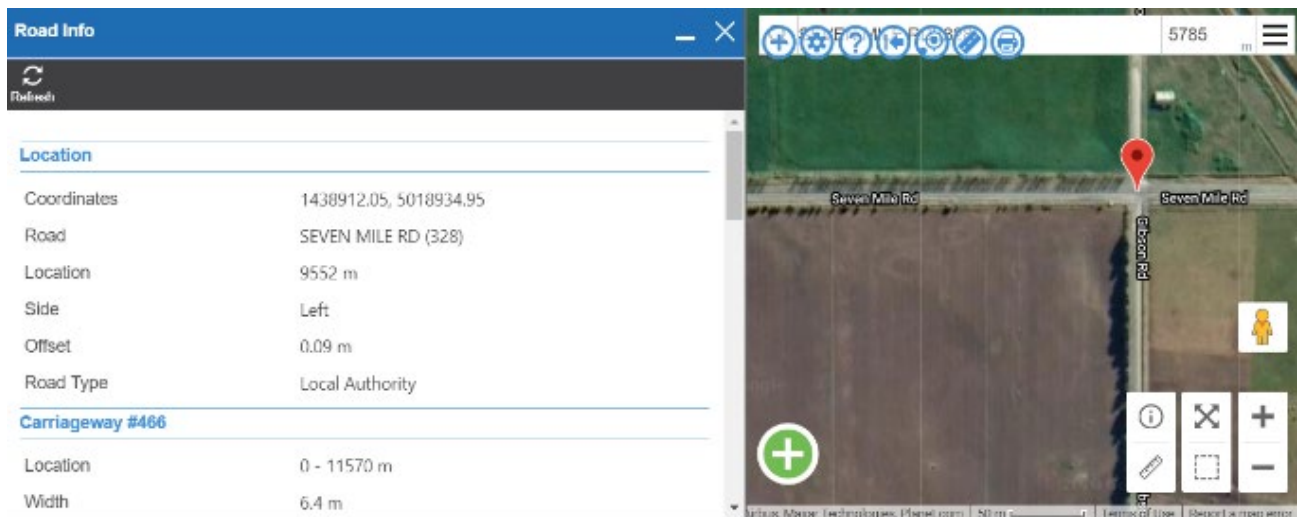
Seven Mile Road and Pebbles Road intersection 2021-22

Road Info	
Refresh	
Location	
Coordinates	1437454.88, 5018892.61
Road	PEEBLES RD (339)
Location	304 m
Side	Right
Offset	0.66 m
Road Type	Local Authority
Carriageway #1377	
Location	260 - 306 m
Width	2.5 m

Intersections not clearly visible, high speed rural environment being used as shortcut. Has been site of previous accident.

Install lighting/Stop control/extend seal to 100 metres along Pebbles Road.

Seven Mile Road and Gibson Road intersection 2021-22

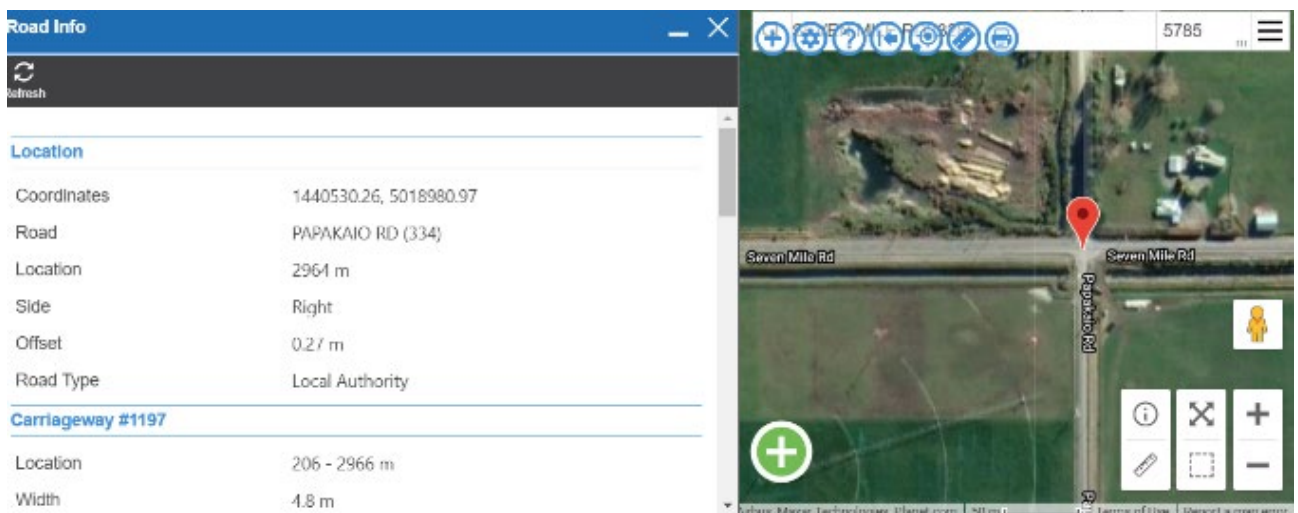


Intersections not clearly visible, high speed rural environment being used as shortcut.

Accident site.

Install lighting/Stop control/seal tapers on Gibson Road.

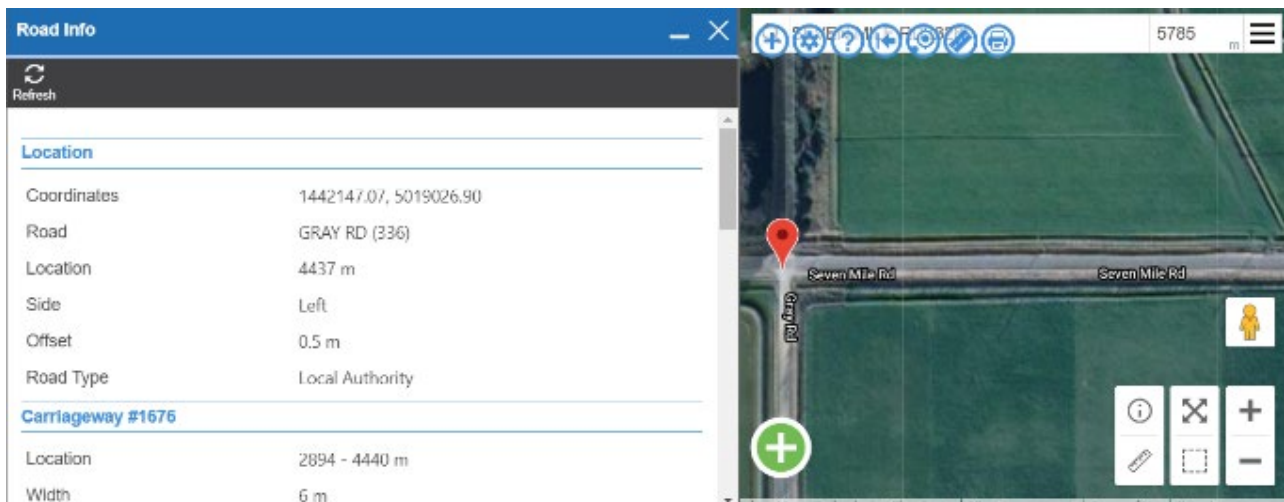
Seven Mile Road and Papakaio Road intersection 2021-22



Intersections not clearly visible, high speed rural environment being used as shortcut.

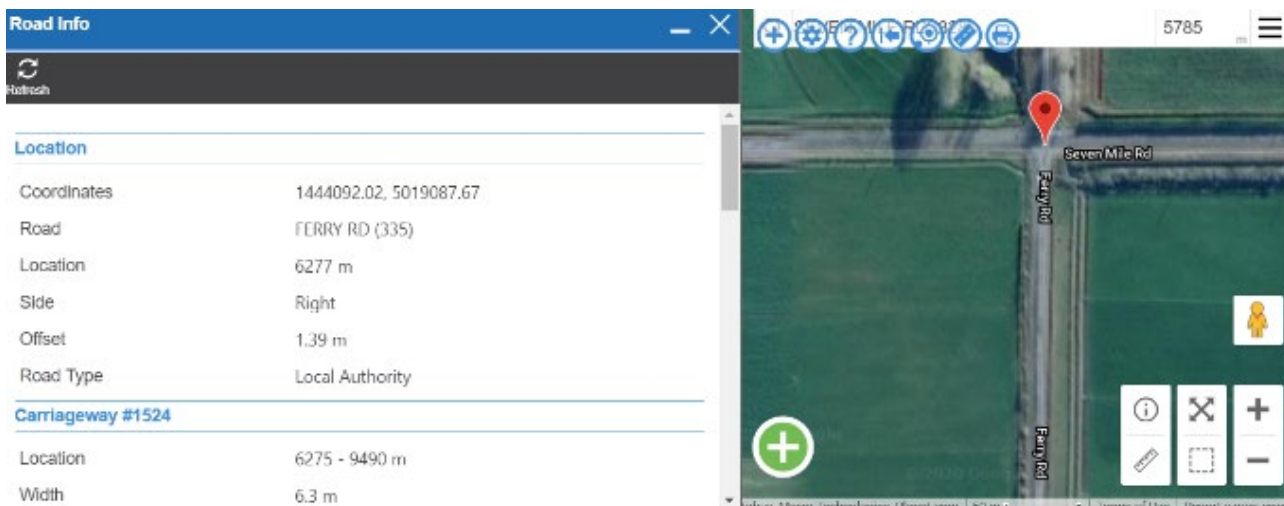
Install lighting at Intersection for improved visibility.

Seven Mile Road and Gray Road intersection 2021-22



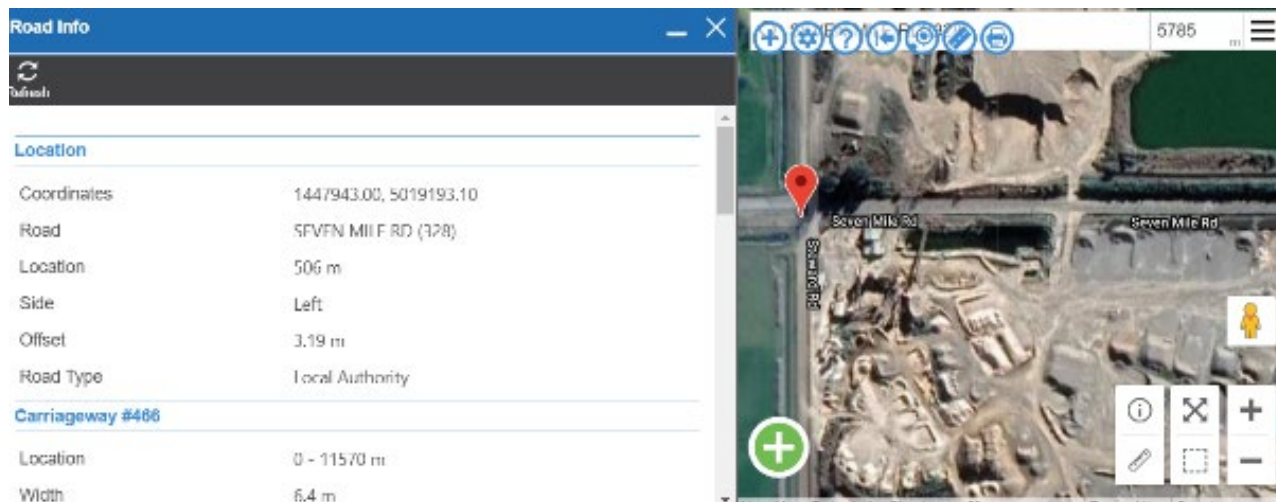
Intersections not clearly visible high speed rural environment being used as shortcut.
Install lighting/Stop control/extend seal to 100 metres along Gray Road.

Seven Mile Road and Ferry Road intersection 2021-22



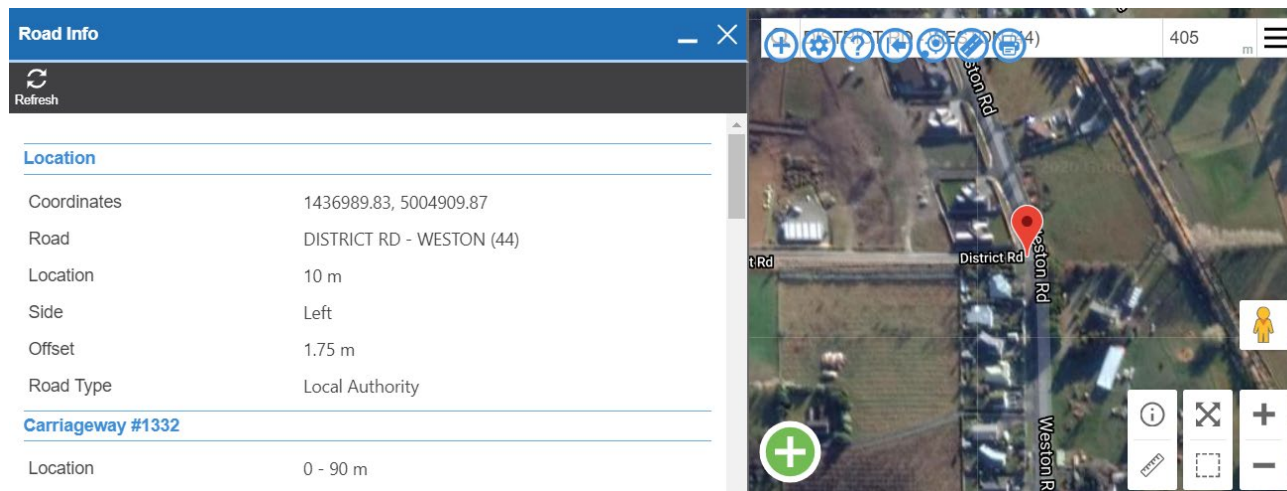
Intersections not clearly visible at high speed rural environment and being used as shortcut.
Install lighting/Stop control/seal tapers on Ferry Road.

Seven Mile Road and Steward Road Intersection 2021-22



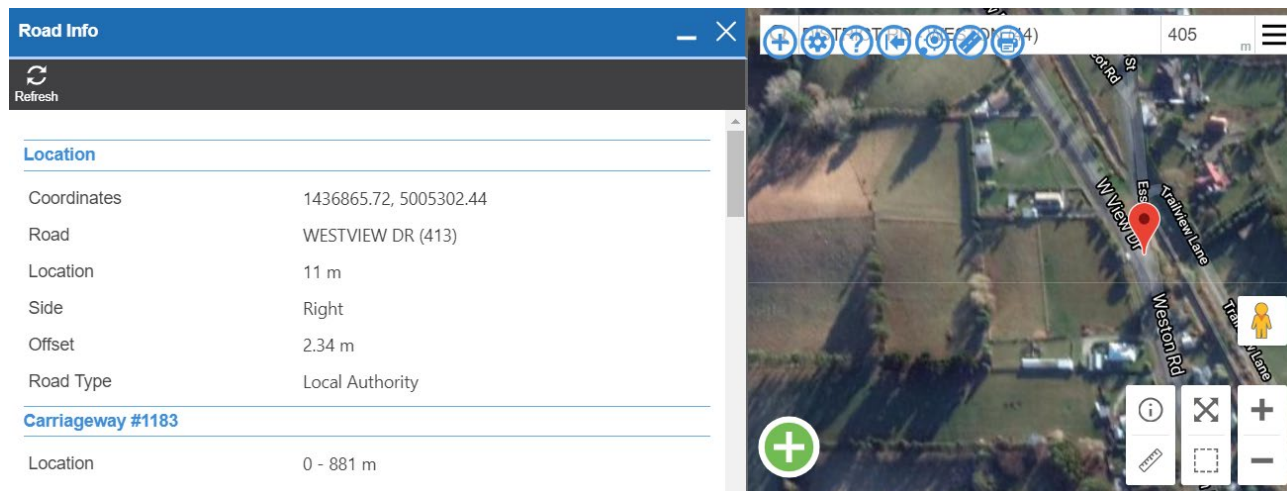
Intersections not clearly visible in high speed rural environment and being used as shortcut.
Install lighting/Stop control/seal tapers on Steward Road.

Weston Road and District Road Intersection 2021-22



Partially obscured intersection on bend.
Poor sight visibility from District Road and narrow carriageway.
Cut back bank widen seal to allow for turning bay install Give Way control.

Weston Road and Essex Street Intersection 2021-22



Intersection on bend with poor horizontal and vertical alignment.

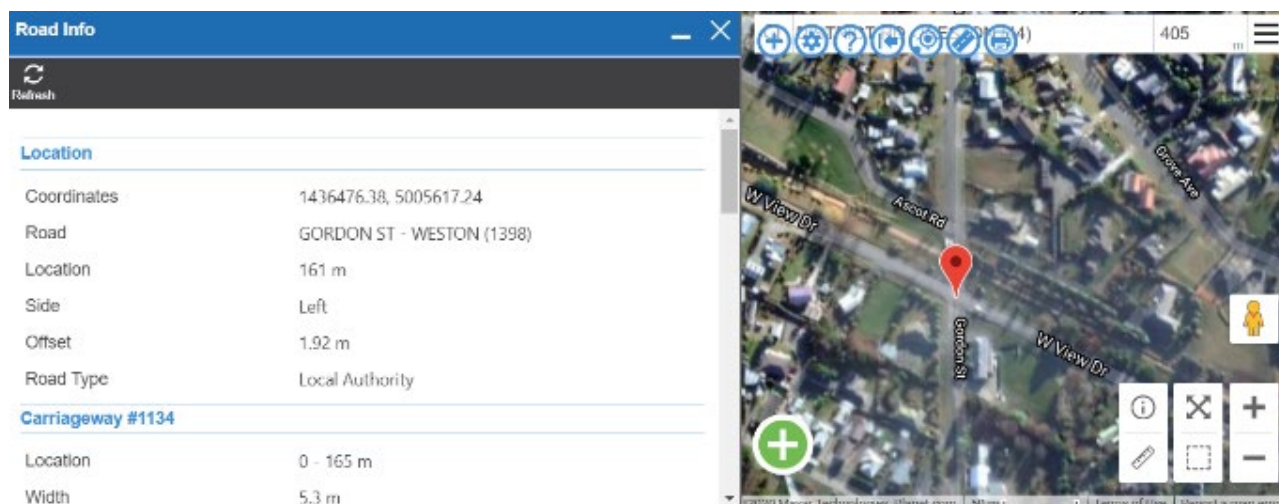
Difficult left turn into. Accident site.

Square up intersection approaches and fill hollow to improve vertical alignment.

Widen Westview Drive for turn slip lane.

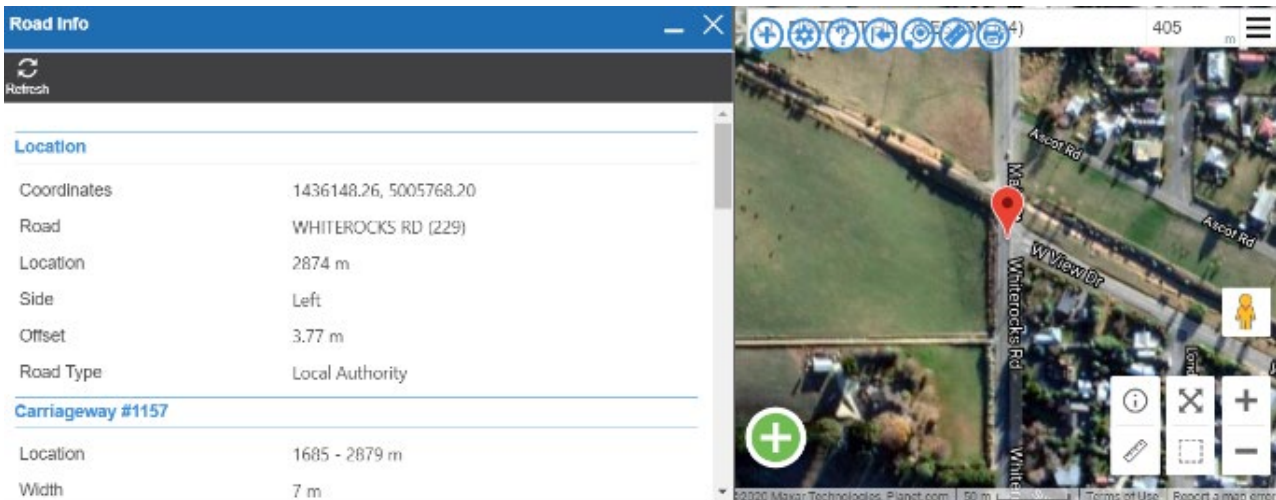
Kerb and channel around corners for drainage and delineation.

Westview Drive and Gordon Street Intersection 2021-22



Badly defined intersection. Accident site. New horizontal alignment with lighting.

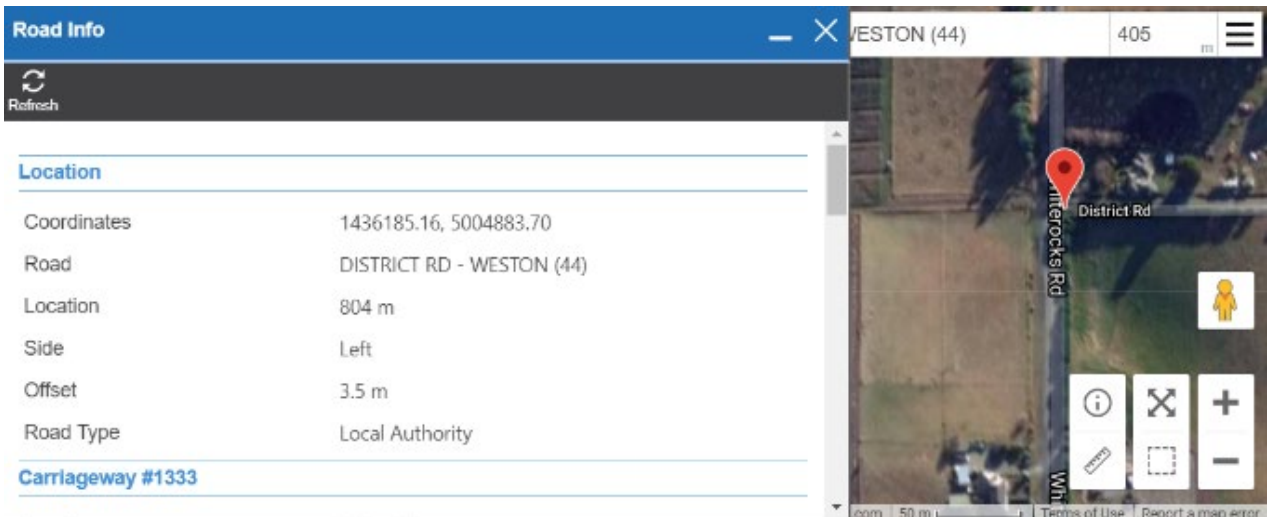
Whiterocks Road and Westview Drive Intersection 2021-22



Poorly defined intersection with angled approach.
New horizontal intersection layout with lighting installed.

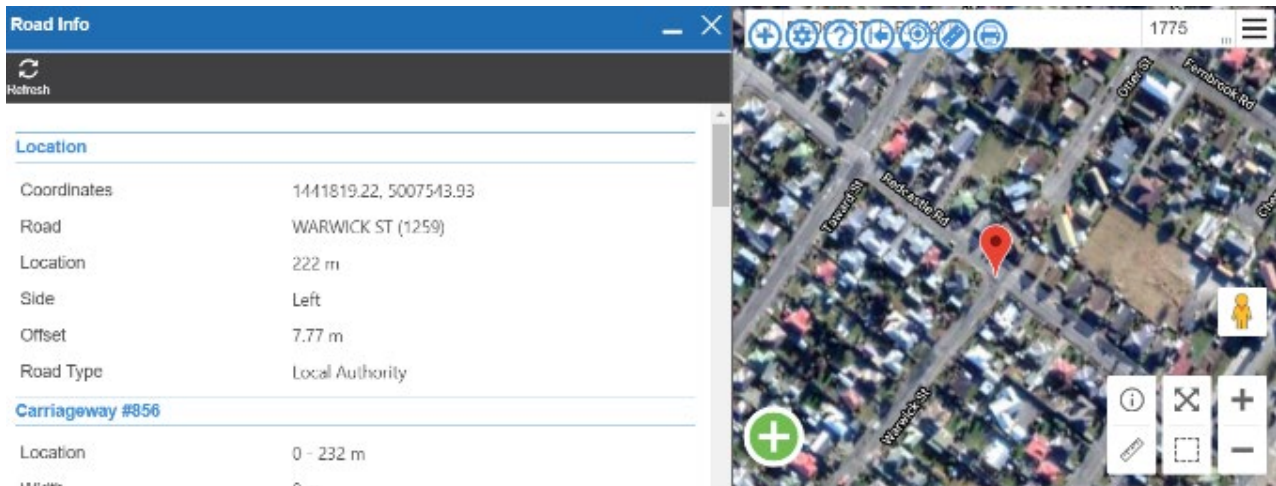
Low Cost Low Risk Intersection sites 2022-23

Whiterocks Road and District Road Intersection 2022-23



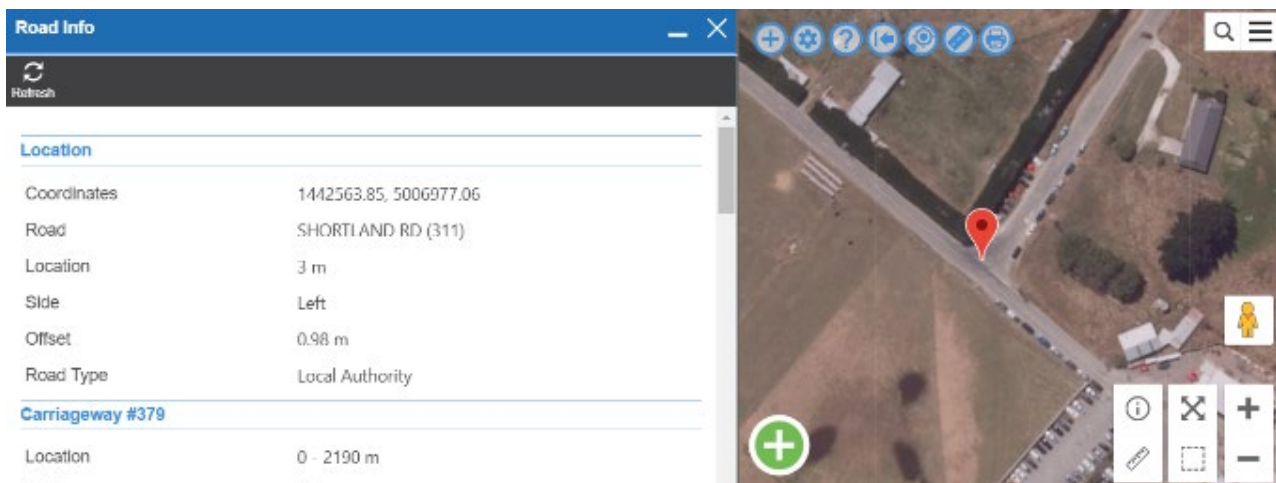
Intersection with compromised sight distance due to vertical profile.
Lower brow of vertical curve on Whiterocks Road (cut to fill into District Road) with lighting and intersection control.

Redcastle Road and Warwick Street Intersection 2022-23



Uncontrolled intersection and crash site needing attention.

Redcastle Road and Shortland Road Intersection 2022-23

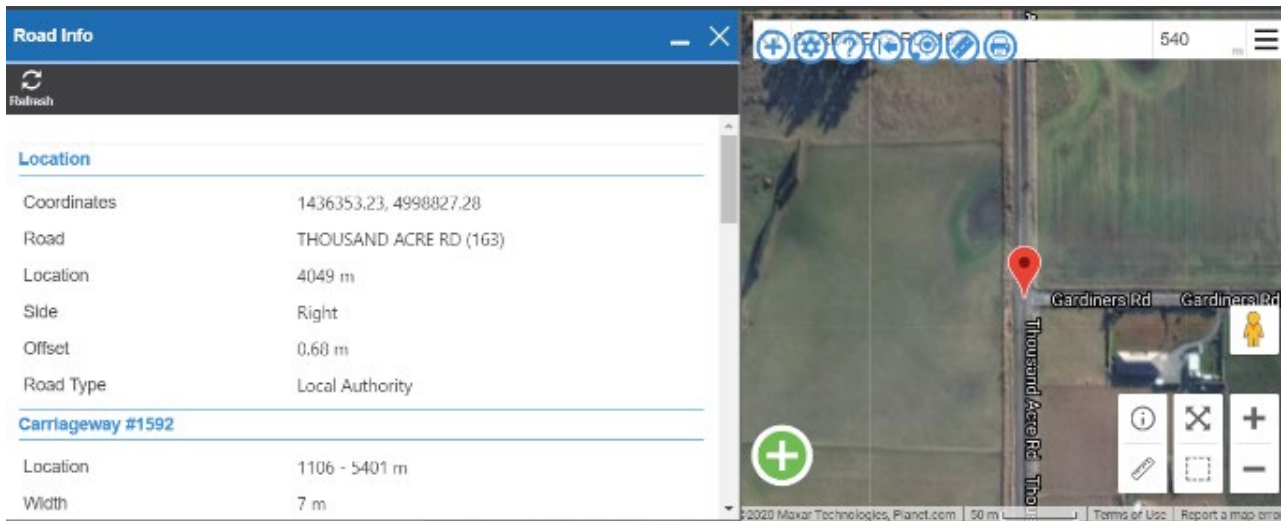


Improving visibility at the intersection (remove hedge) and installation of kerb and channel with sealed carpark area.

Includes streetlighting and signs installation with hedge removal.

Does not allow for any land purchase.

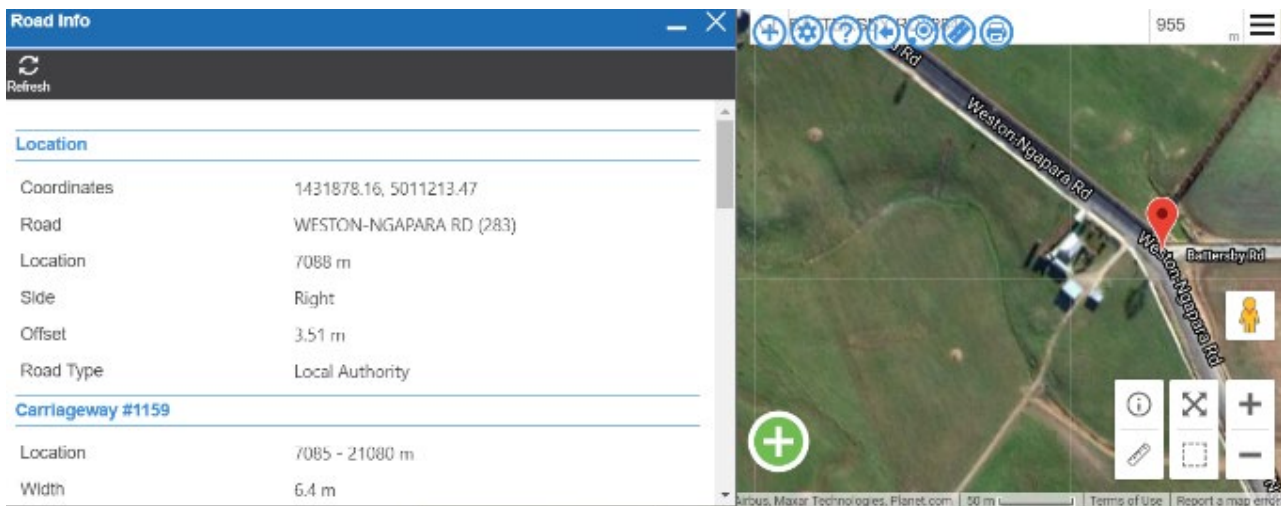
Thousand Acre Road and Gardiners Road Intersection 2022-23



Narrow seal on Thousand Acre Road does not allow safe passing movements when vehicles stopped to turn into Gardiners Road.

Install street lighting to increase awareness of intersection with seal widening/passing bay for turning traffic.

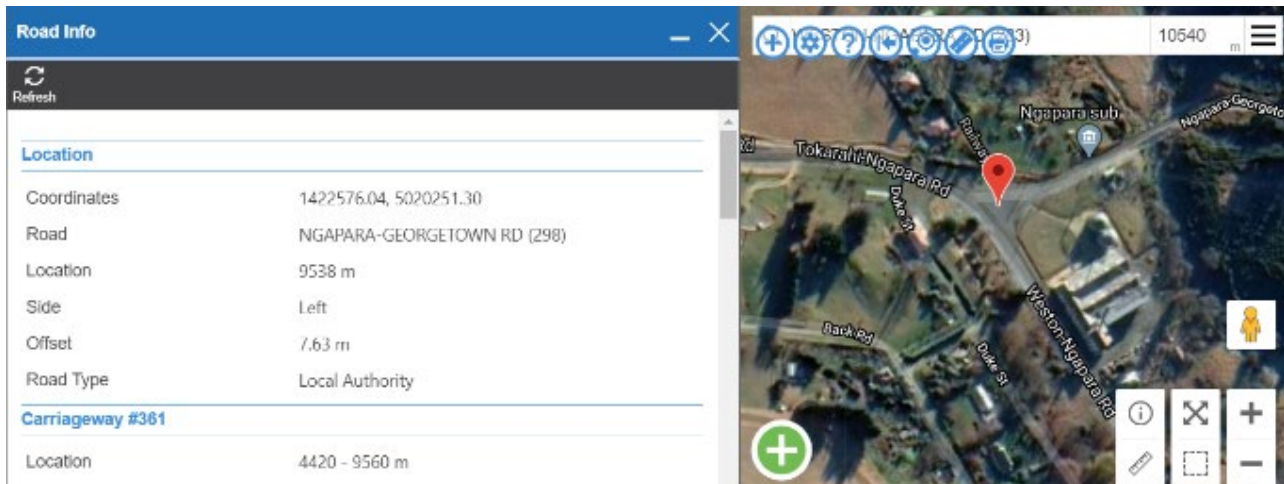
Weston Ngapara Road and Battersby Road Intersection 2022-23



Has poor visibility on approaches to intersection and poorly defined.

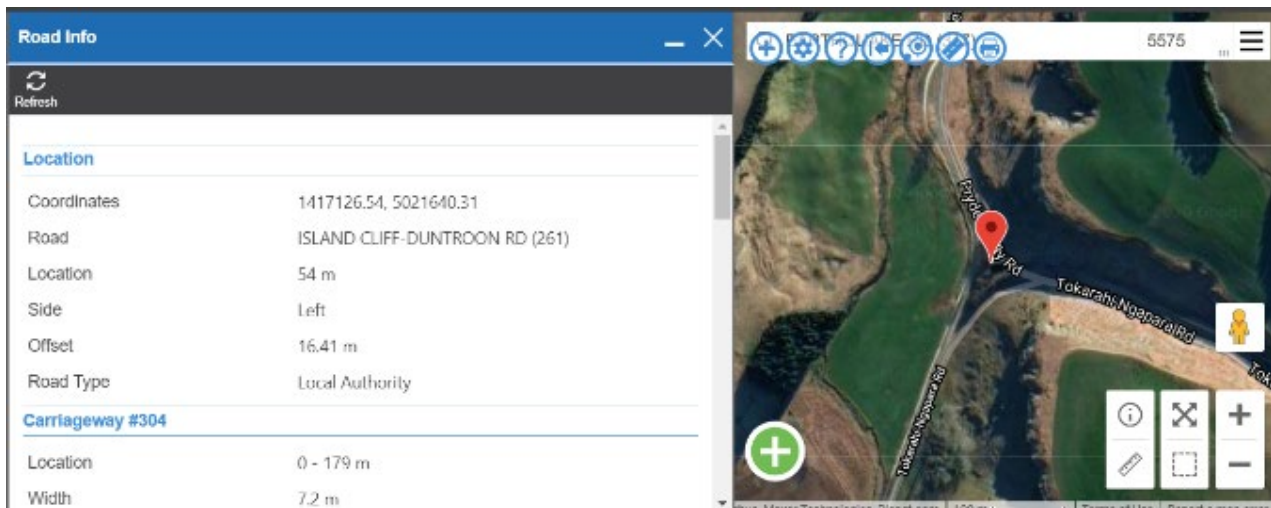
Install advance warning sign/Give Way control/lighting.

Weston Ngapara Road and Ngapara Georgetown Road Intersection 2022-23



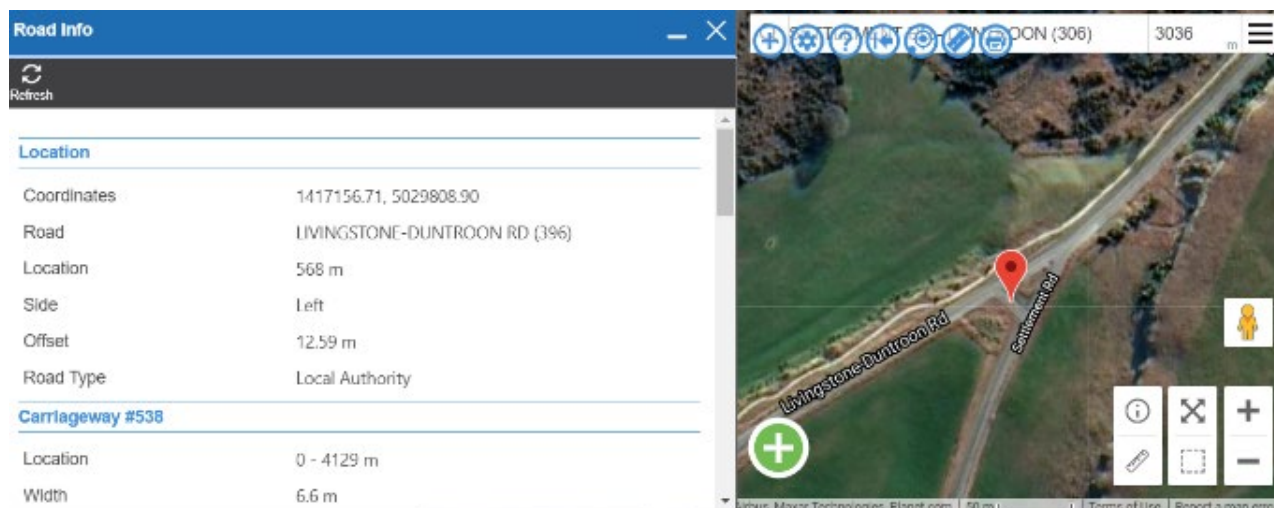
Square up intersection approaches with warning signage chevrons and priority control.
Manage traffic speed on approaches for safety.

Island Cliff Duntroon Road and Tokarahi Ngapara Road Intersection 2022-22



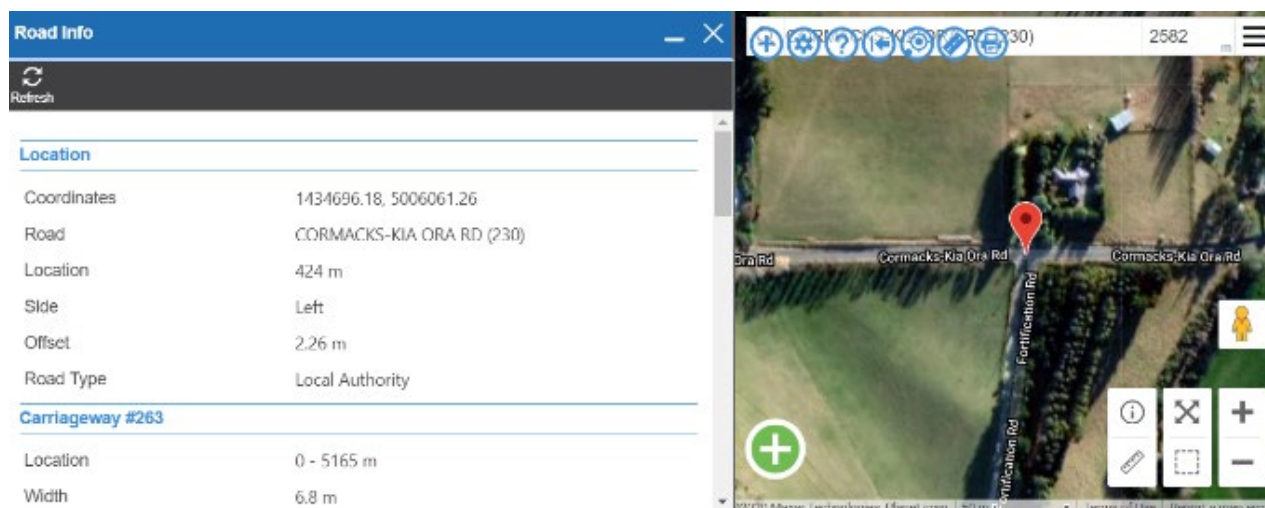
Square up intersection and fill through dip with warning signage chevrons and priority control.
This will slow traffic on approaches for greater safety.

Livingstone Duntroon Road and Settlement Road Intersection 2022-23



Square up intersection with warning signage chevrons and priority control. This will slow traffic on approaches for greater safety.

Cormacks Kia Ora Road and Fortification Road Intersection 2022-23



Poor visibility on approaches to intersection and poorly defined.

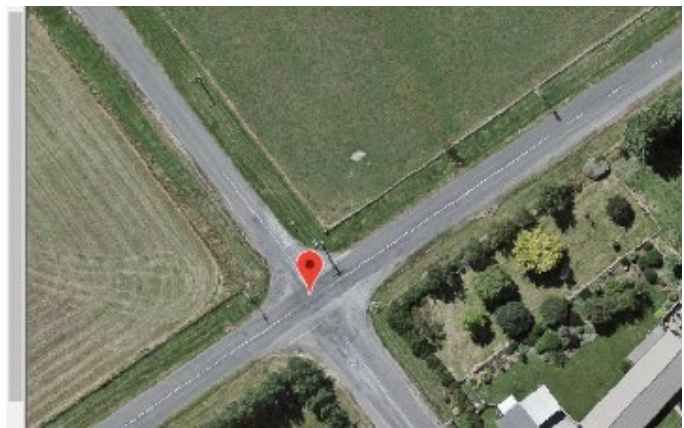
Lower brow of rise (2 metres) on Cormacks/Kia Ora Road to improve sight distance to approaching vehicles.

Install chevrons and street lighting.

Parsons Road and Homestead Road Intersection 2022-23

Location	
Coordinates	1437791.40, 5006487.22
Road	HOMESTEAD RD (271)
Location	2286 m
Side	Right
Offset	0.21 m
Road Type	Local Authority

Carriageway #317	
Location	0 - 2286 m
Width	6.6 m
Name	ARDGOWN RD - PARSONS RD



Uncontrolled intersection and crash site needing attention with delineation.

Low Cost Low Risk Intersection Site 2023-24

Gilligan Street and District Road (Palmerston) 2023-24

Road Info	
Refresh	
Location	
Coordinates	1421165.99, 4960690.43
Road	GILLIGAN ST (1059)
Location	906 m
Side	Left
Offset	2.54 m
Road Type	Local Authority

Carriageway #626	
Location	743 - 983 m
Width	10 m

Poorly defined intersection with sight distance problems. Leads to medical centre and houses. No protection for pedestrians.

5.3 ASSETS GROUP ACTIVITY REPORT

Author: Joshua Rendell, Assets Operations Manager

Authoriser: Paul Hope, Acting Assets Group Manager

Attachments: 1. Assets Group Activity Update November 2021

RECOMMENDATION

That the Assets Committee receives and notes the information.

PURPOSE

The purpose of the attached report is to highlight work undertaken by departments within the Assets group since the previous Assets Committee Meeting.

EXECUTIVE SUMMARY

It continues to be a busy year for the Assets Department, with good progress made on a number of projects.

The Water Services team continues working on the Tranche One funded projects, with an extension granted for completion of this work, now due for completion 30 June 2022.

Projects that received funding through the Tourism Infrastructure Fund are progressing well, with detailed design complete for Duntroun Public Toilet and Highway Safety Improvements, concept plans being put together for the Elephant Rocks car park and facilities upgrade, and site investigations currently underway for the Ōamaru Blue Penguin Colony Car Park.

Rock revetment is underway in the Ōamaru Harbour; this is essential work to stop erosion of the banks of the harbour. Healthy homes work is underway at several community housing sites in Palmerston. The Headquarters clock refurbishment has commenced and the last of the failing piles holding up Holmes Wharf are being potted.

Council's roading maintenance contractor, SouthRoads, has been undertaking pre-seal repairs before resurfacing work, which has commenced. Footpath construction in Weston, by Whitestone Contracting Limited, has progressed well, with 80% of sites now complete. Further works will occur after necessary water and power upgrades are completed.

Members of the Roding team are currently finalising the review of their operations and maintenance contract to prepare it for tender. The first stage of the tender process has been completed, with a pre-qualification process for contractors through Expressions of Interest. It is anticipated that a request for tender will be sent to the contractors who made it through the pre-qualification in early November to ensure a robust review of the contract specification takes place.

A real risk for the delivery of many projects are the delays being experienced as materials become scarcer and, in some cases, unavailable in New Zealand due to logistical restrictions. This is of most concern for the Water Services team, as necessary equipment for Water Treatment upgrades may take up to six months to arrive. The team has ordered a number of long lead-time items, as well as critical spares to ensure continued supply in break-down situations. Availability of equipment is expected to worsen before it gets better. Staff are ordering necessary equipment well in advance of requirement to ensure business continuity, but material availability will likely cause delays on future projects.

Government's Three Waters Reform Announcement

On 27 October 2021, the Minister for Local Government and Foreign Affairs, the Hon Nanaia Mahuta, announced that participation in the Three Waters Reform for Councils is now mandatory. This will commit Council to the removal of water services from its delivered services in 2024 through a transitional process.

As this announcement occurred just as this item was being finalised, no analysis or comment is contained in this update. This is a very significant development for the local government sector and will require significant work and discussion to fully understand the impact on the community and on Council.



ASSETS GROUP

Activity Update – November 2021



Purpose

The purpose of this report is to provide insight into recent work undertaken by the Assets group departments.

3 WATERS



GENERAL

Staffing

Water Services are continuing to grow the team and have been busy recruiting.

- In mid-September, Water Services welcomed Dave Inwood to the role of Senior Operations Engineer (fixed term). This role was vacant following Joshua Rendell's interim secondment to Council HQ as the Assets Operations Manager. Dave comes to us most recently from the Invercargill City Council and has 30+ years' experience in the 3 Waters industry.
- The team is currently interviewing candidates for the Data and Systems Analyst position to assist the Planning and Systems portfolio in developing tools and systems to support future asset planning. The team is also advertising for an Operations Supervisor, Technical Operations Engineer and Compliance Officer, all critical in ensuring continuity of 3 Waters services for the community and meeting legislative requirements.

COVID Impact

The team is experiencing significant delays (many months in some cases) in receiving purchased materials and equipment for operations and project work. As a result, a number of items have been purchased well in advance of project commencement and critical spares that previously would have been stored by our suppliers will now be stored locally to ensure that all of the necessary materials and equipment are available should there be a significant asset failure.

POLICY AND PLANNING

Water NZ National Performance Review

The 2020/21 Water NZ National Performance Review, is a voluntary reporting initiative, that benchmarks the provision of drinking water, wastewater, and stormwater services. The review involves collation of performance data against 300 questions. Water NZ has completed an initial audit of the data and advised it is error-free. Further auditing of the data will now be undertaken, and a report will be provided in due course highlighting our performance in comparison to other Councils.

Water Services Bill

On 4 October, the Water Services Bill was given royal assent and is now the Water Services Act 2021. The Governor General by Order in Council will now determine the date when the Act will come into force which is expected in mid-November.

DESIGN AND CONSTRUCTION

Ōamaru Watermain Renewals

SouthRoads has completed replacing watermain and service lines in Stour Street and has now moved onto Rother Street. These replacements will remove old, steel watermain which have started to fail frequently, are difficult to repair, and have the potential to cause dirty water.



Figure 1 - Rother Street watermain installation

Three Waters Reform Tranche One Funded Projects

The deadline for completing the Tranche One funded projects has been extended to June 2022 from March 2022. The June quarterly progress report has recently been submitted to DIA for the following:

- Otematata Campgrounds Water Supply Upgrade – tenders have now been received for the project to connect four of Waitaki’s busiest Council-owned campgrounds to the Otematata Water Supply to ensure potable water is available for site users. The completion date has been pushed out to the end of May, due to the current delay in receiving materials and to cause minimal disruption to campground users during the summer months.
- Weston Watermain Upgrade – Specialised Services Group Limited completed works in Parklane Place ahead of construction of a new footpath. Work was further completed on Charles Street adjacent to Weston School during the school holidays and the contractor has now moved on to London Street to complete work prior to the new footpath being completed. All mains have been designed to provide on-demand flows to consumers and firefighting capacity to meet future service level requirements.



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• *Figure 2 – Charles Street water main replacement*

- Otematata Watermain Replacements – SouthRoads has commenced the second stage of this work, starting in Spencer Road, followed by Waitaki Drive East, Tasman Road and West Road.



Figure 3 – Spencer Road, Otematata watermain replacement

- Palmerston Watermains Renewal – Whitestone Contracting Limited has now completed 80% of the project including the most difficult part involving replacement of water mains and service lines along State Highway 85. The expected completion of this project has been extended to December due to delays associated with lockdown.



Figure 4 - Palmerston Water Mains Renewal

- Palmerston Wastewater Dispersal Field – The project involves upgrading and expanding the existing irrigation dispersal field at the Palmerston Wastewater Treatment Plant to ensure continued compliance with discharge consents. Tender documents are being finalised for this contract and will be issued in due course. The expected completion date for this project is March 2022.

ROADING



Third-party Corridor Access work – Network Waitaki – Taward St

OPERATIONS AND MAINTENANCE

The August work programme was disrupted with the unexpected move to Alert Level 4 lockdown. This reduced the month's programme to 12 working days for all crews apart from essential services such as rubbish bin servicing around the district.

The maintenance metalling programme roads completed this month included Serpentine, Currie, Buzan, Robertson and Pine Hill Roads out of the Robbs Crossing pit. Cants, Hedley, Black Point and Tunnel Roads were completed using gravel from the Maerewhenua pit (near Duntroon). Spot metalling was carried out on Double Hill Road, Hedges Road, and Woodburn Road to cover areas where clay was exposed and tracking.

The two maintenance graders were busy on the network maintenance programme. The south grader started the month in Ōamaru attending to roads in the Rosebery area moving through to Enfield before finishing up on roads around the Herbert area. The North grader worked its way from Pukeuri out to the Waitaki Bridge before moving up through the plains to Georgetown then inland to Livingstone.

The sealed road crews have a focus on reseal site preparation, including raising of service covers on behalf of the Water Services department.

There have been three drainage crews on the network this month. There was routine clearing of culverts on Slaughter Creek Road, Frenchs Road, The Dasher Road, Tussocky Road and Paradise Gully. The 13 tonne digger drainage crew was cleaning side drains on Irvine Road, Currie Road, Wairoa Road and Horse Range Road. The 5 tonne digger crew was completing pre-reseal work in the Dunback and Palmerston areas.

The street sweeper was cleaning channels and sumps in the South Hill area, including regular cleans through Ōamaru and north Ōamaru.

NEW MAINTENANCE PREPARATION

Registrations of Interest (ROI) from suppliers closed in September and the Tender Evaluation Team received four (4) responses from potential suppliers. The team then prepared for the second stage of the tender process with the Request for Tender (RFT) commencing before Labour Weekend. Tenders will close before Christmas and will be evaluated in January and February. It is anticipated that an award notification will be released in March, for a contract commencement date of 1 July 2022.

PROJECTS

- Planning for projects scheduled for delivery in the 2021/22 period is underway, with work primarily focused on investigations and design selection of sites for road rehabilitation on Urban Primary and Secondary Collectors. The three rehabilitation sites have been selected by Council's Projects team following a review of previous and latest RAMM reports and RAMM data, net present value (NPV) calculations, and pavement designs supported by test pit investigations. All sites exhibit a mixture of all or some of the following: rutting, cracking, shoving and heaving, broken drainage channels and general pavement failure. The seal widths of the streets vary from 10.8m to 13m and a mix of dig-out, reconstruction and stabilisation are considered the best treatment options for resolving these pavement deterioration problems.

The Candidate Site Selection tool identified 60 sites by priority across the complete road network. One Primary, and five Secondary, Collector urban sites have been selected for evaluation for the 2021-2022 programme from the Candidate Site Selection data and three have been endorsed to proceed as follows:

- Eden Street RP 0-190 (between Humber Street and SH1)
- Eden Street RP 724-1200 (between Warren Street and Property No. 92)
- Orwell Street RP 0-231 (between Reed Street and SH1).

The three sites comprise approximately one-kilometre length of pavement renewal, and the available budget for the 2021-2022 financial period is \$1,456,000.

Low-Cost Low Risk (LCLR) Intersection Improvement plans are currently being reviewed and will be progressed to the tender stage shortly. This year's three projects are:

- Ōamaru Township – Reed and Wansbeck Street Intersection Improvements
- Seven Mile Road Intersection Improvements

- Weston Intersection Improvements – Essex Street and District Road

The Severn Street trees will be getting a lighting upgrade early in November. The lights will highlight the amazing trees and add security for pedestrians; the oak tree canopies will remain sympathetic to Dark Sky.

The Project Team is assisting with delivery of three projects which received funding from the Tourism Infrastructure Fund (TIF) and to date the team has completed the designs of Duntroon Township Safety works, and preliminary designs for the Elephant Rocks carpark. Approval from Waka Kotahi for SH83 Duntroon works is pending, and early engagement with the property owners at Elephant Rocks carpark is promising.

Weston Township Footpath Construction is progressing well, with 80% of the sites completed. Work has stopped to allow for planned water and power network upgrades being carried out by 3 Waters and Network Waitaki. Work will re-commence once these contracts have been completed.



Ascot Street Weston – new footpath

Contract works that will commence in the coming months include:

- Crushing of aggregates for road maintenance
- Road line re-marking
- Bridge Maintenance Contract
- Test pitting for road rehabilitation design
- Sealed road re-sealing.

This year's Resurfacing Programme (305,000m²) is underway in:

- Ōamaru
- Palmerston
- Dunback
- Macrae's
- Moeraki
- Weston
- Corriedale and Waihemo.

STORMWATER

Stormwater improvements in Kakanui are still in the scoping stages with preliminary design and estimating. Testing of soak holes in Lake Ōhau and Ōmārama to determine performance was completed to address community concerns and future works programming will respond to any matters identified.

Stormwater discharges (especially between rural properties) are continuing to be an issue that needs to be responded to with some urgency. Officers are actively working collaboratively with the Otago Regional Council to find appropriate solutions to these issues.

ASSET MANAGEMENT

Waka Kotahi has approved the 2021-24 co-investor funding for the Waitaki District Council; \$35.017m for maintenance, operations, and renewals. This allocation does not match the inflation increases that have occurred in 2018-21 and all future activities are being prioritised by the Roothing Unit. This prioritisation addresses Council's Road asset needs in the maintenance, operations and renewals activities as best as can be achieved.

In 2020, the Asset Management Team (AM Team) engaged WSP to complete a footpath survey of the full network using a scooter which was fitted out with smart recording including a camera. The survey revealed that the footpath network was 92% defect free, 4% below the 96% level of service set by Council. Approximately \$3m of works has been identified for prioritising and at the current budget of \$421,000, renewal will take approximately seven financial years. Given this work is Council funded, Council could elect to accelerate the programme if it wanted to meet the desired level of service sooner.

The survey recorded 8% of the footpath network had defects across all scales. The most significant issues identified have been targeted and are programmed for repair in the last three months of 2021.

A roughness survey of all sealed roads in the road network has been commissioned. This is traditionally completed every second year and is a requirement of Waka Kotahi NZTA for asset data condition rating. Roughness is an indicator of whether the surface of the road fits within acceptable levels of service (90%). The data is used to benchmark our performance with other districts in a similar peer group.

THIRD PARTIES WORKING IN THE ROAD

The road corridor is a busy space with all manner of road users such as cars, trucks, walkers, and cyclists co-existing in the same space. The road corridor is also home to an abundance of utility assets. Utility owners are currently very active, undertaking maintenance, construction and renewal of their assets in the road corridor. Every month the Roothing team receives and processes approximately 250 corridor access request (CAR) tasks and Traffic Management Plans. The completed works are inspected at completion and then after a two-year defect period. Last month's completion inspections showed a significant improvement in reinstatements, with a 98% pass rate and only 2% having minor defects at completion.

ROAD SAFETY COORDINATION

Ōmārama Fire Station Visit

Ōmārama Fire station has been very active in promoting the work the volunteers do through social media. It was noted that, between January and August 2021, the team had responded to over 20 motor vehicle crashes. A thank you supper was supplied to them and a conversation was held around what other road safety measures and activities could be undertaken up the valley.

During the conversations, it was noted that under-recording of crashes in the Crash Analysis System (CAS) is still a problem, with only six crashes in the area during the same period.

Conversations have been had with FENZ Volunteer Support Officer Kevin Murdoch to do similar visits to all the fire stations. Work is underway to look at all FENZ calls in Waitaki to Motor Vehicle Accidents (MVA) and compare those records to crashes reported in the CAS.

RECREATION

OPERATIONS AND MAINTENANCE

Alps to Ocean (A2O)

The Recreation team has successfully recruited for the Recreation Officer position and Sheridan Newson will start in this role on 26 October, taking over the A2O maintenance and operations.

Little Awakino safety barrier has been completed – all parties involved were happy with the outcome. Recreation Construction also reinstated the cracking and slumping of the trail near Aviemore Dam while they were in the area.

Flood repair work is progressing well along section 8, and a wider solution to Rakis Tunnel has been further discussed. Drainage flumes above the tunnel have been reinstated and drainage coil installed along the tunnel floor to direct water flow.

Handover work continues with Anne Relling, interim Trail Manager. She has picked up on the H&S management system and is looking to finalise this and do further stakeholder engagement with the operators. The collaborative first responder map project is nearly complete, with A2O knowledge and first responder knowledge pulled together into a comprehensive set of maps and info to aid emergency response. Work on accessibility data continues with Waitaki maintenance contractors and Anne pulling together further photos and descriptions.

Forward workplans and operations manual updates are being finished off to reflect changes over the last year and provide handover docs for the new Recreation Officer and the new Trail Manager when one is appointed. Applications for Trail Manager closed Friday 1 October.

Pre-season maintenance and spraying has mostly been completed by maintenance contractors; some extreme wind created minor damage, but this was dealt with quickly. A community group completed a burn-off at Dunkirk Pines site in preparation of re-starting the landscape improvement project trail-side.

Aquatic Centre

The pool team continue to adjust and work through changes to the impact of the current COVID level restrictions. The new Delta Level 2 restrictions severely hamper operations and due to the 2metre distancing it means that numbers on site at any one time is limited to less than 18 people. As the month moved on, it was able to introduce a limited swim & squad programme as restrictions were softened and could increase our maximum numbers slightly.

Communications around the newly implemented booking system have been very well received and, while our numbers are around 80% down (due to restrictions), our customer satisfaction levels are very high. Term 3 school holidays are generally busy with good uptake of holiday programmes, activities, and educational options. Sadly, during COVID Alert Level 2, this was not able to be the case this year.

Looking forward to Term 4 (which is usually the busiest term of the year for swim programmes), pre-bookings and demand is very low with customers not committing and taking a 'wait and see' approach. This uncertainty is understandable after many of our customers having been stung

already with either closedowns or limited access. The team will continue to review operations to respond to the changing environment.

Two swim events have been cancelled (one local and one regional). The latter had the potential to attract over 1,000 visitors from around the region and will now be postponed until early 2022.

The arrival of our new swim coach has been postponement due to delays in processing the transfer of his visa.

Officers have continued to experience negative customer interactions at the aquatic centre. A member of the public was excluded from the facility for a week until a mediation session could take place due to their behaviour towards one of the swim instructors.

Camping Grounds

The camping season has opened and reports from camp management indicate that camper numbers are strong. Rain at Falstone prior to opening meant that the tree removal site was soft and unsuitable for campers. However, there is plenty of space at other sites with the grounds. Reinstatement of the ground where heavy vehicles left rutting has been completed, bare and soft sites cordoned off and seeding of bare earth commissioned. Plans for replanting at a suitable time continue.

The Labour weekend taskforce work continues with a communications campaign almost complete; press releases, content out through schools, posters distributed, and radio coverage has ensured a really wide audience for the targeted messaging. The temporary alcohol ban has been approved and publicly notified and signs have been installed. Extra Police and security presence are locked in and site improvements have been confirmed.

Some of the Camp toilet blocks have been receiving a repaint including Sailors Cutting, Loch Laird blocks.

Ōmārama MenzShed

No further progress over the month; this is still in the early planning stage.

Ōhau Reserves:

The one-year anniversary recently came around. A ceremony with Waitaki Mayor Kircher and Mackenzie Mayor Smith was held to commemorate the occasion and all those involved. Conversations with resident villagers have been very positive during this time with expressions of thanks to Council staff for their support and sharing that the planting done together has bought a sense of hope and renewal to villagers.

Initial dialogue has been undertaken with FENZ regarding fire risk management for the re-write of the Reserves plan scheduled for later this year.

Ōamaru Public Gardens

Riparian planting of Ōamaru Creek was started last week by Downer. A local home school group also contributed and planted a handful of native plants last month.

Re-siting of the 'red seat' with a path facilitating all ability access has been completed which will be complemented by plantings to support butterfly populations (with support from Gordon Martin

and the Rotary Club). Surveillance cameras are now set up and working around the curator's house, the contractor's depot, and the Chelmer's Street carpark. Investigations are being made to see if the service would extend to cover the Craig Fountain area off this same network.

The Craig fountain has been lit pink for the month of October in support of the Breast Cancer Awareness Campaign.

Kakanui River

Officers are liaising with various authorities to complete resource consent for the rocks that were placed along the riverbank to prevent erosion of the bank below the playground and toilet.

Moeraki

The Otago Regional Council (ORC) is trying to gather interested parties and landowners to implement a coordinated approach to assess the rabbit populations. Once the rabbit numbers are assessed, the ORC will be expecting compliance from all landowners. A meeting is proposed for 26 October for all landowners to discuss the plan and provide an opportunity to combine efforts in a cull.

Memorial Oaks

Several removals and replacements have been requested by the Memorial Oak committee. This is mainly due to the trees being in the way of live power lines or too close to the road carriage way. The Recreation team is working with the Memorial Oak committee to gain consent from the Planning unit to proceed. Part of the process is to establish the will of associated families. In some cases, it has been difficult to find families and has required public notifications, which have resulted in additional tree removal requests. In October, a memorial oak will be planted along Towey Street to replace one that was removed a few years ago.

Awamoa Archway

The contractor has completed the planned work.



The former Awamoa Archway, now the Awamoa Pillars

Parks and Reserves including Sports fields

Overall, the network is looking good, with a highlight being the presentation of the flower beds through Ōamaru. Whilst the planting of the tulips was delayed, they are definitely a highlight at the moment. The grass is growing quickly through the district and our contractor is undertaking earlier starts and has also been operating on weekends.



King George Park Driveway

The hanging baskets have been prepared and are growing on prior to their installation along Thames Street.

The team is working through the sportsgrounds renovations with the main work required at this time being the undersowing of some of the sports field's areas.

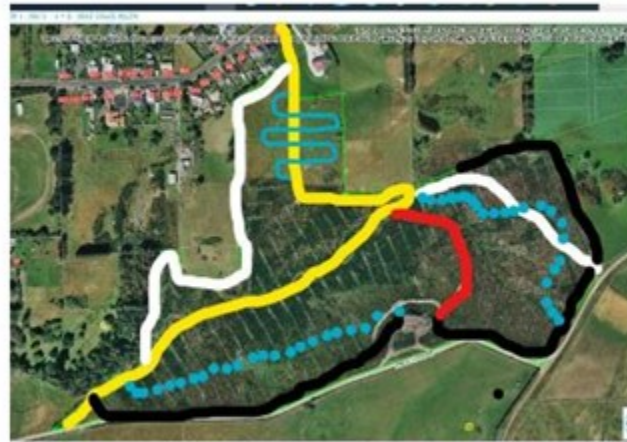
The driveway / access way at King George Park is going through a refurbishment.

Here is my basic plan for the tracks.

All planned tracks have been put in areas I believe have limited pine trees to limit the Cutting of them.

Palmerston Mountain Biking

The Waihemo Community Board has been approached by locals interested in developing mountain bike tracks in the Brough Road forestry block. The group would come under the umbrella of Mountain Bike North Otago, with which Council already has a Memorandum of Understanding. Officers will continue to work with the group on their proposal.



Park Map

Yellow Shared track continuation of new walkway from the District rd to Brough st. For both cycling and walking. 2 Way track.

Proposed Brough Road Tracks

Solid Waste

The final report has been received from Morrison Low for the review of the Waitaki Resource Recovery Trust (WRRT) operations (covering people, process, and systems) and identification of any improvements for the operation. Officers will work through the recommendations with WRRT.

The following consultation documents are due out within the next two weeks:

- Climate Change Commission – Emissions Reduction Plan. The impact for Council is likely to be minimal as the waste activities over which Council has control do not significantly contribute to Greenhouse Gas Emissions and our closed and open landfills do not produce any measurable methane.
- New Zealand Waste Strategy – The New Zealand Waste Strategy sets out the Government's long-term priorities for waste management and minimisation in New Zealand. This Strategy will replace the 2002 New Zealand Waste Strategy.
- Waste Minimisation Act – The review will look at how provisions within the Waste Minimisation Act 2008 and Litter Act 1979 could be improved or amended. It will consider new provisions not already in these Acts, and revise what levy funds can be used for.
- Waste Reduction Work Programme – The Government has released its Waste reduction work programme until 2023 to reduce waste as part of a transition to a low carbon circular economy with key focus areas being:
 - Building the foundations for a transformed waste system
 - Expanding investment in the sector
 - Introducing system-level change
 - Addressing individual material streams and products
 - Strengthening operational and compliance activity

Officers will review the consultation documents and advise accordingly.

COVID has not had too much impact on levels of service for waste and recycling other than the closure of WRRT during L4 and L3. WRRT reported its busiest week in recent times for recycling when L2 commenced.

Officers met with Waihemo Wastebusters to get a good understanding of its operation in Palmerston. Council supports Waihemo Wastebusters by way of an operational grant of \$16,000 and transport cost relief of \$2,000 funded from the Waste Levy Rebate. Initial impressions are that this spend is worthwhile, with waste fees avoided through their service of around \$40,000. This equates to \$2 saved by residents for every \$1 invested by Council and there is the associated environmental benefit of not landfilling this recycling.

Waste Minimisation

Steve Clarke and Lucianne White recently attended a Southland Otago Waste-minimisation Network (SOWN) event. It was invaluable to connect with other waste minimisation officers and hear about district-specific initiatives but also to discuss where there will be cross-district collaboration opportunities coming up.

New guidance released from the Ministry for the Environment (MfE) was discussed with a segment presented by Jenny Walsh from MfE. The Waste Reduction work programme, released in August, has outlined how the foundations for a transformed waste system will be built, the expanding investment in the sector, what system-level changes will mean, how individual material streams and products will be addressed with product stewardship schemes, and what strengthened operational and compliance activity will look like.

Work has begun on an action plan to focus Waste Minimisation work in Waitaki. It will look at actions from our Waste Minimisation and Management Plan (WMMP) and what new actions are needed to respond to the ongoing changes in central government guidance. It will also consider what is happening elsewhere that will work for our district and how we can start to work better and collaborate with our community partners, with a key focus on education and awareness.

Lucianne has been getting familiar with the Enviroschools Kaupapa, resources and network support as well as reconnecting with 17 Enviroschools and understanding where they are on their journey. She has also attended the new facilitator virtual webinars, hosted her first virtual Waitaki cluster meeting, attended a teacher development day, and started individual conversations with schools to see which schools will be ready for their annual reviews in term 4. Student and teacher huis have mostly been deferred until COVID Level 1, especially where multiple schools are involved due to the risk of co-mingling being too hard to control.

PROJECTS

Dunroon toilets

Council and the Dunroon District Development Association (DDDA) have agreed to the terms of the Sale and Purchase of 11 Campbell Street. Planning consent has been granted to go ahead with the project which includes using a kerbside effluent disposal point, negating the requirement for a vehicle to enter the property. The Roding team has submitted plans to NZTA for the road improvement works and no significant concerns from NZTA are expected. Items with long lead-in times have been ordered (tank and toilets). An information / fact sheet provided to the local community for comment has not identified any significant concerns, with only minor questions around the details received. It is the intention to commence site works with the toilet block in December.

Palmerston Track

The track, boardwalk and associated drainage works are now complete. The Waihemo Community Board has expressed satisfaction with the track, and anecdotal feedback has been positive. The Waihemo Community Board is now considering next steps, such as gates and signs.

Ōamaru Public Gardens Playground Waterplay

The team is waiting to hear back officially regarding the funding application to the Lions Foundation. However, it is understood we may have been granted \$30,000 towards the development of the Waterplay area. A further \$30,000 is needed.

A2O Repairs

Work has been completed from Elderslie to Pig Island Road and the current focus is work beyond Windsor Road, working west. Work is progressing well. The trail has been reopened in the vicinity of the two slips, with one section being cleared of silt and the track realigned around the other. The section through the tunnel has been partially resurfaced with additional drainage in the form of pipes and water tables.



Culverts have been repaired or upgraded



New track diversion around the major slip with additional culverts either end as a measure to reduce water flows in the vicinity of the slip

Sports and Events Centre

Friend of the Waitaki Events Centre are actively pursuing funders with fliers in mailboxes, a Facebook page, and a Give a Little page. They already have some significant commitments.

Consultation on Council's use of the preferred site closed on 8 October, with a hearing of submissions being held on 18 October. Conversations continue with stakeholders and the project team is meeting fortnightly to coordinate work streams with elected members supporting the Friends of Waitaki Event Centre to pursue funding and officers working through the Resource consent requirements.

PROPERTY

Holmes Wharf

Bay Underwater Services NZ Limited has completed 96% of structural strengthening of Holmes Wharf. Final structural bolting of bearers to the outside fender piles will be undertaken after the wharf re-decking is completed.

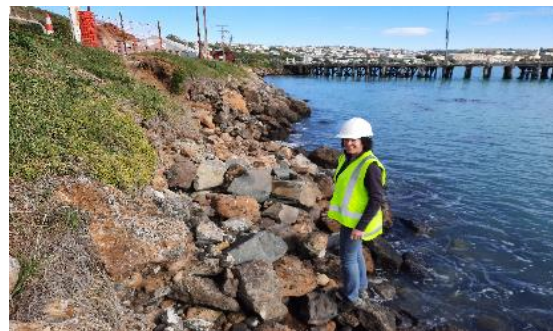
The final re-decking contract will go out for open tender in November. Construction is anticipated to commence in January 2022 and take 10 months to complete.

Ōamaru Harbour and Holmes Wharf Mole Rock Revetment Resource Consent

A 30 year consent has been issued by the Otago Regional Council to maintain rock revetment in Ōamaru Harbour and Holmes Wharf Mole. A Wildlife Authority for at risk lizard salvage affecting the majority of the western side of the harbour is currently being processed by the Department of Conservation.

Rock Revetment between Sumpters and Normanby Wharfs

Coastal erosion was threatening the collapse of a footpath opposite the North Otago Yacht and Powerboat Club. 355 cubic metres of basalt rock revetment was carefully placed to protect this section of coastline under the watchful eye of marine ecologist Dr Philippa Agnew.



Rock revetment work at Ōamaru Harbour

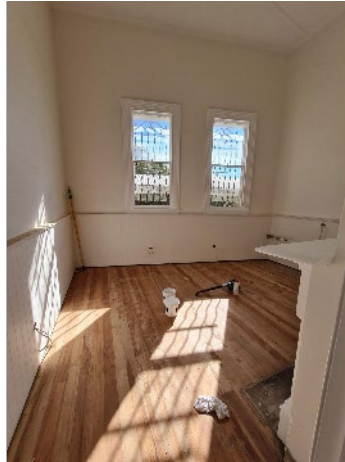
Slipway Upgrade

The dive survey has been completed. The team is waiting on the final structural report to be supplied to be able to fully scope the works required.

Itchen Street

The renovations at 6 Itchen Street were due to be completed by the end of October. The very old electrical switchboards and wiring have been upgraded along with the fire alarm panel.

A new lease has been signed, and the new tenant will be revealed when they are ready to disclose their plans to the public. For now, they have requested that their identity be kept under wraps.



Fresh look at 6 Itchen Street

Headquarters Exterior Cleaning and Inspection

On Saturday 30 October – Sunday 31 October, the entire exterior of the Council Headquarters building had a biodegradable cleaning product applied, which will slowly work away with Mother Nature to remove moss, mould, fungi, algae, and lichen. A comprehensive exterior building inspection was carried out from a crane for a clear scope of maintenance work to be established. A traffic management plan was in place on Thames Street, and Meek Street was closed on Saturday 30 October between 7.00am and 5.00pm.

Headquarters Clock refurbishment

There have been intermittent issues with the clock at Council Headquarters. The chimes are working on the hour but not on the quarter-hours as they should be.

Remedial work started the week commencing 25 October, and the clock will be out of action for approximately four weeks. The clock will be “stopped” at 12, and the public has been notified with help from the Communications team.

Community Housing

Healthy Homes upgrades to housing units are ongoing in Ōamaru and have now commenced in Palmerston. Due to compliance requirements, vacant units are given priority, as legislation requires new tenancies (from July 2021) to be fully compliant. Council has until July 2024 to be fully compliant with all existing tenancies.

There are currently three vacant Palmerston units and one in Ōamaru which will remain empty until refurbishments including, but not limited to, upgrades for healthy homes compliance (which are underway) have been completed.

Centennial Memorial Rooms heating upgrade

Heat pumps have been installed in the Centennial Memorial Rooms, providing a reliable heating source for the Plunket rooms. The building had been connected to the Library/Museum boiler, but the connection had been failing on a regular basis over the winter months.

6 MEETING CLOSE