



Wairarapa Policy Working Group

Wairarapa Consolidated Bylaw Deliberations to be held in
the Hurunui o Rangi Meeting Room,
50 Holloway Street, Carterton

Tuesday 19 August 2025

3:30pm

ATTACHMENT 1

**Proposed Wairarapa Consolidated Bylaw
(August 2025)**

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Tahī: He Whakataki

Part One: Introductory

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whakaae | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part One – Introductory	Masterton District Council Carterton District Council South Wairarapa District Council
20 February 2023 (Masterton and South Wairarapa District Councils)	Wairarapa Consolidated Bylaw 2019: Parts One and Eleven. Revocation of Part Eleven: Speed. Amendments to Part One: Introductory to reflect revoking of Part Eleven: Speed.	Masterton District Council Carterton District Council South Wairarapa District Council
25 October 2023 (Carterton District Council)		
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part One – Introductory	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Health Act 1956
- Land Transfer Act 2017
- Land Transport Act 1998
- Local Government Act 2002
- Reserves Act 1977

Kupu Takamua | Foreword

The Masterton, Carterton and South Wairarapa District Councils make the following bylaw, under the Local Government Act 2002 (LGA) and all other legislation, powers and authorities enabling the Council to make bylaws.

Part One contains definitions and provisions of a general nature which apply to all parts of the Wairarapa Consolidated Bylaw.

1. Taitara me te Timatanga | Title and Commencement

- 1.1. The title of this bylaw is the Wairarapa Consolidated Bylaw.
- 1.2. The bylaw is divided into parts as follows:

Part	Title
1	Introductory
2	Public Places (including Parks and Reserves)
3	Sale of Goods in Public Places
4	Prevention of Nuisance or Health and Safety Risk from Fire and Smoke
5	Keeping of Animals, Poultry and Bees
6	Traffic
7	Cemeteries and Crematoria
8	Beauty Therapy, Tattooing, and Skin Piercing
9	Water Supply
10	Wastewater
11	Trade Waste

- 1.3. Except as otherwise provided in this bylaw, the bylaw including Parts 1 to 11 come into force throughout the Masterton, Carterton and South Wairarapa districts on 1 September 2025.

2. Ngā Whakakorenga me ngā Penapenatanga | Revocations and Savings

- 2.1. The Wairarapa Consolidated Bylaw 2019 is revoked when the Wairarapa Consolidated Bylaw comes into force.
- 2.2. All bylaws that are revoked by this bylaw will still apply in relation to: any resolution of Council made, application made, consent given, anything done or any offence committed, penalty incurred, prosecution or proceeding commenced, right or liability accrued, licence used, notice given, or order made, under or against any of the provisions of those bylaws before this new bylaw takes effect.

- 2.3. All Licences issued under any revoked bylaw will, after this bylaw takes effect, be deemed to have been issued under this bylaw and will be subject to the provisions of this bylaw.
- 2.4. All inspectors and other officers appointed by Council under or for the purpose of any revoked bylaw and holding office at the time this bylaw comes into effect, will be deemed to have been appointed under this bylaw.
- 2.5. All fees and charges fixed under resolution by Council for any goods, inspections or licences under any revoked bylaw will continue to apply under the corresponding provisions of this bylaw until altered by further resolution of Council.

3. Whānuitanga | Scope

- 3.1. Part One defines and explains the terms and expressions used throughout all parts of this bylaw.
- 3.2. Part One outlines serving of orders and notices, powers of delegation and entry, suspension and revocation of licences, removal of works executed contrary to the bylaw dispensing powers, fees and charges, offences and breaches, and penalties for breach of bylaws.

4. Kuputaka | Definitions

- 4.1. The definitions below apply to all parts of this bylaw, unless stated otherwise. Definitions specific to a particular part of the bylaw are provided in that part. Refer to the applicable New Zealand Legislation at www.legislation.govt.nz for terms that reference legislation.

Animal: means any live member of the animal kingdom (excluding humans and dogs) that is a mammal, a bird, a fish, or any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order-in-Council, to be an animal for the purposes of the Animal Welfare Act 1999.

Approval or Approved: means approval or approved in writing by the Council, either by resolution of the Council or by an Authorised Officer for that purpose.

Authorised Agent: means any person who is not an employee of the Council but is authorised in writing by the Chief Executive or by the Council to act on its behalf.

Authorised Officer: means any officer or agent appointed by Council working within their delegations, including any officer for the time being an Enforcement Officer, or an Environmental Health Officer. Authorised Officers have powers of entry as prescribed by sections 171-174 of the LGA.

Beach: Means the foreshore being any area covered and uncovered by the ebb and flow of the tide, and any adjacent area which can reasonably be considered part of the beach environment including areas of sand, pebbles, shingle, dunes or coastal vegetation or the confluence of any river, but does not include any private property or land administered by the Department of Conservation.

Building: means a temporary or permanent, movable or immovable, structure (including a structure intended for occupation by people, animals, machinery, or chattels).

Cemetery: has the meaning given to it under section 2 of the Burial and Cremation Act 1964 and for this bylaw is any cemetery vested in or under the control of the Council from time to time but excludes any closed cemetery.

Chief Executive: means the principal administrative officer of the Council, irrespective of the designation given to the officer, and includes any person for the time being appointed by the Council to perform the duties or a particular duty of the Chief Executive.

Council: means the Masterton, Carterton or South Wairarapa District Council and includes any officer authorised to exercise the authority of the Council.

District: means the district of the territorial authority established under the LGA, which has adopted this bylaw.

Dwelling or Dwelling-house: means any house, vehicle or other structure, whether permanent or temporary, and whether attached to the soil or not, used in whole or in part for human habitation.

Enactment: means the whole or part of an Act or regulation.

Enforcement Officer: means:

- any person appointed by a local authority under section 177 of the LGA, the Reserves Act 1977, the Freedom Camping Act 2011, the Litter Act 1979, or any other Act by which any person is appointed, to exercise the powers of an enforcement officer, including enforcement of the bylaws of the local authority; or
- a constable; or
- a Police employee who is not a constable who is authorised for the purpose by the Commissioner of Police; or
- a person who is appointed to that office by warrant under section 208 of the Land Transport Act 1998 or who holds that office by virtue of that Act.

Environmental Health Officer: means a person appointed under section 28 of the Health Act 1956.

Fees and Charges: means the list of items, terms, and prices for services associated with providing Council services, adopted by the Council in accordance with the LGA and the Local Government (Rating) Act 2002.

Footpath: has the meaning given to it under section 315(1) of the Local Government Act 1974.

Goods: means any product or service.

Infringement Fee: means the amount prescribed by regulations under section 259(1)(b) of the LGA, for committing an infringement offence.

Infringement Offence: means an offence for which any person can be punished on conviction, by summary process, or by an infringement process. Infringement offences are specified by regulation made under section 259(1)(a) of the LGA.

LGA means the Local Government Act 2002.

Licence: means a licence, permit, certificate of registration or written approval issued under this bylaw.

Litter: has the meaning given to it in section 2 of the Litter Act 1979.

Local Authority: means a regional council or territorial authority.

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

Motor Vehicle: has the meaning given to it under section 2 of the Land Transport Act.

Nuisance: means unreasonable interference with the peace, comfort, or convenience of another person, whether by way of excessive noise, or offensive odours, or a statutory nuisance as defined under section 29 of the Health Act 1956, and includes actual and potential nuisance.

Occupier: means the inhabitant occupier of any property and, in any case where any building, house, tenement, or premises is or are unoccupied includes the owner.

Offence: means any act or omission in relation to this bylaw for which any person can be punished either on conviction or by summary process.

Owner: as applied to any land, building, or premises, means any person for the time being entitled to receive the rent for such property, or who would be so entitled if it were let to a tenant at a rack rent, and where any such person is absent from New Zealand, includes their attorney or agent.

Person: means a natural person, corporation sole or a body of persons whether corporate or otherwise.

Premises: means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied, and all lands and associated additions, buildings, and places adjoining each other and occupied together are deemed to be the same premises.

Private Road: means any roadway, place, or arcade laid out or formed within a district on private land, by the owner thereof, but intended for the use of the public generally.

Privateway: means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally.

Public Notice / Publicly Notified: has the meaning given to it in section 5 of the LGA.

Public Place: means a place that is owned, managed, maintained or controlled by the Council or Council Controlled Organisation that:

- is within the territorial authority's district; and
- is open to, or being used by, the public, whether or not there is a charge for admission; and
- includes:
 - a road, whether or not the road is under the control of a territorial authority;
 - any part of a Public Place.

Record of Title: has the meaning given to it in section 5 of the Land Transfer Act 2017.

Reserve or Public Reserve: has the meaning given to it in section 2 of the Reserves Act 1977

Road: means a road as defined in section 315 of the Local Government Act 1974, and includes the meaning assigned to it by section 2(1) of the Land Transport Act 1998.

Road Controlling Authority: has the meaning given to it in section 2 of the Land Transport Act 1998.

Roadway: means that portion of the road used or able to be used for the time being for vehicular traffic in general.

Rural Area: means any area zoned rural in the Wairarapa Combined District Plan, unless otherwise stated.

Territorial Authority (TA): means a city council or district council. Includes South Wairarapa District Council, Carterton District Council and Masterton District Council.

Urban Area: means any area zoned residential, commercial or industrial in the Wairarapa Combined District Plan, unless otherwise stated.

Vehicle: has the meaning given to it in section 2(1) of the Land Transport Act 1998.

Wastewater Authority (WWA): means the Masterton District Council, Carterton District Council or South Wairarapa District Council, including their Authorised Agents, responsible for the collection, treatment and disposal of sewage.

Water Supply Authority (WSA): means the Masterton District Council, Carterton District Council or the South Wairarapa District Council, or their Authorised Agents.

Working Day: has the meaning given to it in section 5 of the LGA.

Writing, Written or Similar Term: means in the case of "Words": written, printed, painted, engraved; lithographed, or otherwise traced or copied.

5. Whakamāramatanga | Interpretation

- 5.1. In this bylaw the singular includes the plural and the plural includes the singular.
- 5.2. Words referring to any district, locality, place, Person, office, officer, functionary, party or thing means each district, locality, place, Person, office, officer, functionary, party, thing, to whom or to which the provision applies.
- 5.3. Every schedule to this bylaw forms part of this bylaw.
- 5.4. Explanatory notes do not form part of this bylaw, they are there to explain the general effects. They may be inserted, changed or removed without any formality.
- 5.5. If any part of this bylaw includes a reference to a repealed enactment, it must be read as a reference to its replacement.
- 5.6. Nothing in this bylaw shall limit the application of any other Act or any rules or regulations made under that other Act, for example and without limitation:
 - the Land Transport Act 1988, the Local Government Act 1974, and the LGA or any Act passed in amendment or substitution of those Acts; or
 - any regulations made under the Land Transport Act 1998 nor any regulations made in amendment or substitution for those regulations.

6. Te hunga Āpiha ka whai tūranga tonu | Officers to Continue in Office

- 6.1. All officers appointed by the Council prior to the effective date of this bylaw, are deemed to have been appointed under this bylaw upon its commencement.

7. Te Tuku Ōta me ngā Pānui | Serving of Orders and Notices

- 7.1. Except as otherwise provided for in any other enactment, any notice, order or other documented required to be served for the purposes of this bylaw may be served in the manner prescribed by section 352 of the Resource Management Act 1991.
- 7.2. If the Person is absent from New Zealand, the order, notice, or other document may be served on the Person's agent in the manner referred to in clause 7.1.
- 7.3. If the order, notice, or other document relates to land or buildings, then the order, notice, or other document should be served on the Person who owns that land or buildings. However, if that Person is not known, or is absent from New Zealand, or has no known agent in New Zealand, the order or notice may be:
- a) served on the Person who is occupying the land or buildings; or
 - b) if there is no Person in occupation, put up on some conspicuous part of the land or buildings.
- 7.4. If a notice is issued under clause 7.3, it is not necessary in that notice to name the occupier or the owner of that land or buildings.
- 7.5. Where an order or notice is sent by registered post, the order or notice must be sent so as to arrive no later than the latest time on which such order or notice is required to be served.
- 7.6. Any order or notice issued must state the time within which the remedial action must be carried out and may be extended by written authority of an Authorised Officer.

8. Ngā Mana Tomo | Powers of Entry

- 8.1. Except where provided for under any other enactment, sections 171, 172, 173, and 182 of the LGA apply in relation to any power of entry under this bylaw.

9. Ngā Raihana | Licences

- 9.1. Any Person doing, or proposing to do, anything or to cause any condition to exist for which a Licence is required, must first obtain a Licence from the Council or an Authorised Officer.
- 9.2. Every application for a Licence must be accompanied by the relevant fee. If the application for the Licence is declined, the fee must be refunded less any reasonable processing costs.

- 9.3. No application for a Licence, and no payment of, or receipt for, any fee paid in connection with such application, confers any right, authority or immunity on the Person making that application or payment.
- 9.4. Any Licence is deemed to be issued in compliance with this bylaw if it is issued by an Authorised Officer, and every Licence is subject to such conditions as may be imposed.
- 9.5. Unless this bylaw provides otherwise, every Licence and every application for a Licence must be in such form as may be prescribed from time to time by the Council.
- 9.6. Unless this bylaw provides otherwise, a Licence is not transferable, and no such Licence authorises any Person other than the holder of the Licence to act in any way under its terms or conditions.
- 9.7. If the Licence fee remains unpaid after a request for payment, the Licence will immediately cease to have effect.

10. Te whakatārewa me te whakakore raihana | Suspension and Revocation of Licences

- 10.1. Unless this bylaw provides otherwise, should the licence holder be convicted of any offence relating to the holder's suitability as a licensee, the Council may immediately revoke or suspend the Licence for any specified time.
- 10.2. If any of the following are brought to the notice of the Council, the Council may by notice in writing call upon the holder of the Licence to appear before the Council and give reasons why the Licence should not be revoked or suspended:
- a) the holder of the Licence:
 - i. has acted or is acting in a manner contrary to the true intent and meaning of this bylaw;
 - ii. has failed to comply with any of the conditions of the Licence;
 - iii. is in any way unfit to hold the Licence;
 - b) that the premises for which the Licence was issued is being used for any purpose other than that stated in the Licence, or is in a state of disrepair contrary to the terms of the Licence; or
 - c) that the bylaw is not being properly observed.
- 10.3. The Council may, if it considers the allegations correct or if there is no appearance by the holder of the Licence, revoke or suspend the Licence for any specified time.

- 10.4. A Person who is the holder of a Licence that has been suspended under this clause, and any premises for which that Licence has been so suspended is, during the period of that suspension, deemed to be unlicensed.

11. Mana Porowhiu Rawa | Dispensing Power

- 11.1. If the Council believes that fully complying with any provision of this bylaw would needlessly or injuriously affect any Person, or the course or operation of a business, or bring loss or inconvenience to any Person without any corresponding benefit to the community, the Council may, in its sole discretion, waive full compliance with that provision. However, the Person must still comply with any other terms or conditions (if any) that the Council may impose.

12. Ngā Puka | Forms

- 12.1. Wherever forms are prescribed in the bylaw, slight deviations that still achieve the same result and are not likely to mislead will not invalidate the forms.

13. Ngā Utu | Fees and Charges

- 13.1. The Council may, by resolution publicly notified, prescribe fees to be charged for any certificate, authority, approval, permit, or consent from, or inspection by, the Council.
- 13.2. The setting of any fees or charges must be in accordance with section 150 of the LGA.
- 13.3. Where a fee has been paid for a service that has not been given, the Council may provide a refund, a remission, or waiver of any such fee, or portion of it as the Council may determine.

14. Te Kāhaki Hanganga | Removal of Works

- 14.1. Where a notice served under section 7 of Part One of the bylaw has not been complied with, the Council or any Authorised Officer or Authorised Agent, may:
- a) remove or alter a work or thing that is, or has been, constructed in breach of this bylaw (refer section 163 of the LGA); and/or
 - b) seize and impound property (refer sections 164, 165 of the LGA).
- 14.2. In exercising its powers under 14.1, the Council may recover the costs of removal or alteration incurred by it from the person who committed the breach (refer section 163(1)(b) of the LGA). This includes the cost of debt collecting and legal fees.
- 14.3. The exercise of clause 14.1 does not relieve the person who committed the breach from any other liability for the breach (refer section 163(2) of the LGA),

including any penalty for erecting or permitting the continued existence of any such work, material or thing.

- 14.4. If, the breach threatens public health or safety, or there is a risk of consequential damage to Council assets, and waiting to remedy the breach would create unacceptable results, the Council may take immediate action to remedy the breach, and recover all reasonable costs, as set out in clause 14.2.
- 14.5. On payment of all Council's costs, including transport and storage where applicable, the owner of property removed, seized and impounded under clause 14.1 may request the Council to return the property (refer section 167 of the LGA).
- 14.6. If not returned within 6 months after it was seized and impounded, the Council may dispose of the property as it thinks fit after giving the property owner and the person it was seized from at least 14 days' notice of its intention to do so. Following sale, the Council may apply the proceeds to meet the costs incurred in relation to the seizure, impounding, transport, storage, disposal of the property. If the sale proceeds exceed the amount needed to cover those costs, the remaining funds must be returned to the owner of the property or the person entitled to the property (refer section 168 of the LGA).

Ngā Hara me ngā Hāmene | Offences and Penalties

- 14.7. Any Person who breaches this bylaw commits an offence and may be liable for a penalty, as set out in section 242 of the LGA or under another enactment where a penalty for a particular breach of bylaw is specified.
- 14.8. Any Person commits a breach of this bylaw who:
- a) does, or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to or otherwise than as provided by this bylaw;
 - b) omits or neglects to do, or knowingly permits or suffers to remain undone, anything which ought to be done under this bylaw;
 - c) refuses or neglects to comply with any notice or direction duly given to that person under a bylaw within the time period specified in that notice or direction;
 - d) knowingly permits or suffers any condition of or things to exist contrary to any provision contained in this bylaw;
 - e) obstructs or hinders any Authorised Officer in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon that officer by this bylaw;
 - f) omits, neglects, or fails to obtain a current Licence where required under a bylaw;

- g) omits, neglects, or fails to pay a Licence fee fixed by Council;
- h) fails to comply with any conditions contained in a license granted by Council; or
- i) fails to comply with any notice or direction given under this bylaw.

14.9. Where it is suspected that any Person has committed a breach of this bylaw, that person must, on the direction of an Authorised Officer, provide their full name and address.

14.10. The Council may apply to the District Court for an injunction to restrain a person from committing a breach of this bylaw (refer section 162 of the LGA).

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Rua: Wāhi Tūmatanui
(ngā Wāhi Rēhia, Papa Tāpui
hoki)

Part Two: Public Places (including Parks and Reserves)

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Two - Public Places (including Parks and Reserves)	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Two – Public Places (including Parks and Reserves)	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Schedule A – Masterton District Areas where riding of wheeled recreational devices is prohibited on footpaths and other public places

Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Health Act 1956
- Freedom Camping Act 2011
- Litter Act 1979
- Local Government Act 2002
- Reserves Act 1977
- Sale and Supply of Alcohol Act 2012

Reference is made in this document to the following document:

- NZUAG National Code of Practice for Utility Operators' Access to Transport Corridors
- Wairarapa Combined District Plan

Kupu Takamua | Foreword

Part Two is made under sections 145 and 146 of the Local Government Act 2002 and section 106 of the Reserves Act 1977.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Two controls a diverse range of activities in Public Places to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the wellbeing and enjoyment of citizens, visitors and businesses within the Wairarapa.
- 1.2. In particular, Part Two addresses damage to public facilities such as roads, grass verges, garden areas and reserves. It also addresses activities within Public Places and reserves which may have an adverse effect on other users of these facilities.

Explanatory Note:

Part Two supplements other obligations and powers and requirements of the Council in regards to public places, and reserves, including but not limited to, those set out in the Reserves Act 1977, Freedom Camping Act 2011, Health Act 1956, Litter Act 1979, and those in Council plans and other bylaws. Areas of control prescribed by legislation are not necessarily repeated within Part Two, and therefore the relevant sections of applicable legislation should be read in conjunction with Part Two.

As at the date the bylaw comes into force, activities in public places are also regulated by Freedom Camping Bylaws adopted by the Carterton and South Wairarapa District Councils. Reserves are controlled by Reserve Management Plans. The Wairarapa Combined District Plan also contains controls relating to resource management issues such as signage.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

2.1. The following definitions are applicable to Part Two:

Administering Body: has the meaning given to it under section 2 of the Reserves Act 1977.

Aircraft: has the meaning given to it in section 2 of the Civil Aviation Act 1990, including, but not limited to, aeroplanes, helicopters, gliders, hang-gliders, unmanned aerial vehicles (e.g. drones), hot air balloons and radio-controlled model aircraft (excluding kites and balloons which are controlled from the ground via strings).

Berm: means the edge of a road reserve between the kerb or surface water channel and property boundary.

Carriageway: means that portion of the road, (including any shoulder, edging, kerbing or channelling) devoted particularly to the use of travelling vehicles.

Corridor Access Request: has the meaning given to it under the National Code of Practice for Utility Operators.

Cremation: has the meaning given to it under section 2 of the Burial and Cremation Act 1964

Mind-Altering Substance: A substance, whether synthetic or naturally occurring, which may alter consciousness, mood or emotions, or which might intoxicate or impair or diminish mental capacity. It includes what is commonly known as solvent abuse, but does not include:

- medically prescribed substances ingested by the person for whom they were prescribed;
- substances purchased from a pharmacy without a medical prescription;
- nicotine; or
- alcohol as defined in the Sale and Supply of Alcohol Act 2012.

Mobility Device: has the meaning given to it under section 2 of the Land Transport Act 1998 and rule 1.6 of the Land Transport (Road User) Rule 2004.

Minor Earthworks: means any alteration to the contours of the land and includes the excavation, backfilling or recompaction of metal backfill, topsoil or vegetation.

National Code of Practice for Utility Operators: means the National Code of Practice for Utility Operators' Access to Transport Corridors pursuant to section 12 of the Utility Access Act 2010 and as updated from time to time.

Reasonable Conditions: has the meaning given to it under the National Code of Practice for Utility Operators.

Ride a Wheeled Recreational Device: means having either one or both feet, or any other part of the body of any person, on the wheeled recreational device when it is moving.

Sandwich Board: Includes any self-supporting, portable and temporary signboard or other advertising device, including two-sided signs, flags and banners intended for the purposes of advertising or to attract attention.

Sign and Signage: means any display or device whether or not placed on land, affixed to a building, stationary vehicle or object, in the air, or a projection of light to create a word or pictorial image, intended to attract attention for the purposes of directing, identifying, informing or advertising and which is visible from a Public Place. This includes all parts, portions, units and materials composing the same, together with the frame, background, structure and support anchorage (including Sandwich Board type Signs placed on the ground). A bunting that has symbols or messages on it shall also be considered a Sign for the purposes of this part of the bylaw.

Transport Corridor: has the meaning given to it under the National Code of Practice for Utility Operators.

Trenching: has the meaning given to it under the National Code of Practice for Utility Operators.

Vehicle Crossing: means the section of driveway that connects the front property boundary to the road and includes any culvert under the crossing.

Verandah: A portico, porch, shed, shade, awning, blind, covering, or like structure, and their supports, projecting into or over any part of a public place.

Wheeled Recreational Device: has the meaning given to it in rule 1.6 of the Land Transport (Road User) Rule 2004.

Works Access Permit: has the meaning given to it under the National Code of Practice for Utility Operators and "WAP" has a corresponding meaning.

3. Haumarutanga Tūmatanui me ngā Pōrearea | Public Safety and Nuisances

- 3.1. Except with the prior permission of Council or an Authorised Officer, and then only in accordance with such conditions as may be imposed, a Person in a Public Place must not:
- a) place or leave Litter or any material, good, thing or substance that is likely to be hazardous or injurious to any person, or likely to create a Nuisance.
 - b) deposit in or around a public litter receptacle any household or trade refuse;
 - c) interfere with any refuse which is awaiting collection by an authorised collector;
 - d) drive any Vehicle (excluding wheeled recreational devices and mobility devices) except on any part of a Public Place set aside for vehicular traffic;
 - e) drive any Vehicle in a manner that is dangerous or inconsiderate to pedestrians or other vehicles;
 - f) cause or allow any material, goods, or thing to be deposited;
 - g) leave any work, hole or excavation in a manner that could be a danger to anyone entering or using that Public Place;
 - h) solicit any subscription, collection or donation, preach, lecture, perform, use a loud speaker, amplifier or similar device, or undertake any busking;
 - i) distribute any printed or written material advertising any product, service or entertainment;
 - j) fly from or land any Aircraft, parachute or similar, except in an emergency;
 - k) consume, inject or inhale any Mind-Altering Substances or offer or sell such substances to any Person;
 - l) play any game or use any object including Wheeled Recreational Devices, roller blades, roller skates, bicycles or motorised scooters, recklessly or in a manner which may intimidate, be dangerous or injurious or cause a Nuisance to persons in the Public Place, or damage the Public Place;
 - m) erect or place any structure on, over or under the Public Place except in compliance with any other part of this bylaw; or

- n) light any fire except at fireplaces specially provided, or in an appliance designed for outdoor cooking, subject to any restriction imposed by Fire and Emergency New Zealand on the lighting of fires.
- 3.2. Where any fence, wall, retaining wall or land adjacent to a Public Place is in a condition or state of disrepair which, in the opinion of an Authorised Officer could cause damage or injury to persons passing, the Authorised Officer may give notice requiring the Owner or Occupier to repair or remove the fence, wall or retaining wall, or make the land safe at the expense of the Owner.

4. Ngā Pahū Ahi | Fireworks

- 4.1. Without the prior approval of Council, and then only in accordance with such conditions as may be imposed, a Person must not set off fireworks or explosive material:
- a) in or on a Public Place; or
 - b) near a Public Place in a way that does, or is likely to, create a Nuisance.

5. Te Ārai Wāhi Tūmatanui | Obstructing Public Places

- 5.1. Except with the permission of the Council or an Authorised Officer, and then only in accordance with such conditions as may be imposed, a Person in a Public Place must not:
- a) obstruct the entrances to, or exits from, a Public Place;
 - b) construct, place, leave or abandon any material, object, good, or thing, including signage, on a Public Place that could obstruct the public right of passage;
 - c) allow any gate or door on property abutting a Public Place, to swing over or across the Public Place or any part thereof; or
 - d) carry out any work on any Vehicle in a Public Place, except in the case of any accident or emergency when repairs are necessary to allow the Vehicle to be removed.

6. Te Whakakino Wāhi Tūmatanui | Damage to Public Places

- 6.1. Except with the permission of the Council or an Authorised Officer, and then only in accordance with such conditions as may be imposed, a Person in a Public Place must not:
- a) damage, interfere with, destroy or remove any grass plot, flower bed, tree, shrub or plant, or any inscription or label relating to it;
 - b) sow or scatter the seed of any plant of any kind;

- c) pollute, damage, deface or disfigure, apply graffiti, posters or advertising devices on, or interfere with any ornament, statue, building, structure, or facilities;
 - d) cause or permit to be done any act whatsoever by which damage is caused to any Public Place, or any work or thing in, on, over or under the Public Place;
 - e) damage or interfere with any natural feature, Animal or plant;
 - f) use any Vehicle or be in control of an Animal in any manner so that it damages any part of a Public Place;
 - g) drive or park any Vehicle in a Public Place except in an area set aside for the driving or parking of Vehicles;
 - h) remove any soil or other naturally occurring material found in a Public Place; or
 - i) open any drain or sewer on, or disturb or remove the surface of, any Public Place.
- 6.2. Any Person carrying out authorised works on a Public Place must provide reinstatement of the works to a standard approved by an Authorised Officer.
- 6.3. Any person wishing to gain access to a Beach must use a designated access where this is available.

Explanatory Note:

As at the date the Bylaw comes into force, Wairarapa Consolidated Bylaw Part Six – Traffic includes controls relating to Vehicles on Beaches.

7. Whakatakoto Mea ki ngā Wāhi Tūmatanui | Placing of Articles on Public Places

- 7.1. A Person must not do, or permit or allow to be done:
- a) internment of Cremation ashes on any Reserve or other Public Place other than a designated Cemetery upon presentation to the sexton of a burial warrant; or
 - b) scattering of Cremation ashes at any Reserve and only at other Public Places with permission of an Authorised Officer.

8. Ngā Tohu | Signage

- 8.1. Signage must not be placed on any Public Place unless it meets the requirements for signage under the Wairarapa Combined District Plan.
- 8.2. Any sign erected that does not comply with the requirements of this part must be removed within 14 days from the date of the notice, or as otherwise specified by an Authorised Officer.
- 8.3. Sandwich Boards must meet the following requirements:
 - a) only be displayed during the usual business hours of the business to which it relates, and must be relocated inside the Premises at the close of each trading day.
 - b) if displayed on a Footpath, there must be a clear, unobstructed Footpath width of at least 2.0 metres at all times.
 - c) if displayed on a Footpath, be located directly at the curb edge or directly against the Premises.
 - d) be sufficiently weighted to ensure it remains secure in its location in all weather conditions.
 - e) must not affect the safety of pedestrians who use the Footpath (including disabled pedestrians), or traffic safety.

9. Ngā Wāhi Kai o Waho | Outdoor Dining

- 9.1. All seating and outdoor dining in Public Places must have prior Council approval and be in accordance with any conditions and/or fees imposed by the Council.
- 9.2. Conditions relevant for outdoor dining may include but are not limited to:
 - a) no less than 2.0 metres of the Footpath width remains clear of obstruction at all times (more space may be required in high volume areas);
 - b) clear accessibility to surrounding streets, Footpaths, lanes and shared paths are maintained;
 - c) accessibility and visibility of business entrances, public benches, cycle stands and rubbish bins are maintained;
 - d) no person is prevented or restricted from exiting their Vehicle from any identified parking space;
 - e) the outdoor dining area is smoke and vape free;

- f) the furniture (tables, umbrellas, chairs) is not permanently fixed to the Footpath space;
- g) the furniture must be stable in all weather conditions and not present a health and safety risk.

10. Te Tuari Mea hei Hoko atu | Exposing Articles for Sale

- 10.1. Except as provided for by any other part of this bylaw, a Person must not expose for sale any article whatsoever on any Footpath, or outside of any shop, shop window, or doorway abutting on any Public Place, so as to encroach on or over that Public Place, without the prior permission of Council, and then only in accordance with such conditions as may be imposed by Council.

Explanatory Note:

Part Three – Sale of Goods in Public Places regulates the conducts of Persons in relation to the selling Goods on any Road, Footpath or other Public Place and using a Vehicle to sell Goods to the general public.

11. Te Whakahaere Waka Rēhia | Control of Wheeled Recreational Devices

11.1. No person shall ride a Wheeled Recreational Device in any area defined in Schedule A attached to this Part of the bylaw.

~~11.1.~~ 11.2. A person may ride a Wheeled Recreational Device on any ~~f~~Footpath, outside the areas defined in Schedule A, providing the rider ensures that consideration is made for other persons using the footpath and exercises reasonable care to ensure no harm or damage is caused to any Person or property.

~~11.2.~~ 11.3. Every Person who commits an offence against clause 11.1 ~~11.2~~ may have their Wheeled Recreational Device impounded by an Authorised Officer.

12. Whakawhitinga Waka | Vehicular Crossings

- 12.1. Any Person wishing to construct, repair, remove or widen any Vehicular Crossing must first obtain approval from the Council, or resource consent if required.
- 12.2. An approval or resource consent provided by the Council under clause 10.1 is to be subject to such conditions concerning dimensions and materials as the Council may consider reasonably necessary to protect the Road

(including any Footpath or Berm) adjacent to the Vehicular Crossing, and to ensure safe and convenient use of the Road by pedestrians and Vehicles, and may include the payment of a bond to Council.

- 12.3. A Person must not drive, ride, propel, or wheel any Vehicle across any Footpath or water channel in any Public Place otherwise than upon a crossing properly constructed under the provisions allowed under any part of this bylaw.
- 12.4. If, in the opinion of the Council, any Vehicular Crossing is in a bad or unsafe state of repair, Council may by notice in writing, require the Owner of the land which the Vehicular Crossing provides access to, to repair, reconstruct, or renew such Vehicular Crossing to the satisfaction of Council.

13. Ngā Mahi Awakeri me ngā Mahi Keri Whenua | Trenching and Minor Earthworks

- 13.1. Any Person wishing to undertake any Trenching or minor earthworks within or under any Transport Corridor or Public Place, must first submit a Corridor Access Request (CAR) application. If the CAR is approved, the Person will be issued with a Works Access Permit (WAP). A Person must have a WAP before any works can begin. The CAR application must contain detailed information on all aspects of the works proposed to be undertaken.
- 13.2. A WAP issued by the Council under clause 13.1 may be subject to such Reasonable Conditions set by the Council following the statutory criteria set out in section 4.5.1 of the NZUAG National Code of Practice for Utility Operators (the Code). The Reasonable Conditions must be consistent with the Code and must also ensure the safe and convenient use of the Road or Public Place by pedestrians and Vehicles.

14. Te Whakahuihui | Assembly

- 14.1. A Person must not, except with permission from the Council, and then only in accordance with such conditions as may be imposed:
 - a) participate in any assembly or associate with other persons in a Public Place in such a way as to impede pedestrian or vehicular traffic or to prevent or hinder ready access to shops or premises facing onto the Public Place; or
 - b) organise or conduct any meeting, gathering, demonstration, parade, procession or competition in a Public Place in such a way as to cause a Nuisance in the Public Place or risk to public health and safety.

15. Ngā Kauawhi me ngā Ārai | Awnings and Blinds

- 15.1. A Person must not, except with the permission of an Authorised Officer:
- a) erect or maintain, or cause to be erected or maintained, any awning over any Public Place; or
 - b) hang any awning, blind, or screen from any portico on any Public Place.
- 15.2. In granting permission under clause 15.1, an Authorised Officer may set such conditions as deemed appropriate. Any such permission may be revoked at any time by an Authorised Officer.

16. Kāore e whakaaetia ana ngā mea Tukuata ki ngā Wāhi Tūmatanui | Projections on Public Places not Permitted

- 16.1. Except where permitted by any other part of this bylaw or by Council consent, a Person must not put any portico, projecting window, balcony, wall, lamp, door step, cellar door, lamp post, signboard, window shutter, gate post, or other obstruction or projection of any kind whatsoever in, on, over or under a Public Place or in such a position as to interfere with or obstruct in any way the free passage of pedestrians or traffic upon any Public Place.
- 16.2. Clause 16.1 does not apply to any verandah or awning erected pursuant to a requirement of the Wairarapa Combined District Plan.
- 16.3. If any such projection or obstruction as described in clause 16.1 has been placed against, or in front of, any building before the coming into operation of this bylaw, and which is contrary to any bylaw in force, Council may give notice to the Owner or Occupier of such building to remove, or to alter such projection or obstruction. Such Owner or Occupier must remove, or alter such projection or obstruction within the time stated in such notice.
- 16.4. A Person must not stand on any verandah erected over a Public Place except for the purpose of inspection, maintenance or exiting in the case of emergency.

17. Ngā Aukatinga Whakamahi Waea Niwha me ngā Taiapa Hiko | Restrictions on Use of Barbed Wire and Electrified Fences

- 17.1. Except with the permission of an Authorised Officer, a Person must not erect, or permit to be erected, any electrified fencing or barbed or razor wire along, or within one metre of, any boundary line between any land or building on the one side, and any Public Place on the other side.
- 17.2. Clause 17.1 does not prohibit the placing of such barbed wire at a height of not less than two metres, or razor wire or electrified fencing not less than three metres from the level of the ground, of any such Public Place.

- 17.3. Clause 17.1 does not apply within any land zoned industrial or rural under the Wairarapa Combined District Plan except when the fence abuts or adjoins a Footpath, provided that Council may from time to time by resolution, specify conditions that will apply to temporary electric fences.

18. Tautohu Huarahi me ngā Hanganga | Roading and Building Identification

- 18.1. The Council has the exclusive right to cause to be painted or affixed on a conspicuous part of a building, the name of the road, private road or public place to which it has frontage.
- 18.2. Notwithstanding that a building or property is identified by other means, the Owner or Occupier of every building or group of buildings forming part of a complex or of the property must mark such building or complex with numbers no less than 50mm in height for residential buildings and not less than 150mm in height for all other buildings. Numbers must be as allocated or approved by an Authorised Officer and displayed in a position so as to be readily visible from the Road to which it has frontage.
- 18.3. Numbers required by clause 18.2 must be maintained by the Owner or Occupier in such a manner as to readily identify the property at all times.
- 18.4. Council has power at any time to alter the number of any building where in the Council's opinion it may be necessary or advisable to do so.

19. Kararehe i ngā Wāhi Tūmatanui | Animals in Public Places

- 19.1. A person must not take or allow any Animal under their care or control onto any Public Place if the Council has, by bylaw, resolution or public notice, prohibited entry of that type of Animal to that Public Place.
- 19.2. A Person must not:
- a) permit any Animal to be on a Reserve, unless:
 - i. a Council bylaw allows the Animal on the Reserve;
 - ii. prior permission has been granted by an Authorised Officer; or
 - iii. the Reserve has been booked for an event allowing the presence of animals.
 - b) graze an Animal in any Public Place except in accordance with clause 19.7 below.
- 19.3. Any Person having control of an Animal on any Public Place must ensure that the Animal is kept under proper control:

- a) so as not to create a danger or Nuisance for other persons using the Public Place; and
 - b) to ensure that no damage is caused to the Public Place, any part of it or to any object or other Animal on it.
- 19.4. Any Person being the Owner of, or having control of, any Animal in a Public Place must immediately remove any Excrement deposited by that Animal and dispose of in a sanitary manner.
- 19.5. Every Person being the Owner or having the care, custody or control of any Animal, must keep and prevent the same from wandering or being at large without proper control on any Public Place.
- 19.6. The Council may seize and confine any loose Animal found in a Public Place, in breach of this part or any other Council bylaw, resolution or notice. The Owner of the Animal is responsible for fees and costs incurred by Council in securing the Animal.
- 19.7. During daylight hours, and if a grazing permit is obtained from the Council, in an area zoned as rural under the Wairarapa Combined District Plan, Animals may graze on the road verge adjoining land owned or occupied by the Animal's Owner, or on a road verge adjoining land owned by another Person with the prior consent of that Person. Unless the grazing permit says otherwise:
- a) the Animals must be confined within a temporary fence that an Authorised Officer considers to be sufficient to prevent the Animals from accessing or damaging that area; or
 - b) the Animals must be controlled by at least two competent persons, one maintaining a position at the front and another maintaining a position behind the Animals to prevent the Animals from obstructing the carriageway and from wandering beyond the control points.

Explanatory Note:

Section 7 of Wairarapa Consolidated Bylaw Part Five – Keeping of Animals, Poultry and Bees contains provision relating to the keeping of stock.

20. Ngā Āraitanga Tauwhare Otaota | Overhanging Vegetation Liable to Obstruct

- 20.1. A Person must not permit or allow vegetation to encroach on to or over any Public Place so as to obstruct or interfere with the free and safe movement of persons using that public Place. The Council or Authorised Officer may, by notice, require the Owner or Occupier to cut back and remove the encroaching vegetation within 14 days from the date of the notice.

- 20.2. Should the Owner or Occupier fail to comply with the notice, then the Council may arrange the removal of the vegetation and recover the cost of removal from the Owner or Occupier.
- 18.3. Unless otherwise approved by an Authorised Officer, overhanging vegetation must be cut back to a minimum height of 2.7 metres.

Explanatory Note:

Councils also have powers to require the owner of land abutting any road to remove, lower, or trim any tree or hedge overhanging or overshadowing the road in cases where it is necessary to prevent injury to the road or obstruction to traffic (refer section 355 of the Local Government Act 1974).

21. Ngā Āpiti hanga Herenga ki ngā Wāhi Tāpui | Additional Requirements for Reserves

- 21.1. Subject to the provisions of the Reserves Act 1977 and any reserve management plans, and this part of this bylaw, every Reserve is open to the public at all times, except during such hours as the Administering Body may determine that any Reserve is to be closed to the public.
- 21.2. Subject to the provisions of the Reserves Act 1977 and any associated reserve management plans, the Administering Body may from time to time and for such periods as deemed necessary, set aside areas of a Reserve, for the exclusive use of particular groups or for particular kinds of recreational activities thereon. The Administering Body may charge for the right to have exclusive use of a Reserve.
- 21.3. Subject to the provisions of the Reserves Act 1977 and any associated reserve management plans, the Administering Body may fix charges for the admission of persons to any part of a Reserve and for the use of any facilities in a Reserve (refer section 106 (1)(c) and section 106(2) of the Reserves Act 1977). Any person arranging an event at a reserve is required to make a booking with the Administering Body and, where applicable, pay the required charge. The Administering Body may also require a bond to be lodged prior to the event for the right to occupy the space. It is an offence against this Part of the bylaw to enter a Reserve without having paid the proper charge for entry, if a charge is payable.
- 21.4. Subject to the provisions of the Reserves Act 1977 and any associated reserve management plans, an Administering Body may close or restrict entry to all of, or any portion of, a Reserve at such times as are considered necessary to prevent damage to, or allow maintenance of the Reserve. Such closure is to be advertised by signs at the entrances to the Reserve. It is an offence against this part of the bylaw to be found on a Reserve at any time when the Reserve is closed to public entry.

- 21.5. Every person committing a breach of the provisions of this part of the bylaw must, upon request by an Authorised Officer of an Administering Body, immediately leave the Reserve, and is prohibited from re-entering the Reserve for such period as the Administering Body deems necessary. Any Person ordered to leave may be prosecuted for the breach of the bylaw, and any person failing to leave with reasonable speed, to comply with a request to leave, commits a further offence.

Explanatory Note:

Reserves have their own usage rules depending on the classification of the Reserve and the Reserve's Management Plan.

22. Te Mana Whakatau Utu | Power to Set Fees

- 22.1. The Council may, by resolution publicly notified, set fees for the issue of any permit, licence or property number, to claim any impounded Animal or item, or to carry out any inspections which may be required under this part of the bylaw.

23. Ngā Hara me ngā Hāmene | Offences and Penalties

- 23.1. Any Person who breaches Part Two commits an offence and may be liable to a penalty under section 242 of the LGA or section 104 of the Reserves Act 1977. Refer to section 15.2 of Wairarapa Consolidated Bylaw Part One – Introductory for details of what constitutes a breach.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Two is liable on conviction to:

- a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;
- a fine not exceeding \$5,000 in accordance with section 104 of the Reserves Act 1977, and in the case of a continuing offence, a further fine not exceeding \$500 for every day on which the offence has continued.

Schedule A

Masterton District Areas where riding of wheeled recreational devices are prohibited on footpaths and other public places are as follows:

- Length of Queen Street from Renall Street to Bruce Street
- Bruce Street
- Church Street from Queen Street to Dixon Street
- Bannister Street from Queen Street to Dixon Street
- King Street
- Lincoln Road from Queen Street to Chapel Street
- Perry Street from Queen Street to Chapel Street
- Jackson Street from Queen Street to Chapel Street
- Northeast side of Renall Street from Queen Street to Chapel Street
- The north-eastern side of Chapel Street from Renall Street to Lincoln Road.
- Kuripuni Village (the full length of Crayne Street and Queen Street from Crayne Street to Dixon Street)
- The Town Square, bounded by Chapel Street, Cole Street, Perry Street and the Masterton District Council Municipal Building.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Toru: Te Hokohoko i
ngā Wāhi Tūmatanui

Part Three: Sale of Goods in Public Places

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Three - Sale of Goods or Services in Public Places	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Three - Sale of Goods in Public Places	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Rārangi Hōtaka | List of Schedules

Schedule A – Permitted Areas

Schedule B – Criteria

Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Local Government Act 2002
- Fisheries Act 1996
- Food Act 2014

Wairarapa Consolidated Bylaw: Part Three – Sale of Goods in Public Places
Bylaw came into force: 1 October 2025

Kupu Takamua | Foreword

Part Three is made under sections 145 and 146 of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

1.1. Part Three regulates the conducts of Persons in relation to the follow to protect the public from Nuisance and to protect, promote and maintain public health and safety:

- a) selling Goods on any Road, Footpath or other Public Place; or
- b) using a Vehicle to sell Goods to the general public.

Explanatory note: A licence issued under Part Three only gives the applicant the right to sell Goods in specified Public Places. It is not an approval for the purposes of food hygiene, sale of alcohol, building or resource consent, traffic management, or any other regulatory requirements.

Goods in this part means any product or service as per the definition in the Wairarapa Consolidated Bylaw: Part One – Introductory.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

2.1. The following definitions are applicable to this Bylaw:

Commercial Fisher: has the meaning given to it under section 2 of the Fisheries Act 1996.

Hawker: means any person who is a permanent resident in the district, who carries or takes any Goods for sale to another person, without invitation to call or any previous request or order for such Goods. This only refers to Goods carried by a person.

Itinerant Trader: means any Person who sells Goods in the district who:

- a. has not been a continuous resident in the district for at least six months prior to the application date; and
- b. has not owned or had a binding lease in writing for a premises in the district for at least six months.

For the avoidance of doubt, this definition does not include any Hawker or Mobile Trader.

Mobile Trader: any person who offers Goods for sale from a Vehicle while using a Public Place as the sales venue (e.g. an ice cream van, a food truck or a mobile non-food shop).

Permitted Areas: means the areas identified in Schedule A.

Stand, Stall or Site: means any stand, stall, structure, awning, table or temporary structure from which Goods are offered for distribution or sale which is erected, placed or maintained in or on a Public Place.

Service Delivery Vehicle: means any Vehicle being used for the purposes of delivering Goods to the premises of any business or organisation and does not involve the sale of Goods to the general public in any Public Place e.g. milk vendors.

3. Me Whai Raihana | Licence Required

- 3.1. A licence is required from Council to sell Goods of any description in a Public Place (except as provided in section 9).
- 3.2. Council may make controls and set fees or recover costs for the following matters with respect to any Licence required by clause 3.1:
- a) applications for a Licence (including renewals and transfers);
 - b) process to review, suspend or cancel a Licence or its conditions;
 - c) conducting inspections necessary as part of the process of assessing an application for a Licence; and
 - d) conducting inspections to ensure the Licence and its conditions are being followed.
- 3.3. Fees (including for Licences, Stand, Stall or Site Rentals, and inspections) may be set through publicly notified resolution. Licence fees may differ based on the class of Licence. Classes include, but are not limited to, Hawker, Itinerant Trader, Mobile Trader, and Stand, Stall or Site.

Explanatory Note:

Licences granted under Part Three are also subject to the general conditions as to Licences contained in sections 9 and 10 of Wairarapa Consolidated Bylaw: Part One – Introductory.

4. Ngā Tono | Application

- 4.1. Any Person wishing to sell Goods in a Public Place must apply in writing to the Council for a Licence. The information required from the applicant for

inclusion in the application may including (without limitation) any of the following:

- a) name and address of applicant,
- b) name and address of the Person(s) selling the Goods,
- c) the location/site,
- d) the telephone number of the applicant,
- e) the type of Goods for sale,
- f) the time sought for selling,
- g) the type of Vehicle(s) and registration number(s) if applicable,
- h) copy of any other licence which the applicant may be required to obtain under provision of any Act, regulation or other bylaw, such as a Food Registration Certificate under the Food Act 2014;
- i) copy of written approval from NZ Transport Agency Waka Kotahi in the case of a location/site on a State Highway; and
- j) proposed signage.

5. Ngā Herenga o ngā Raihana | Conditions of Licence

- 5.1. An Authorised Officer may impose conditions in granting a Licence. The conditions imposed may include, but are not restricted to:
- a) time and location;
 - b) duration of the Licence;
 - c) types of Goods for sale;
 - d) area available for sale;
 - e) persons entitled to sell;
 - f) safety and hygiene requirements;
 - g) signage additional to that allowed in the Wairarapa Combined District Plan;
 - h) use of musical chimes or other audible devices for attracting customers;
 - i) use of outdoor furniture and seating;
 - j) litter and cleanliness;
 - k) avoidance of Nuisances, annoyance or danger to any Person;
 - l) name and address to be conspicuously displayed;
 - m) site rental;

- n) payment of a bond; and
- o) liability insurance.

6. Ngā Wāhi | Location

- 6.1. The sale of Goods is permitted within the Permitted Areas.
- 6.2. Where a Person wishes to sell Goods outside of the Permitted Areas, the site location will be assessed based on the criteria specified in Schedule B. An Authorised Officer has discretion to grant or deny an application based on these criteria.

7. Te Whakaatu Raihana | Production of Licence

- 7.1. When engaging in selling Goods, a holder of a Licence must carry the Licence at all times and show the Licence to an Authorised Officer upon request.
- 7.2. If requested by an Authorised Officer, a holder of a Licence must alter their location to another location as indicated by the Authorised Officer. This clause applies regardless of the conditions contained in the Licence.

8. Te Whakawhiti Raihana | Transfer of Licence

- 8.1. Written approval from an Authorised Officer is required to transfer a Licence to any other Person.
- 8.2. If a Person that operates a business or Vehicle under a Licence is sold or transferred to another Person, the Person must notify the Council in writing within 14 days of settlement of the sale or transfer. The new owner must apply to Council to have the change noted on the Licence and pay a fee in respect of the transfer. The new owner must not engage in the sale of Goods in a Public Place until an updated Licence is issued.
- 8.3. A Licence may only be transferred in the district it was issued in.

9. Ngā Kapenga | Exemptions

- 9.1. The exemptions allowed under Part Three are as follows:
 - a) the sale or disposal by a Commercial Fisher of limited quantities of fish in the location and in the manner set out in section 191 of Part 10 of the Fisheries Act 1996;
 - b) Service Delivery Vehicles;
 - c) any event, market, stall or stand which has existing approval under any other bylaw, legislation, resource consent or specific resolution of Council.

10. Ngā Hara me ngā Hāmene | Offences and Penalties

- 10.1. Any Person who breaches Part Three commits an offence and may be liable on conviction to a penalty under section 242 of the LGA. For details of what broadly constitutes a breach, refer to section 15.2 of Part One – Introductory in the Wairarapa Consolidated Bylaw.
- 10.2. To avoid any doubt, a Person breaches Part Three and commits an offence who:
- a) sells Goods in a Public Place without a Licence (except where exempted under section 9); or
 - b) sells Goods in a Public Place in a way that is contrary to any condition on their Licence.

Explanatory note: As at the date the bylaw comes into force, a Person who is convicted of an offence against this part of the bylaw is liable to a fine not exceeding \$20,000 in accordance with section 242 of the LGA.

11. Te Mana Whakatau Panonitanga | Power to Amend by Resolution

- 11.1. The Council may, by resolution publicly notified:
- a) add schedules;
 - b) make additions or deletions from the schedules; or
 - c) substitute new schedules.
- 11.2. Where Council intends to make a resolution under clause 11.1, consultation in accordance with section 156 of the LGA will be undertaken as required.

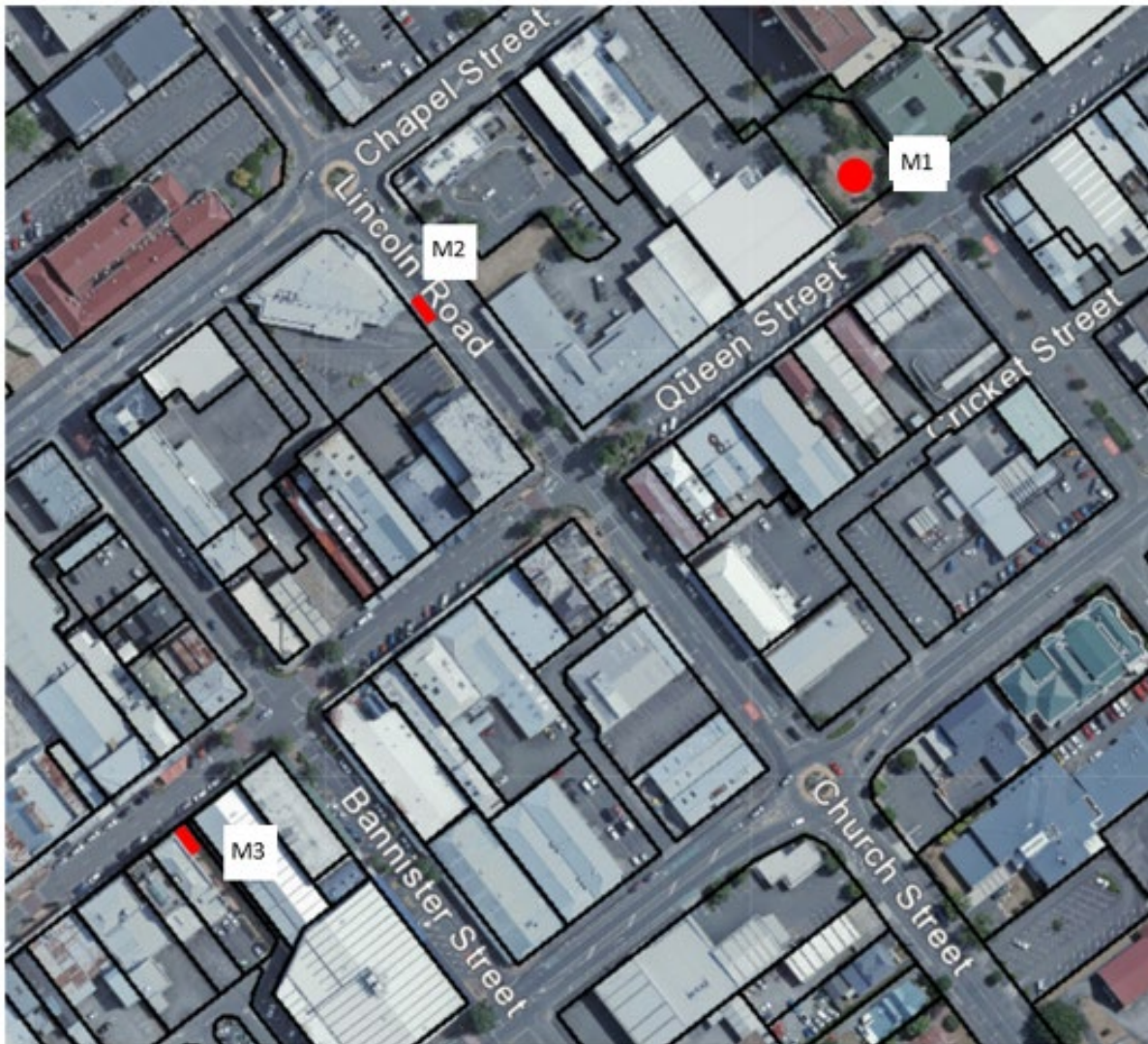
Masterton Permitted Areas			
Location Number	Location Name	Location	Mobile Trader or Stand/Stall
M1	Library Square, Queen Street	Masterton CBD	Stand/Stall (not obstructing paths)
M2	Pie Cart Stand, near 13 Lincoln Road	Masterton CBD	Mobile Trader
M3	Alleyway known as "Charlie's Lane" near 181/183 Queen Street	Masterton CBD	Stand/stall (avoid seating area)
M4	Jetty Road at site near public toilets	Castlepoint	Both
M5	Guthrie Crescent Carpark	Castlepoint	Both
M6	Pinedale Crescent (grass site between cell tower and recycling bin)	Riversdale Beach	Both
M7	Park at Karaka Avenue	Riversdale Beach	Both
M8	Carpark near Blue Pacific Parade (Southern Reserve)	Riversdale Beach	Both

South Wairarapa Permitted Areas

Location Number	Location Name	Location	Mobile Trader or Stand/Stall
S1 to S4	Martinborough Square	Martinborough Memorial Square	Four sites available for a Mobile trader in four car parking spaces around (and adjacent to) the centre Martinborough Memorial Square. Approved Mobile Traders may choose the first available space when they arrive for the day.
S5 to S6	Stella Bull Park	Stella Bull Park, Main Street, Greytown	Two sites available north of old library building and not obstructing Footpath.
S7	Greytown Town Centre Courtyard	Greytown Town Centre Located on the corner of Main Street and McMaster Street, Greytown	One site available. Some special conditions apply.
S8 to S9	Cherry Tree Garden	Corner Fitzherbert Street and Lyon Street, Featherston	Two sites available for stands/stalls not obstructing Footpath.
S10	Grass area in front of Fell Locomotive Museum	Corner Fitzherbert Street and Lyon Street, Featherston	One site available.

Map of Masterton CBD Permitted Areas

- Site M1: Library Square, Queen Street
- Site M2: Pie Cart Stand, near 13 Lincoln Road
- Site M3: Alleyway known as "Charlie's Lane" near 181/183 Queen Street



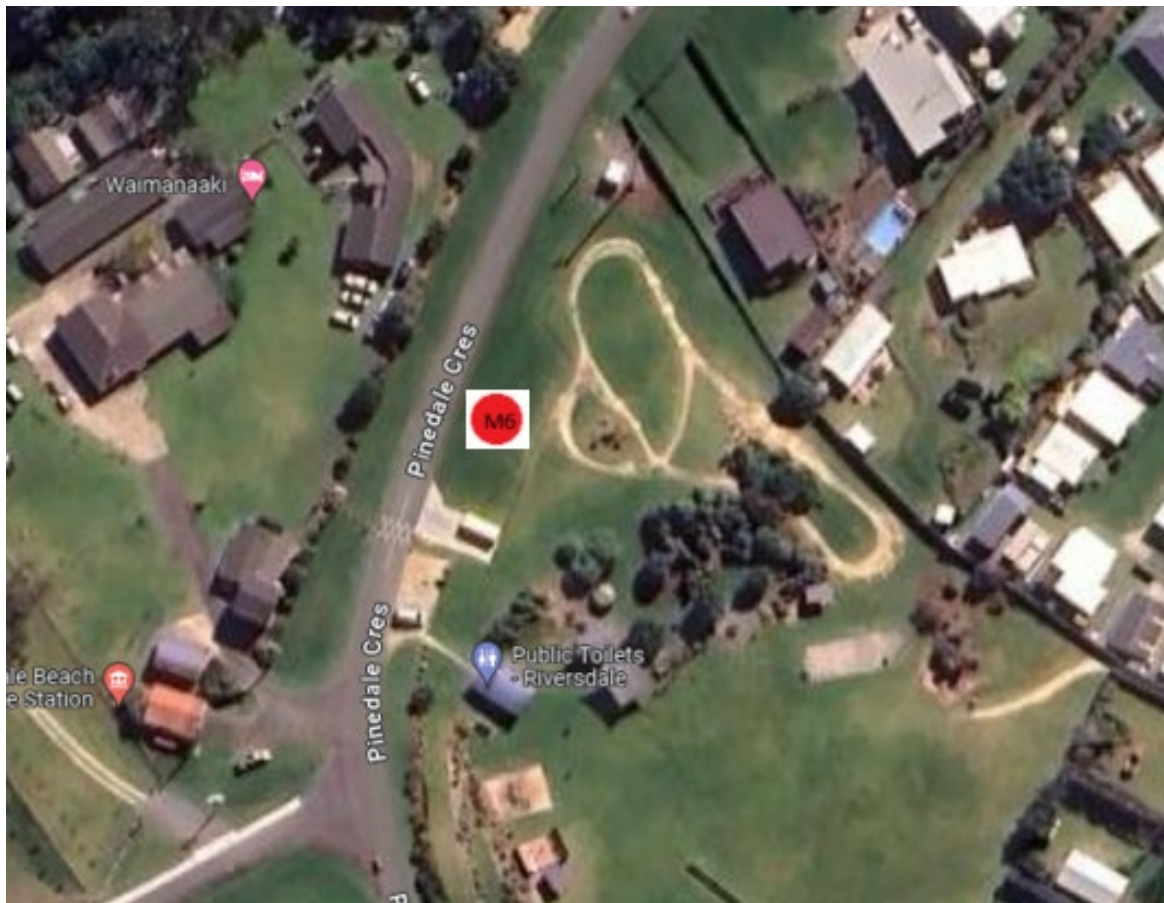
Map of Castlepoint Permitted Areas

- Site M4: Jetty Road at site near public toilets
- Site M5: Guthrie Crescent carpark.



Map of Riversdale Beach Permitted Areas

- Site M6: Pinedale Crescent (grass site between cell tower and recycling bin)

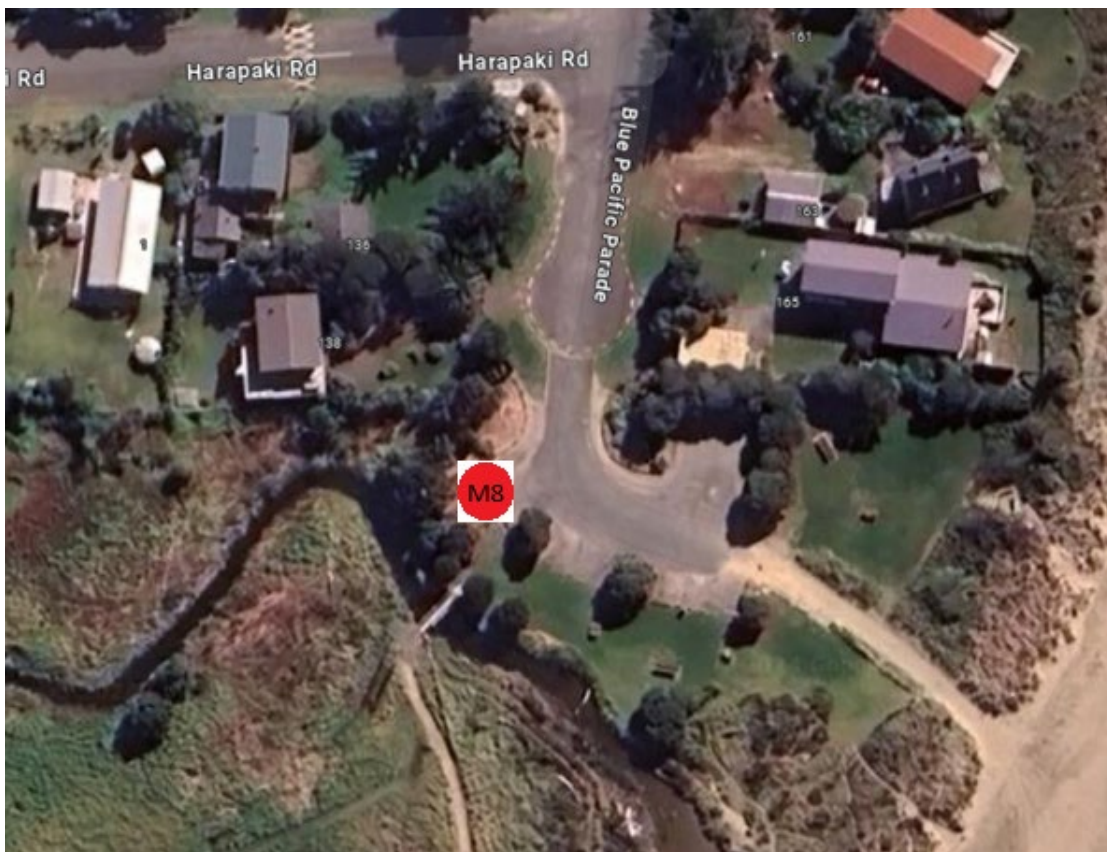


Map of Riversdale Beach Permitted Areas

- Site M7: Park at Karaka Avenue



- Site M8: Carpark near Blue Pacific Parade (Southern Reserve)



Map of Martinborough Permitted Areas

- Sites S1 to S4: Four sites available for a Mobile Trader in four car parking spaces around (and adjacent to) the centre Martinborough Memorial Square (dashed lines indicate area). Approved Mobile Traders may choose the first available space when they arrive for the day.



Map of Greytown Permitted Areas

- Sites S5 to S6: Main Street entrance to Stella Bull Park, north of old library building and not obstructing footpath
- Site S7: Greytown Town Centre courtyard (some special conditions apply).



Map of Featherston Permitted Areas

- Sites S8 to S9: Cherry Tree Graden facing Fitzherbert Street, not obstructing Footpath.
- Site S10: Grassy area in front of the Fell Locomotive Museum, near pedestrian crossing and not obstructing Footpath.



Kupu Āpiti B - Ngā Paearu | Schedule B – Criteria

An Authorised Officer may use discretion to permit the sale of Goods in sites in a Public Place other than those within the Permitted Areas.

In deciding to grant or decline an application, an Authorised Officer may consider any of the following factors:

- the nature of the sales activity;
- the degree to which public use of the Road, Footpath or Public Place will be maintained;
- the extent to which it is likely to impact public health and safety (e.g. congestion, obstruction);
- the extent to which it is likely to cause a Nuisance; and
- the speed limit and customer parking availability at the site. Generally, any road-side site should be located in areas controlled by speed limits of 50km/h or less and there should be safe customer parking available nearby.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Whā: Kaupare
Pōrearea, Hauora,
Haumarutanga rānei nā te Ahi
me te Auahi

Part Four: Prevention of Nuisance or Health and Safety Risk from Fire and Smoke

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Four - Prevention of Nuisance from Fire and Smoke	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Four - Prevention of Nuisance or Health and Safety Risk from Fire and Smoke	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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4. Ngā Hara me ngā Utu Paremata Offences and Cost Recovery	2

Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Local Government Act 2002
- Health Act 1956
- Fire and Emergency New Zealand Act 2017

Part Four is made under sections 145 of the Local Government Act 2002 and section 23(e) and section 64(1)(a) of the Health Act 1956.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

Explanatory Note:

Nothing in this bylaw derogates from the Fire and Emergency Act 2017 or regulations made under the Act. To the extent that it is covered by that Act, nothing in this part of the bylaw:

- relates to the removal of fire hazards;
- declares prohibited or restricted fire seasons;
- prohibits or otherwise regulates or controls the lighting of fires in open air; or
- relates to the prevention of the spread of fires involving vegetation.

Information on fire bans and how to apply for a fire permit can be found on the Fire and Emergency New Zealand websites

www.fireandemergency.nz and www.checkitsalright.nz.

As at the date the bylaw comes into force, section 34 of the Health Act 1956 gives local authorities the power to enter on any premises within the district where immediate action for the abatement of a Nuisance is necessary. Nuisance includes where any chimney sends out smoke in such quantity, or of such nature, or in such manner, as to be offensive or likely to be injurious to health (section 29(m) Health Act 1956), and also includes where the burning of any waste material, rubbish, or refuse in connection with any trade, business, manufacture or other undertaking produces smoke in such quantity, or of such nature, or in such manner as to be offensive or likely to be injurious to health (section 29(n) of the Health Act 1956).

All expenses incurred in the abatement of a Nuisance are recoverable from the Owner or the Occupier of the Premises. Where applicable, the Council will use its powers under the Health Act 1956 before acting under Part Four.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Four protects the public from nuisance or health and safety risk arising from fire and smoke, in regards to aspects other than fire safety.
- 1.2. Nothing in Part Four applies to fire safety risk governed by the Fire and Emergency Act 2017 or regulations made under that Act.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

2.1. The following definitions are applicable to Part Four:

Proper Steps: includes, but is not limited to, issuing a direction to extinguish the fire and/or extinguishing the fire.

3. Ngā Pōrearea, Ngā Tūraru Hauora, Haumarutanga rānei nā te Ahi me te Auahi | Nuisance or Health and Safety Risk from Fire or Smoke

- 3.1. No person may light, or allow to remain lit, a fire that creates a Nuisance, or health or safety risk to any Person or property.
- 3.2. No Person may permit smoke, noxious fumes, or any other matter to be emitted in such a way as to create a Nuisance, or health or safety risk to any Person or property.
- 3.3. If an Authorised Officer is of the opinion that clauses 3.1 or 3.2 of Part Four are being breached, or have the potential to be breached, they may take Proper Steps to abate or cause to be abated the Nuisance or risk to health or safety.

4. Ngā Hara me ngā Utu Paremata | Offences and Cost Recovery

- 4.1. Every Person commits an offence who fails to comply with clause 3.1 or 3.2 or interferes or fails to comply with the reasonable direction of an Authorised Officer, acting under clause 3.3.
- 4.2. Any Person who breaches Part Four commits an offence and may be liable to a penalty under section 242 of the LGA or section 66 of the Health Act 1965.
- 4.3. Council may recover any costs (together with reasonable administrative and supervision charges) it incurs as a result of acting under Part Four (refer section 187 of the LGA). Costs are recoverable from:
 - a) the Owner of the property on or from which the Nuisance or risk originated; and/or
 - b) any Person who caused the Nuisance or risk.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Four:

- is liable on conviction to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;
- is liable on conviction to a fine not exceeding \$500 in accordance with section 66 of the Health Act 1956; or
- where the offence is continuing, is liable to a further fine not exceeding \$50 for every day on which the offence has continued in accordance with section 66 of the Health Act 1956.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Rima: Te Tiaki
Kararehe, Kikomanu me ngā Pī

Part Five: Keeping of Animals, Poultry and Bees

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Six – Keeping of Animals, Poultry and Bees	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Five - Keeping of Animals, Poultry and Bees	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Animal Products Act 1999
- Animal Welfare Act 1999
- Health Act 1956
- Impounding Act 1955
- Local Government Act 2002
- Veterinarians Act 2005

Reference is made in this document to the following other documents:
Veterinarians Act 2005

- Wairarapa Combined District Plan

Kupu Takamua | Foreword

Part Five is made under sections 145 and 146 of the Local Government Act 2002 and section 64(1)(m) of the Health Act 1956.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Five regulates the keeping of Animals in a way that minimises Nuisance and the risk to public health and safety.

Explanatory Note:

Part Five supplements other Animal owner obligations, including but not limited to, those set out in the Animal Welfare Act 1999, any codes developed under such legislation, and those in Council plans and other bylaws.

As at the date the bylaw comes into force, the control of Animals in Public Places in Wairarapa is regulated by Part Two - Public Places (including Parks and Reserves) of the Wairarapa Consolidated Bylaw and the control of dogs is regulated by the Control of Dogs Policies and Bylaws of the Masterton, Carterton and South Wairarapa District Councils for their respective districts.

The Wairarapa Combined District Plan also contains controls relating to resource management issues such as intensive farming, the keeping of goats, and requirements for the housing and keeping of Animals in confinement.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

- 2.1. The following definitions are applicable to Part Five:

Apiary: has the meaning given to it under section 2(1) of the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.

Beehive: has the meaning given to it under section 2 (1) of the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.

Dwelling: means any house, tent, Vehicle or other structure, whether permanent or temporary, and whether attached to the soil or not, used in whole or in part for human habitation and includes the land of the dwelling.

Excrement: means waste matter discharged from the bowels.

Feral Animal: means an Animal that may be descended from domesticated species but is existing in a wild untamed state and has none of its needs met by humans. Feral Animals generally do not live around centres of human habitation.

Flight Path: means the distinct route taken by many bees leaving from or returning to their Beehive.

Honey Bee: has the meaning given to it under section 2(1) of the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998.

Owner: means every Person who:

- a. owns the Animal; or
- b. is the parent or guardian of a Person under the age of 17 years who:
 - i. is the Owner under paragraph (a) of this definition; and
 - ii. is a member of the parent or guardian's household living with and dependent on the parent or guardian.

Poultry: means any live domesticated or farmed bird farmed for their meat and/or eggs including but not limited to chickens, quail, fowl, goose, duck, pigeon, turkey, pheasant, peacock, ostrich, guinea fowl, or emu.

Poultry Enclosure: means a structure suitable for housing Poultry, including but not limited to a Poultry house, mobile Poultry cage, Poultry run.

Premises: means any private land that is occupied or unoccupied.

Slaughter: means the process of killing, skinning and dismemberment, the retention of any parts of use, and disposal of the balance. "Slaughtering" has a corresponding meaning.

Stock: has the meaning given to it under the Impounding Act 1955 and may also include donkeys, alpaca, and llama.

3. Te Tiakina o ngā Kararehe | General Keeping of Animals

- 3.1. Every Person keeping an Animal must ensure:
- a) that the Animal does not cause a Nuisance to any other Person;
 - b) that the Animal does not cause a risk to public health and safety;
 - c) that the Animal is kept in conditions that do not cause a Nuisance to any other Person or do not cause a risk to public health and safety (including, but not limited to, the attraction of flies, insects or vermin);

- d) that the Excrement from the Animal does not accumulate to the point of causing a Nuisance or a risk to public health and safety and that the Excrement is disposed of in a manner that does not cause a Nuisance;
- e) the Animal is caged or otherwise confined within the boundaries of the Premises where the Animal is usually kept (noting that this does not apply to cats, bees, pigeons, and doves) and does not prevent a Person from driving, leading or riding any Animal.

4. Te Tiaki Ngeru | Keeping of Cats

- 4.1. Written approval by an Authorised Officer is required to keep more than three cats aged three months or older on any property located in an Urban Area for a period exceeding 14 days.

5. Te Tiaki Kikomanu | Keeping of Poultry

- 5.1. In Masterton and Carterton Districts, Poultry kept in an Urban Area must be confined in a Poultry Enclosure not confined within a Poultry Enclosure, but allowed to roam within the boundaries of the Owner's or Occupier's property. To clarify, the Owner or Occupier must prevent the Poultry from wandering beyond the property boundary.
- 5.2. In South Wairarapa District, Poultry kept in an Urban Area must be confined in a Poultry Enclosure.
- 5.3. Written approval by an Authorised Officer is required to keep more than 12 Poultry in an Urban Area.
- 5.4. All Poultry kept in an Urban Area must have access to a Poultry Enclosure that is maintained in good repair and includes an area covered with a waterproof rood with a floor of concrete, wood or other suitable material.
- 5.5. A Poultry Enclosure must not be erected or maintained within:
 - a) two metres of any boundary of an adjoining property; or
 - b) 10 metres of a Dwelling location on an adjoining property.
- 5.6. No roosters are to be kept in an Urban Area.

6. Te Tiaki Pī Miere | Keeping of Honey Bees

- 6.1. Beehives must be positioned to ensure the primary Flight Path does not interfere with a Dwelling on an adjoining property.
- 6.2. Beehives must not be placed within:
 - a) two metres of any boundary of an adjoining property; or

b) 10 metres of a Dwelling located on an adjoining property.

- 6.3. Except with written approval by an Authorised Officer, the maximum number of Beehives allowed on any property in an Urban Area is:

Property Area	Maximum number of Beehives
Up to 700m ²	2
701 m ² to 1000 m ²	4
1001 m ² to 2000 m ²	6
2001m ² or greater	8

- 6.4. An Authorised Officer may prescribe conditions relating to the location and number of Beehives able to be kept on any property in a Rural Area.

Explanatory Note:

Any Person that keeps Honey Bees in New Zealand is legally required under the Biosecurity (National American Foulbrood Pest Management Plan) Order 1998 to register any Apiary. Registrations are processed through The Management Agency, National American Foulbrood Pest Management Plan, through its online platform HiveHub. See the Ministry of Primary Industries website www.mpi.govt.nz and www.afb.org.nz for further advice.

7. Te Tiaki Waerenga | Keeping of Stock

- 7.1. Any Person keeping Stock must ensure that it is confined within the boundaries of the land it is being kept or grazed on by stock-proof fencing of a standard that, in the opinion of an Authorised Officer, is sufficient to effectively contain it and prevent its escape.

- 7.2. No pigs are to be kept in an Urban Area.

Explanatory Note:

Section 17.7 of Part Two – Public Places (including Parks and Reserves) of the Wairarapa Consolidated Bylaw contains provisions relating to the grazing of Stock on road verges in a Rural Area.

Section 353 of the Local Government Act 1974 imposes a general duty on Councils to take all sufficient precautions for the general safety of the public, traffic and road workers. In particular, if the land next to a road does not have a fence or proper barrier, the Council can order the owner or occupant to build one to the satisfaction of the Council, to ensure public safety.

8. Te Kohuru Waerenga | Slaughtering of Stock or Poultry

- 8.1. Any Person who Slaughters Stock or Poultry must do so in a way that, in the opinion of an Enforcement Officer, does not create a Nuisance or risk to public health and safety and is not offensive to any Person.
- 8.2. Any Person who slaughters Stock or Poultry must dispose of the waste or remains from the Stock or Poultry in such a way that, in the opinion of an Enforcement Officer, does not create a Nuisance or risk to public health and safety, and is not offensive to any Person.
- 8.3. If the Slaughtering of Stock or Poultry in any Urban Area is likely to be in the view of or audible by any Person (including from inside a Dwelling), then:
 - a) Adequate screening (that is adequate in the opinion of an Enforcement Officer) must be provided around the Slaughtering site; and
 - b) The screening must be sufficient in height and size to cut out the line of sight by any such Persons so as to prevent the Slaughtering from being seen.

Explanatory Note:

It is an offence under the Health Act 1956 to leave Animals or Animal carcasses in a state where they are offensive or injurious to health. It is an offence under the Resource Management Act 1991 to contaminate waterways with Animal remains.

- 8.4. Stock or Poultry must not be Slaughtered, or their waste or remains must not be disposed of, in a Public Place.
- 8.5. Clauses 8.1 to 8.4 do not apply to:
 - a) a veterinarian as defined under section 4 of the Veterinarians Act 2005;
 - b) an animal welfare inspector appointed under section 124(1) or section 124(2) of the Animal Welfare Act 1999 carrying out their role under that Act; or
 - c) a person complying with the Animal Products Act 1999 where the animal is slaughtered and processed in a Premises with a registered risk management plan.

9. Kararehe Mate | Dead Animals

- 9.1. A person must not permit, or allow to remain, any dead Animal, Animal part, or offal on any private property, land, Premises or Public Place.
- 9.2. When buried in the ground, every part of the Animal is to be at least 0.5 metres below the existing ground level and covered with not less than 0.5 metres of compacted fill material.

Explanatory Note:

Section 9.1 does not apply to any dead Animal, Animal part, or offal that has been disposed of appropriately, including but not limited to, through burial or an offal pit on a property in a Rural Area for the purposes of disposing of a dead Animal or Animal part from that property which complies with the regional plan. See the Greater Wellington Regional Council Natural Resources Plan for further information www.gw.govt.nz.

10. Kararehe Mohoao | Feral Animals

- 10.1. An Owner or Occupier of a property must not feed or provide sustenance to any Feral Animal in a manner that, in the opinion of an Enforcement Officer, causes a Nuisance or a risk to the health and safety of any other Persons.

Explanatory Note:

Animal rescue activities in the community are permitted unless they encourage Feral Animals to cause a Nuisance of health and safety risk to other persons.

11. Te Kore Whai Ture | Non-Compliance

- 11.1. If an Enforcement Officer considers a Person has breached Part Five, they may issue a written notice requiring the Person keeping the Animal, or the Owner or Occupier of the property, to undertake necessary actions within a specified time to comply. Actions may include reducing the number of Animals, removing certain Animals, and relocating Beehives or Animal enclosures.
- 11.2. A Person issued with a written notice under clause 11.1 must comply with the notice.
- 11.3. An Enforcement Officer may undertake inspections to determine compliance with Part Five and charge an inspection fee. Refer to Wairarapa Consolidated Bylaw Part One - Introductory (Section 13) for further details of Fees and Charges.

12. Ngā Hara me ngā Hāmene | Offences and Penalties

- 12.1. Any person who breaches Part Five commits an offence and may be liable, on conviction, to a penalty under section 242 of the LGA or a penalty under section 66 of the Health Act 1956. Refer to Wairarapa Consolidated Bylaw 2025 Part One - Introductory (Section 15.2) for details of what constitutes a breach of Part Five.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Five is liable on conviction to:

- a fine not exceeding \$20,000 in accordance with section 242 of the LGA;
- a fine not exceeding \$500 in accordance with section 66 of the Health Act 1956, and in the case of a continuing offence, a further fine not exceeding \$50 for every day on which the offence has continued.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Ono: Tōnuku

Part Six: Traffic

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Ten - Traffic	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Six – Traffic	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Land Transport Act 1998
- Land Transport (Offences and Penalties) Regulation 1999
- Land Transport Rule: Traffic Control Devices 2004
- Local Government Act 2002
- Land Transport (Road User) Rule 2004

Tuhinga Hāngai | Related Documents

- Heavy Motor Vehicle Regulations 1974
- Reserves Act 1977
- Land Transport Rule: Setting Speed Limits 2024
- National Policy Statement on Urban Development

Kupu Takamua | Foreword

Part Six is made under section 22AB of the Land Transport Act 1998 and section 145 of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Six sets the requirements for parking and control of Vehicles and other traffic on any Road in the Masterton, Carterton and South Wairarapa districts, including state highways located within the urban boundaries that are otherwise controlled by the NZ Transport Agency Waka Kotahi (NZTA).

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

- 2.1. The following definitions are applicable to Part Six:

Ambulance Service: has the meaning given to it under clause 1.6 of the Land Transport (Road User) Rule 2004.

Authorised Agency: means the Council, New Zealand Police, Fire and Emergency New Zealand, any Emergency Ambulance Service, Greater Wellington Regional Council, Department of Conservation, any Central Government Department or Ministry, NIWA and any surf lifesaving club registered with Surf Life Saving New Zealand.

Berm: means the edge of a road reserve between the kerb or surface water channel and property boundary.

Bus: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Clearway: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Cycle Lane: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Cycle Path: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Disabled Person: has the meaning given to it under section 2 of the Disabled Persons Community Welfare Act 1975.

Driver: has the meaning given to it under section 2 of the Land Transport Act 1998.

Electric Vehicle: has the meaning given to it under clause 1.6 of the Land Transport (Road User) Rule 2004.

Emergency Vehicle: has the meaning given to it under clause 1.6 of the Land Transport (Road User) Rule 2004.

Freight Container: means an article of transport equipment that is:

- of a permanent character and strong enough to be suitable for repeated use;
- specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and
- designed to be secured and readily handled having fittings for these purposes.

Heavy Motor Vehicle: has the meaning given to it under section 2 of the Heavy Motor Vehicle Regulations 1974.

Loading Zone: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Metered Area: means any Road or portion of a Road or any area of land or any building owned or controlled by the Council, which is authorised by resolution of Council to be used as a Parking Place, and at which Parking Machines or Multiple Space Parking Machines are installed and maintained.

Metered Parking Space: means any part of a Road, or a space, within a Metered Area or Multiple Space Parking Metered Area, indicated by and lying within, markings made by the Council for parking of vehicles.

Mobility Parking Permit: means a permit or concession card, issued by the Disability Action Incorporated CCS, to persons with physical disabilities for the purpose of its operation mobility programme.

Mobility Parking Space: means a Parking Space set aside for exclusive use by Disabled Persons who hold a Mobility Parking Permit.

Motorcycle: has the meaning given to it under section 2 of the Land Transport Act 1998

Motor vehicle: has the meaning given to it under section 2 of the Land Transport Act 1998.

Multiple Space Parking Meter: means a Parking Meter that functions for more than one Parking Space.

Other Users of the Beach: means people, marine mammals, avifauna and protected, rare or threatened indigenous flora and fauna.

Parking Meter: means a device used to measure and indicate the time paid for and which remains to be used, in relation to the time a Vehicle may be

parked in a Metered Parking Space. Includes pay and display parking meters and any other device (for example, electronic application) that is used to collect payment in exchange for parking a Vehicle in a particular place for a limited time.

Parking: means stopping, standing or parking a Vehicle, whether attended or not and "Park" has a corresponding meaning.

Parking Place: means a place (including a building) where any class of Vehicle, may Park, and includes:

- all necessary approaches and means of entrance to, and exit from, any such place;
- all such buildings, ticket offices, waiting rooms, cloak rooms, structures, appliances; and
- any other facilities as the Council considers necessary or desirable for the efficient use of that place for the purpose for which it is provided and the collection of charges in relation to that use.

Parking Space: means a space or section of a Parking Place, Road or other Public Place marked out and defined by painted lines for the accommodation of a Vehicle.

Parking Warden: means a parking warden appointed to hold the office of parking warden under section 128D of the Land Transport Act 1998.

Passenger Service Vehicle: has the meaning given to it under section 2 of the Land Transport Act 1998.

Pedestrian: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Reserved Parking Area: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Roadway: has the meaning given to it under Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

Small Passenger Service Vehicle: has the meaning given to it under section 2 of the Land Transport Act 1998.

Special Vehicle Lane: has the meaning given to it under clause 1.6 of the Land Transport (Road User) Rule 2004.

Traffic Control Device: has the meaning given to it under section 2 of the Land Transport Act 1998.

Trailer: has the meaning given to it under clause 1.6 of the Land Transport (Road User) Rule 2004.

Transport Service Vehicle: has the meaning given to it under section 2 of the Land Transport Act 1998.

Transport Station: means a place where Transport Service Vehicles, or any class of Transport Service Vehicles, may wait between trips and includes all necessary approaches and means of entrance to and egress from any such place, and all such buildings, ticket offices, waiting rooms, cloak rooms, structures, appliances, and other facilities as the council considers to be necessary or desirable for the efficient use of that place for the purpose for which it is provided and the collection of charges in relation to that use.

U-Turn: means turning from facing or travelling in one direction to facing or travelling in the opposite direction.

Vehicle: has the meaning of section 2 of the Land Transport Act 1998.

Vehicle Combination: means a towing Vehicle in combination with one or more Trailer or other motor vehicle that is being towed.

Zone Parking: In relation to a Road, means a parking restriction imposed by the Road Controlling Authority:

- that applies to an area comprising a number of Roads;
- in respect of which persons using Vehicles within the area could reasonably be expected to be aware of the application of the parking restriction to the area without the need for the erection of signs at each intersection within the area, for reasons including:
 - the nature of the area;
 - the nature of the parking restriction;
 - traffic patterns into and within the area; or
 - the nature and number of entry points to the area; and
 - that the controlling authority specifically declares to be a zone parking control.

3. Whānuitanga | Scope

3.1. The Council may from time to time by resolution, permanently or temporarily:

- a) prohibit or otherwise restrict, subject to the erection of the prescribed signs, the stopping, standing, or Parking of Vehicles on any Road or part of a Road, or on any piece of land owned or controlled by the Council and not being a Road or part of a Road, including any Parking Place or Transport Station;
- b) set aside, designate or reserve any Road, part of a Road, or any land owned or controlled by the Council, as:
 - i. stopping places or stands for a specified class, or description of Vehicles, including:
 - Bus Stops;
 - Small Passenger Service Vehicle stands;
 - Loading Zones;
 - pie cart stands; and
 - Parks for electric vehicles while in the course of being recharged at an electric vehicle charging station.
 - ii. Mobility Parking Spaces;
 - iii. restricted parking areas, Parking Places, and Zone Parking;
 - iv. Transport Stations;
 - v. Clearways;
 - vi. Cycle Lanes and Cycle Paths;
 - vii. Reserved Parking Areas;
 - viii. Metered Areas;
 - ix. Special Vehicle Lanes
 - x. electric charging stations; or
 - xi. one-way roads.
- c) prohibit, subject to the erection of the prescribed signs:
 - i. U-Turns;
 - ii. left turns, right turns, or through movements;
 - iii. parking of Heavy Motor Vehicles or any specified class or description of Heavy Motor Vehicles, on any specified Road during such hours or exceeding such period as may be specified;
- d) Prohibit or restrict, absolutely or conditionally:
 - i. any specified class of traffic (where heavy traffic or not), or any specified motor vehicles or class of motor vehicles that, by reason of its

size or nature of the nature of the goods carried, is unsuitable for use on any Road or Roads;

- e) Prohibit or restrict:
 - i. use of Roads by pedestrians; or
 - ii. use of Roads by cyclists.
- f) Prescribing, subjecting to the marking or lanes on the Roadway, that on any Road any traffic lane may be used or any turning movement may be made by:
 - i. Passenger Service Vehicles or
 - ii. Vehicles of other specified classes; or
 - iii. Vehicles carrying specified classes or loads or not less than a specified number of occupants.
- g) Regulate any other matter specified by section 22AB(1) of the Land Transport Act 1998.

3.2. Any matter regulated under clause 3.1 may apply to a specified class, type, weight or description of Vehicle, or any combination of these, and may be expressed or limited to apply only on specified days, or between specified times, or for any specified events or classes of events, or be limited to specified maximum periods of time.

4. Te Tau, te Tū rānei | Stopping, Standing and Parking

- 4.1. A Person must not, without prior authorisation from the Council, stop, stand or Park a Vehicle or Vehicle combination on any Road, public car park, Reserve or any other Public Place, in contravention of a prohibition, restriction or limitation imposed by the Council in the schedules to Part Six and that is evidenced by appropriate signs and/or roading markings.
- 4.2. Notwithstanding the provisions of clause 4.1, the Council may authorise the stopping, standing or Parking of specified Vehicles subject to conditions appropriate for the circumstances and payment of the prescribed fee.
- 4.3. A Person must not conduct any of the following without prior written authorisation of the Council:
 - a) Park a Vehicle or Trailer displaying advertising or sales material on any Road or part of a Road, or on any land owned or controlled by the Council, including any Parking Place or Transport Station. This includes a Vehicle displayed for sale in association with adjacent trade premises and mobile billboards.
 - b) Place or Park, or allow another Person to place or Park a Vehicle on any Road for storage in connection with or as part of a trade or business, whether or not that Vehicle is owned by the Person.

- c) Park or place any machinery, equipment, materials, waste disposal bins or freight containers on any Road or Public Place. This does not apply to containers used solely for domestic refuse or recycling as authorised by the Council and placed off the Roadway, provided that they are not left there for a period exceeding 72 hours.
 - d) Stop, stand or Park a Vehicle or Vehicle Combination on a Berm, verge, kerb, lawn, garden, or other cultivation adjacent to or forming part of a Road in Urban Area.
- 4.4. The Council may impose conditions to be complied with as part of granting authorisation under clause 4.3.
 - 4.5. A Person must not repair, alter or add to a Vehicle during trade while the Vehicle is on the Road, unless it is necessary to enable the Vehicle to be removed from the Road.
 - 4.6. A Person must not Park any Vehicle in a Parking Space which is already occupied by another Vehicle. However up to six Motorcycles (including motorcycles with sidecars attached) may occupy a single Parking Space at the same time. Such Motorcycles must be parked at right angles to the kerb.

5. Ngā Wāhi Ine Tūwaka | Metered Parking Space

- 5.1. The Council may designate or reserve any Road, part of a Road, or any land owned or controlled by the Council as a Metered Parking Space as set out in the schedules.
- 5.2. The Driver or Person in charge of a Vehicle may occupy the Metered Parking Space, provided the appropriate fee has been paid and, where required, the Parking Meter controlling the space has been correctly activated, or any instructions on any Parking Meter or signs controlling the Parking Space have been complied with. A Vehicle must not remain Parked in a Metered Parking Space after the time has expired.
- 5.3. The Council may set fees for Parking in a Metered Parking Space by publicly notified resolution. Parking fees must be paid in New Zealand currency and in accordance with the instructions on the Parking Meter or via an online payment process if available. The hours during which payment is required will be indicated by signs or notices affixed to Parking Meters.
- 5.4. When a receipt is issued by a pay and display Parking Meter, it must be displayed on the Parked Vehicle in a way that ensures it is legible through the front window (or visible on the Vehicle if there is no front window).
- 5.5. Where more than one Motorcycle occupies a Metered Parking Space, only one parking fee applies. In the case of more than one Motorcycle occupying a Metered Parking Space without payment or beyond the time limit, each Motorcycle is in breach of this part of the bylaw.

6. Ngā Tūnga Waka kua Whakakorengia | Discontinued Metered Parking Space

- 6.1. The Council may temporarily discontinue a Parking Space by placing or erecting (or authorise the placing or erecting of) a 'No Stopping' sign or notice, or a meter hood showing reserved parking at the affected Metered Parking Space(s).
- 6.2. It is unlawful for any Person to Park a Vehicle in a Metered Parking Space when a sign, notice, or meter hood indicates that it is a Reserved Parking Area without Council permission.

7. Te Raukoti Ine Tūwaka | Misuse of Parking Meters

- 7.1. A Person must not operate, or attempt to operate, any Parking Meter by any means other than as prescribed by this part of the bylaw.
- 7.2. A Person must not misuse, interfere with, tamper with, or attempt to tamper with the operation of any Parking Meter.
- 7.3. Without Council permission, a Person must not affix or attempt to affix anything, or paint, write upon or disfigure any Parking Meter.

8. Te Takahi Ture Tūnga Waka | Unlawful Parking

- 8.1. A Person must not Park any Vehicle or Vehicle Combination in a Parking Space except as permitted by the provisions of this part of the bylaw.
- 8.2. A Person must not Park a Vehicle or Vehicle Combination in a Parking Space in a way that extends any part of that vehicle beyond any line defining that space (unless by reason of its size it is necessary for the Vehicle to extend onto an adjoining and unoccupied Parking Space). If the Parking Spaces occupied by the Vehicle or Vehicle Combination are Metered Parking Spaces the Driver or person in control of the Vehicle must pay a parking fee for each space occupied.
- 8.3. A Person must not Park in an area governed by a non-operational parking meter longer than the maximum timeframe indicated on the meter.

9. Whakaaetanga Tūnga Whaikaha | Mobility Parking Permit

- 9.1. The Council may reserve Parking Spaces as Mobility Parking Spaces as set out in Schedule 2G.
- 9.2. A Mobility Parking Permit must be displayed when using a Mobility Parking Space. The Mobility Parking Permit is to be legible through the front windscreen (or on the Vehicle if no windscreen is fitted).

- 9.3. A Mobility Parking Permit must not be displayed if the Parking Space is not being used for the benefit of the permit holder.

10. Ngā Huarahi Ahutahi | One Way Roads

- 10.1. A Person must only drive a Vehicle or ride any horse or bicycle in the direction specified on Roads or parts of Roads listed as 'one-way roads' in Schedule 2A of Part Six.

11. Ngā Aukatinga Hurihanga | Turning Restrictions

- 11.1. Subject to the erection of the prescribed signs, a Person must not drive contrary to any turning restriction listed in Schedule 2B of Part Six.

12. Ngā Aukatinga Tōnuku Mātotoru | Heavy Traffic Prohibitions

- 12.1. Subject to the exemptions provided for in this part of the bylaw, a Person must not drive, or permit to be driven, or Park, any Heavy Motor Vehicle or any specified class of Heavy Motor Vehicle during the hours or exceeding the period specified for the Roads or Public Places listed in Schedule 2C of Part Six.

13. Ngā Ara Waka Motuhake | Special Vehicle Lanes

- 13.1. The Council may prescribe a Road, or part of a Road, as a Special Vehicle Lane by resolution.
- 13.2. Any resolution made under clause 15.1 must specify:
- a) the type of special vehicle lane; and
 - b) the hours of operation of the special vehicle lane (if any) when it is restricted to specific classes of vehicles.
- 13.3. A Person must not use a Special Vehicle Lane listed in Schedule 2D of Part Six, contrary to any restriction made by Council.

14. Ngā Whakaaetanga Hurihanga ki ngā Momo Waka | Turning Movements Permitted by Specified Classes of Vehicles

- 14.1. Subject to the erection of the prescribed signs, the traffic lanes listed in Schedule 2E of Part Six, permit turning movements by specified classes of Vehicles.

15. Ngā Wā Aukatinga ki ngā Huarahi | Prohibited and Restricted Times on Roads

- 15.1. Subject to the exemptions provided for in Part Six, Vehicles are prohibited from being used on any Road or part of Road at the days and times as specified in the schedules.
- 15.2. Before prohibiting any Vehicle under clause 15.1, the Council will consider the views and preferences of persons likely to be affected by, or to have an interest in, the decision which may include:
- a) the occupiers of any properties adjoining the proposed road or part of the road;
 - b) local community, road user group or other organisations;
 - c) NZ Transport Agency Waka Kotahi.
 - d) any other road controlling authority that may be affected because the proposed road or part of the road adjoins, or is located near a road controlled by that other road controlling authority; and
 - e) New Zealand Police.
- 15.3. Where Council prohibits Vehicles from being used on any Road, or part of a Road, the schedule must specify the Road or part of the Road, the prohibited times, and the class of Vehicle it applies to.

16. Ngā Waka i Tātahi | Vehicles on Beaches

- 16.1. A person operating a Vehicle on a beach must operate that Vehicle in a courteous, appropriate, safe and responsible manner, giving due consideration to other vehicle operators and to Other Users of the Beach at all times.
- 16.2. Any person operating any Vehicle on the Beach must not operate that Vehicle in a manner as to present a real or implied danger or threat to the wellbeing and safety of any Other Users of the Beach at all times.
- 16.3. A person must not operate a Vehicle on a Beach in excess of a speed limit imposed by the schedules to this Part of the bylaw.
- 16.4. Subject to the exemptions provided for in this Part of the bylaw, all Vehicles are prohibited in the prohibited beach areas identified in the schedules at all times.

17. Ngā Tohu Huarahi me ngā Māka | Road Signs and Markings

- 17.1. The Council will indicate by road markings (e.g. lines painted on the road) and/or signage on any Road or part of Road, or any land owned or controlled by the Council, as necessary to give effect to any resolution made

in accordance with this Part of the bylaw. This includes to indicate Metered Parking Spaces, pay and display zones and areas of zone parking.

- 17.2. Markings and signage will be in accordance with the Land Transport Rule: Traffic Control Devices 2004.

18. Ngā Momo Waka kua Kapea | Exempted Vehicles

- 18.1. Part Six does not apply to Emergency Vehicles carrying out their legitimate business (e.g. fire appliance, ambulance).
- 18.2. Sections 5, 6, and 13 of Part Six do not apply to medical practitioners such as doctors, nurses and midwives who are attending an emergency.
- 18.3. Clauses 12.1 and 15.1 of Part Six do not apply to Vehicles engaged in the maintenance of roads or of utilities or services which are erected on, under or over any roads in the prohibited area or Vehicles that have been approved in writing by the Council.
- 18.4. Clause 16.4 of Part Six does not apply to any employee, contractor or nominee of an Authorised Agency who is carrying out the lawful functions or activities of that Authorised Agency or Vehicles that have been approved in writing by the Council.

19. Ngā Hara me ngā Hāmene | Offences and Penalties

- 19.1. Any person who breaches Part Six commits an offence and may be liable to a penalty under section 22AB of the Land Transport Act 1998, schedule 1B of the Land Transport (Offences and Penalties) Regulations 1999, or section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw Part One - Introductory (Section 15) for details of what constitutes a breach.
- 19.2. A person breaches Part Six and commits an offence, who:
- a) fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by the lines, markings, traffic signs and other signs or notices laid down, placed, made or erected on or upon any road, public car park, reserve or other places controlled by the Council under any of the provisions of this Part of the bylaw; or
 - b) fails to comply with any condition, duty, or obligation, imposed by this Part of the bylaw.
- 19.3. A person may not be subject to proceedings under clause 19.1 of Part Six, if that person is also, for the same facts, being proceeded against for a breach of the Land Transport Act 1998.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Two is liable on conviction to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;

20. Ngā Āheitanga | Defences

- 20.1. It is a defence to Part Six if the Person proves that the act or omission:
- a) took place in compliance with the directions of an Enforcement Officer, a Parking Warden or a Traffic Control Device; or
 - b) was performed by an Enforcement Officer or a Parking Warden and was necessary in the execution of that person's duty.

21. Te Mana Whakatau Panonitanga | Power to Amend by Resolution

- 21.1. The Council may by resolution publicly notified:
- a) add schedules;
 - b) make additions or deletions from the schedules; or
 - c) substitute new schedules.
- 21.2. Where Council intends to make a resolution under clause 20.1, consultation will be undertaken as required, in accordance with section 156 of the LGA.
- 21.3. After making a resolution under clause 20.1, the Council shall:
- a) record the matter in its traffic control schedules and publish the updated version; and
 - b) mark the roads and install signs in accordance with the Land Transport Rule: Traffic Control Devices 2004.

22. Ngā Hōtaka Whakahaere Tōnuku | Traffic Control Schedules

- 22.1. The Masterton, Carterton and South Wairarapa District Councils will maintain schedules of the traffic control measures in their respective districts.

SCHEDULE 2R: Prohibited or Restricted Times on Roads

Road	Section/Park	Time of prohibition	Vehicles subject to prohibition
Memorial Drive (Queen Elizabeth Park)	Commencing from the point 155m from the intersection of Dixon Street and Memorial Drive (near the access point at the Waipoua River Swing Bridge), extending in an eastern direction through Queen Elizabeth Park to the end of the road (a distance of approximately 300m).	Prohibition is supported by a gate which is locked during the hours below. Summer: 9.00pm – 7.00pm on the days of Monday to Sunday. Winter: 5.00pm – 8.00am on the days of Monday to Sunday.	All vehicle classes. Exemptions are provided by Council to selected parties who are provided a key for the gate.

SCHEDULE 2S: Speed Limits on Beaches

Location	Description	Speed Limit	Date of Resolution
Castlepoint and Riversdale Beaches Access Ways	Beach vehicle access ways	10km/h	6 August 2025 (TBC)
Castlepoint Beach	The foreshore extending from the vehicle beach access way at the eastern end of Jetty Road including the area in front of the public toilet and extending to the lighthouse walk.	10km/h	6 August 2025 (TBC)

SCHEDULE 2T: Prohibited Beach Areas: this schedule to potentially be deleted

Location	Description	Exemptions	Date of Resolution
Castlepoint Beach	The foreshore that runs parallel to the Jetty Road beachfront.	In addition to exemptions that apply under the Bylaw, vehicles used in association with the Castlepoint Beach Races held annually by the Castlepoint Racing Club Inc are exempt.	6 August 2025 (TBC)

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Whitu: Ngā Urupā me
ngā Wāhi Tahu Tūpāpaku

Part Seven: Cemeteries and Crematoria

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Seven – Cemeteries and Crematoria	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Seven – Cemeteries and Crematoria	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Burial and Cremation Act 1964
- Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967
- Cremation Regulations 1973
- Health (Burial) Regulations 1946
- Local Government Act 2002

Reference is made in this document to the following document:

- NZS 4242: 2018 Headstones and Cemetery Monuments

Kupu Takamua | Foreword

Part Seven is made under sections 16 and 40 of the Burial and Cremation Act 1964 and sections 145 and 146 of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Seven enables the Council to regulate activities and set standards for the efficient operation and management of Cemeteries and Crematoria under the Council's ownership or administration.
- 1.2. Nothing in Part Seven derogates from any provision of, or the necessity for, compliance with the:
 - a) Burial and Cremation Act 1964;
 - b) Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967;
 - c) Cremation Regulations 1973; and
 - d) Health (Burial) Regulations 1946.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

- 2.1. The following definitions are applicable to Part Seven:

ACC: means Accident Compensation Corporation.

Adorn: means placing an item for the purpose of decoration such as flowers, vases or a wreath and "adornment" has the corresponding meaning.

Application for Cremation: means an application for Cremation in Form A of Schedule 1 of the Cremation Regulations 1973.

Burial Booking Form: means the application form required to be completed and submitted to the Council for the Interment of a body in the Cemetery. May also be known as an Application for the Right of Interment form.

Ashes: means the cremated remains of a deceased human.

Beam: means the concrete area of a Plot where a headstone or plaque is placed.

Burial: means the action or practice of placing a deceased human's body or Ashes in the ground.

Burial Warrant: means a written approval from the Council issued to an Authorised Agent as authority for Interment as a result of completing the Burial Booking Form.

Closed Cemetery: has the meaning given to it under section 2 of the Burial and Cremation Act 1964.

Combustible Material: means material capable of catching fire and burning.

Cremation: has the meaning given to it under section 2 of the Burial and Cremation Act 1964.

Cremation Fee: means the fee set by the Council for the Cremation.

Crematoria: means any Crematorium maintained by the Council.

Crematorium: has the meaning given to it under section 2 of the Burial and Cremation Act 1964.

Disinterment: means the removal of any body, or the remains of any body, or Ashes Interred in any Cemetery.

Exclusive Right of Burial: means a right that may be purchased by a Person from the Council, in perpetuity or for a limited time (at the Council's discretion), granting to that Person (or their successor) an exclusive right of:

- Burial in any part of a Cemetery; and
- constructing any vault or place of Burial with the Exclusive Right of Burial in that vault or place of Burial.

The Exclusive right of Burial does not create an ownership interest over that designated part of the Cemetery.

Full Grave Cover: means a solid, permanent cover placed over a grave that is intended to completely enclose or cover the burial site.

Interment / Re-interment: means the broader act of placing a deceased body or cremated remains in a permanent resting place, which can include Burial or a Natural Burial and re-interment means the relocation of remains from one Burial site to another

Justice: means a Justice of the Peace for New Zealand appointed under section 3(1) of the Justice of the Peace Act 1957.

Manager: means any person appointed by the Council to control and manage, or to assist in the control and management of, any Cemetery or

Crematorium and to carry out Burials and Cremations as provided in this part of the bylaw.

Memorial: means a structure or item placed to memorialise the deceased, and includes any tombstone, headstone, plaque or other remembrance item permanently installed within a Cemetery.

Monument: includes any tombstone, headstone, kerbing or other erection.

Natural Burial: means a Burial that has a low environmental impact, including the body not being treated with chemical or oils that prevent or slow down the decay of the body.

Objectionable: has the meaning given to it under section 3 of the Films, Videos, and Publications Classification Act 1993.

Permission to Cremate Form: means the permission to Cremate form in Form F of Schedule 1 of the Cremation Regulations 1973.

Plot: means and includes a specified area within the Cemetery set aside for the Burial and includes Ashes or Memorial Plot.

Sexton: means any person appointed by the Council to manage the day-to-day activities of any Cemetery and Crematorium under its jurisdiction, including arranging for the provision of Plots for Burials.

Urn: means a container or receptacle of Ashes.

WINZ Funeral Grant: means a Work and Income New Zealand funeral grant.

3. Te Hoko Rua me te Mana Nehunga | Sale of Plots and Exclusive Right of Burial

- 3.1. Burial Plots sold by the Council are sold upon the terms and conditions as decided by the Council.
- 3.2. In accordance with section 10(4) of the Burial and Cremations Act 1964, the Exclusive Right of Burial shall lapse if a Burial has not taken place in that part of the Cemetery relating to the Exclusive Right of Burial within the period of 60 years from the date of issue of that Exclusive Right of Burial. Council is not liable for reimbursement or compensation from the lapsing of the Exclusive Right of Burial.
- 3.3. The Council will not sell an Exclusive Right of Burial for any Plot in areas of a Cemetery reserved exclusively for Natural Burials.

4. Ngā Nehunga | Burials

- 4.1. A Burial Warrant must be obtained before a Burial takes place. A Burial Warrant may be obtained by completing a Burial Booking Form and paying of the appropriate fee. The person managing or controlling the Burial must present the Burial Warrant to the Sexton as authority for Burial.
- 4.2. Burials are to take place in Plots as determined by the Manager and no Memorial, Full Grave Cover or surround is to be installed on the Plot unless the Exclusive Right of Burial has been purchased.
- 4.3. Only the Sexton, assistants of the Sexton, or Authorised Agents, are to dig or fill a grave in, or open the ground for Burial in, any part of the Cemetery. Caskets must have a minimum cover depth of no less than one metre.
- 4.4. Burial of any person other than the owner of the Exclusive Right of Burial will only take place with the express prior consent of the holder of the Exclusive Right or their power of attorney.
- 4.5. Upon application to the Council and payment of the appropriate fees, an Urn containing Ashes may be Buried in an area of the Cemetery set aside for that purpose or in any Plot subject to an Exclusive Right of Burial.

5. Ngā Nehunga māori | Natural Burials

- 5.1. The Council may set aside areas within a cemetery for Natural Burials through a publicly notified resolution.
- 5.2. A Natural Burial must:
 - a) be single depth, with a minimum depth cover of one metre;
 - b) use only caskets or coffins made of biodegradable materials;
 - c) use shrouds made of natural materials;
 - d) use no chemical or embalming treatment of the body;
 - e) contain only biodegradable accessories, including clothing; and;
 - f) use only temporary, untreated wooden above-ground markers, placed at the time or within the first week of Burial, centrally located at the head of the Plot.
- 5.3. No Memorials or Adornments may be placed on or near a Natural Burial Plot. A native tree or shrub, chosen and planted by the Council at its discretion, is used to permanently mark the site of a Natural Burial Plot. The cost of the plant is built into the cost of the Natural Burial Plot.
- 5.4. The Council may, at its discretion, use below-ground markers that are of a material it considers appropriate, to ensure the location of the deceased can be identified.

6. Te Whakatū, te Whakahaere hoki i ngā Kōhatu Whakamaumaharatanga | Installation and Maintenance of Monuments, Memorials and Structures

- 6.1. If a Person wishes to install a Memorial in a Cemetery, they must first complete a Memorial Application form. The Memorial Application Form must include written permission from the Owner (or the person holding the Owner's power of attorney) of the Exclusive Right of Burial for that Plot.
- 6.2. The installation of Memorials, grave surrounds, and concrete beams and bases, or overtop construction or repairs, must be carried out to the satisfaction of the Council.
- 6.3. All above ground Monuments, grave structures, and enclosures must be installed to New Zealand Standard (NZS) 4242.
- 6.4. Any Person who purchases a Plot with a Memorial is responsible for paying the fees prescribed by the Council.
- 6.5. The Owner of a Plot (or their successor) must ensure:
 - a) any Memorials associated with the Plot are safe and secure;
 - b) any Memorials do not inhibit regular maintenance of the Cemetery;
and
 - c) any Monuments, enclosures and their base structures are kept in good order and repair to the satisfaction of the Council.
- 6.6. Plans and specifications for the construction of above ground vaults in Cemeteries must be submitted to the Council for approval prior to any work commencing. Construction of the vault must be to standards acceptable to the Council.
- 6.7. Only approved Memorials are to be installed within the precincts of a memorial park cemetery. A Memorial must not exceed a height of 1.2 metres except with the written permission of the Manager.
- 6.8. A Monument in a plaque lawn cemetery must not be constructed to allow any part to project above the ground immediately adjoining it.
- 6.9. Plaques in a plaque lawn cemetery must consist of permanent material, be of an approved size and set in an approved position with all inscriptions relating to the persons buried in each Plot to be on the one plaque.
- 6.10. Monuments must not be removed from any Cemetery or grave without written permission of the Manager.
- 6.11. The Council may carry out regular audits of Monuments to ensure their safety. Where any Monument is, in the opinion of the Council, a danger to persons visiting or working in the Cemetery, the Council shall make the Monument safe or shall take it down or remove it.

- 6.12. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 or successor regulations, if a Monument is dilapidated or neglected and isn't repaired or replaced to the satisfaction of the Council within three months (or longer time if the Council agrees), the Council has the right to remove it. The timeframe starts from when a notice is given, or from the last notice or public announcement about it.

7. Ngā Whakarākei | Adornments

- 7.1. Adornments may be placed on a plot for up to one month following an Interment. After this period, Adornments must be placed in approved receptacles and be within the confines of the Beam (not on the grass in front of, or behind the Plot).
- 7.2. All vases and containers for flowers in memorial park cemeteries must be placed in accordance with any specifications set by Council.
- 7.3. Glass, pottery, or other breakable items or items that may pose a danger must not be used or placed on the Memorial, plaque, Beam or the grassed area of the Plot.
- 7.4. The Owners of a Plot (or their successor) must ensure any Adornments associated with the Plot are safe and secure and do not inhibit regular maintenance of the Cemetery or other graves.
- 7.5. Council may remove the Adornments described in clause 7.3 or any other Adornment that is neglected, broken or may otherwise pose a danger or inhibits regular maintenance of the Cemetery. Council will place these Adornments in a designated place for collection by the Owner. Council will retain the Adornment for a reasonable period of time, after which the Adornment may be disposed of without compensation to the Owner of the Adornment.
- 7.6. Adornments must not be removed or taken from any grave in any Cemetery without approval of the Sexton, except as provided for in clause 7.4.

8. Te Tiaki Urupā | Maintenance of Cemeteries

- 8.1. The Owner of the Exclusive Right of Burial (or their successor) and the Owner of a Plot (or their successor) must ensure the Plot is maintained.
- 8.2. The Council may from time to time preserve, maintain and keep a Cemetery including its walls, rails, fences, gates, entrances and all Monuments, enclosures, buildings, erections, walks, avenues, roads, lawns and shrubberies in it safe, clean, and orderly condition.
- 8.3. No Person may plant any tree or shrub or plant in any part of any Cemetery without prior written approval of the Manager. No tree, shrub, or plant will be planted on any Plot unless in a Natural Burial Plot.

- 8.4. Council may trim, maintain, or remove any tree, shrub, plant (or any other vegetation) planted in the Cemetery, at its discretion.
- 8.5. The Council may make all necessary and proper drains in and about any Cemetery and may from time to time cause any such drain to connect with any existing drain for the purposes of draining it and keeping it dry.
- 8.6. Services cemeteries will be maintained by Council in accordance with the Standard of Care set by Veterans' Affairs New Zealand..

9. Tahu Tūpāpaku | Cremation

- 9.1. An Application for Cremation and a Permission to Cremate Form together with all other necessary documentation as set out in the Cremation Regulations 1973 and as may be specified by the Council, must be provided to the Sexton prior to Cremation. The Cremation Fee must be paid (or arrangements for payment made) prior to the Cremation.
- 9.2. An approved Urn containing the Ashes may be kept in the Crematorium free of charge for 14 days following the Cremation. After this period, fees set by the Council will apply.
- 9.3. The Council will not hold Ashes beyond three months' from the date of Cremation. After this period, the Council may dispose of the Ashes in accordance with regulations made under the Burial and Cremation Act 1964.
- 9.4. The casket containing any deceased person intended for Cremation must be made of an approved Combustible Material.
- 9.5. No casket will be opened after admission to the Crematorium without the consent of the Sexton.

10. Ngā Hāora Mahi | Hours of Operation

- 10.1. Funerals may be held on days and at times as determined by the Council.
- 10.2. The Council determines the hours of operation of its Crematorium.

11. Ngā Waka | Vehicles

- 11.1. Every Person driving or in charge of any Vehicle in any Cemetery must stop or move such Vehicle as directed by the Sexton or assistants of the Sexton.
- 11.2. Vehicles must not be driven at speed more than 20km/h or as indicated on any road within the Cemetery, nor in any direction other than the direction indicated by traffic notices.
- 11.3. All Vehicles (other than hearses) must yield unconditional right of way to any funeral procession.

12. Ngā Whanonga | Conduct

- 12.1. Any Person undertaking work or otherwise present in a Cemetery must withdraw for the duration of a nearby Interment or service or at the direction of a person authorised by Council.
- 12.2. A Person must not in any part of a Cemetery or Crematorium:
- a) prevent, interrupt, delay or disturb any Internment, funeral or Burial service or proceedings;
 - b) behave in a manner that creates a Nuisance or is offensive or is likely to create a Nuisance or offense to any other Person lawfully within or approach a Cemetery;
 - c) solicit trade, advertise Goods, or accept orders for Goods (this excludes transactions of Council staff undertaken in the course of management of the Cemetery and Crematorium);
 - d) place or allow to be placed on any Monument or other structure, any epitaph, inscription, writing or lettering or any words, marks or characters or any pictures which might be considered Objectionable.

13. Te Nehu te Tahu Tūpāpaku rānei Kāore ana Pūtea | Burial or Cremation of Persons Without Financial Means

- 13.1. Applications to Council for the Interment or Cremation of a deceased person without financial means, must include an order signed by a Justice certifying that:
- a) the deceased person has not left sufficient means to pay the charge (fixed by the Council) to be Buried or Cremated in the Crematorium;
 - b) the cost of Burial is not covered by any ACC Entitlement or WINZ Funeral Grant or other entitlement; and
 - c) the deceased person's relatives and friends are unable to pay the costs.

14. Ngā Tūpāpaku Tauā | Deceased Servicemen

- 14.1. Where a request is received by the War Graves Branch of the Department of Internal Affairs for the disinterment of any deceased servicemen and the re-interment in the war graves section of the cemetery, the fees payable to Council will be agreed upon between the parties at the time.

15. Te Hahu Tūpāpaku | Disinterment

- 15.1. Where a request is received for a disinterment and/or a re-interment, it must be conducted in accordance with sections 51 and 55 of the Burial and

Cremation Act 1964 and is subject to the payment of such fees as the Council decides.

16. Te Mana Whakatau Utu | Power to Set Fees

- 16.1. The Council may set fees for the purchase of Plots and all other services provided for the repair, operation, and maintenance of Cemeteries and Crematoria through a publicly notified resolution.
- 16.2. “Out of district” fees may be payable in the case of a Burial of a deceased person not residing in or not a ratepayer of the district for a predetermined time as fixed by Council. The Manager determines whether an “out of district” fee is applicable.

17. Ngā Hara me ngā Hāmene | Offences and Penalties

- 17.1. Any Person who breaches Part seven commits an offence and may be liable on conviction to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw Part One1 - Introductory (Section 15.2) for details of what broadly constitutes a breach.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Seven is liable on conviction to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Waru: Ngā Ture ā-
Rohe Haumanu Rerehua, Kirituhi,
Titi Kiri

Part Eight: Beauty Therapy, Tattooing and Skin Piercing

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Twelve – Beauty Therapy, Tattooing and Skin Piercing	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Eight – Beauty Therapy, Tattooing and Skin Piercing	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Pāhekoheko | Referenced Documents

Reference is made in this document to the following legislation:

- Health Act 1956
- Local Government Act 2002

Reference is made to the following documents:

- Guidelines for the Safe Piercing of Skin published in October 1998 by the Ministry of Health
- Customary Tattooing Guidelines for Operators published in April 2010 by the Minister of Health
- New Zealand Environmental Protection Authority's Tattoo and Permanent Makeup Substances Group Standard 2022

Wairarapa Consolidated Bylaw: Part Eight – Beauty Therapy, Tattooing and Skin Piercing. Bylaw came into force: 1 October 2025

Kupu Takamua | Foreword

Part Eight is made under sections 145 of the Local Government Act 2002 and section 23(e) and section 64 of the Health Act 1956.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Eight protects, promotes and maintains public health and safety and prescribes sanitary precautions to prevent the transference of communicable diseases via beauty therapy practices, tattooing or skin piercing businesses.
- 1.2. An **exemption from the requirements of registration** is provided for certain qualified health practitioners due to their recognised training standards, however general standards of hygiene must still comply with the Infection Control Standards NZS 8134 3 2008. Other exemptions, where appropriate, also apply (refer section 14 of this part for further details).
- 1.3. Part Eight should be read in conjunction with the [Guidelines for the Safe Piercing of Skin](#) published in October 1998 by the Ministry of Health.

Explanatory Note:

Part Eight supplements other obligations of premises, including but not limited to, those set out in the Resource Management Act 1991 and Building Act 2004, and any codes developed under such legislation, and those in Council plans and bylaws. A premises may also be subject to other licensing requirements by the Council.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

- 2.1. The following definitions are applicable to Part Four:

Acupuncture: means the practice involving the insertion of filiform (very narrow) needles through the skin and tissues for the purpose of alleviating ailments or injuries.

Approved Dishwashing Facilities: means to the same standard required for a food business registered under the Food Act 2014.

Authorised Officer has the meaning given in Part One of the bylaw.

Autoclave: means a machine using high pressure and steam to Sterilise equipment and supplies.

Beauty Therapy Practices: means any procedure intended to improve, alter or cleanse a person's appearance (hair, skin or complexion) or wellbeing including, but not limited to, any ~~Commercial Service~~Prescribed Process that:

- pierces the skin (including but not limited to Tattooing, body Skin Piercing, Electrolysis, red vein therapy, dermal rolling or stamping, extractions); or
- risks breaking the skin (including but not limited to hair removal e.g. Epilation or Depilation, waxing and Electrolysis, manicure, pedicure); or
- risks burning the skin (including but not limited to pulsed light, laser treatments, Solariums).

Where relevant, this includes businesses such as jewellers, body skin piercers, beauty therapists, nail technicians, and tattooists.

~~Explanatory Note:~~

~~Part Eight does not apply to a Person carrying out Hairdressing unless that Person is also providing a Prescribed Process at the Premise in addition to Hairdressing. Hairdressing is regulated by the Health (Hairdressers) Regulations 1980.~~

Certificate of Registration: means a certification or licence issued by the Council confirming that the Prescribed Processes a Beauty Therapy professional or establishment provides meets the required standards as set by this bylaw or the relevant regulations and includes all conditions to which the Certificate of Registration is subject.

Cleaning: means the physical removal of dirt, blood and any other substances from surfaces by washing in detergent and warm water to reduce the number of microorganisms and "Clean" and "Cleansed" have a corresponding meaning.

~~**Commercial Service:** means a service (whether operated from Permanent, Temporary or Mobile Premises or by a Mobile Operator) provided by one or more persons for another person for monetary payment or any other consideration.~~

Communicable Disease: has the meaning given to it in section 2 of the Health Act 1956.

Designated Premises: includes any commercial, industrial, Residential, or community building where a Prescribed Process is carried out, whether they are Permanent or Temporary Premises.

Disability Assist Dog: has the meaning given to it under section 2 of the Dog Control Act 1996.

Disinfection: means the killing of disease-causing micro-organisms except bacterial spores and "Disinfected" has a corresponding meaning.

Electrolysis or short-wave diathermy: means the use of negatively charged electrical current to destroy hair.

Epilation or depilation: means the practice involving the penetration of the skin for the purpose of removing hair and includes the process commonly known as electrolysis.

~~**Hairdressing:** has the meaning given to it under section 2 of the Health (Hairdressers) Regulations 1980.~~

Health Practitioner: has the meaning given to it under section 5(1) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of a particular health profession.

Instrument: means any appliance, implement, needle or tool, of metal or non-metallic construction, which may come into contact with the skin or tissue on which the Prescribed Process is being carried out. It must also include any swab or dressing applied to the broken skin surface.

Licensee: means the person or legal entity to whom a Certificate of Registration has been issued to under this bylaw in respect of a Prescribed Process in their Premises.

Medical Waste: means the disposal of any needle or other article contaminated by blood, tissue or other bodily fluid in an approved manner such as a sharps container or biohazard waste receptacle.

Psychoactive Substance: has the meaning given to it under section 9 of the Psychoactive Substance Act 2013.

Mobile Operator: means a person who operates without a Premises.

Mobile Premises: means a location other than a Permanent Premises where any Prescribed Process is undertaken on an ongoing and regular basis by any person including any vehicle, stall or unit whether self-propelled or not.

Operator: means any Licensee and/or staff member who performs or carries out a Prescribed Process.

Permanent Premises: means any location where ~~any Commercial Service~~ Prescribed Process is undertaken by any person on a permanent basis and the primary purpose of that location is the ordinary provision of that ~~service~~ process.

Premises: means, as defined in Section 4 of Part One and includes where the context requires in this part, Designated Premises, Permanent Premises, Temporary Premises, or Mobile Premises.

Prescribed Process: means any Beauty Therapy, Tattooing or Skin Piercing process, (whether operated from Permanent, Temporary or Mobile Premises, and including Mobile Operators), for which payment is received.

Principal Entrance: means the main entry point to the Premises, through which clients, customers, or visitors access the Premises.

Readily Accessible: means the location of any fixture, equipment, instrument or utensil so that it can be accessed quickly, practically and without any action likely to pose a risk to any person.

Red Vein Treatment: means the practice of piercing a veins with a needle along the length of a damaged capillary causing little dams or blockages along the vessel.

Residential: means from a private dwelling.

Skin: is included in the definition of Tissue and means the outer surface covering the body and is made up of the outer epidermis, middle dermis and deep subcutaneous tissue.

Skin Piercing: means a practice involving the piercing, cutting or puncturing of the skin or any other part of the human body and includes such services as acupuncture, body piercing, derma rolling/stamping, dry needling, electrolysis, extractions, red vein treatment and Tattooing, and Traditional Tools Tattooing.

Recognised Qualification: may include a nationally or internationally recognised training standard, NZQA unit, standard, or industry training organisation qualification.

~~**Solarium:** means a commercial establishment containing one or more sun-beds (tanning units). A sun-tanning device emits ultraviolet radiation to produce a cosmetic tan.~~

Sterilised: means in relation to an instrument or like article or container, means subjecting an instrument, article or container to a process (including methods like with heat or an Autoclave), as a result of which all organisms and their spores present on the surfaces of the instrument, article or container are completely eliminated or killed and "Sterilisation" and "Sterilise" have a corresponding meaning.

Tā moko: means, in relation to Prescribed Processes where payment is received, the permanent marking or Tattooing as customarily practised by Māori.

Explanatory Note:

Practitioners undertaking tā moko on a marae in Wairarapa and in accordance with tikanga Māori (traditional Māori custom), where no payment is received, are exempt from complying with this part of the bylaw (refer section 14.2 of this part).

Tattooing: means a process by which indelible marks are made in human skin or tissue by inserting pigments or dyes into punctures. Tattooing also includes the process known as pigment implantation or permanent makeup and “Tattoo” has a corresponding meaning. Tattooing also includes cosmetic and semi-permanent tattooing/makeup applications.

Tatau: means the permanent marking or Tattooing as customarily practised in Samoa.

Temporary Premises: means any location where any ~~Commercial Service~~ Prescribed Process is undertaken by any person on an irregular basis and the primary purpose of that location is not the ordinary provision of that service.

Tissue: means a collection of similar cells that together carry out a specific function. It includes connective tissue such as blood, bones and ligaments, muscular tissue, membranes and Skin.

Traditional Tools Tattooing: means a practice of making indelible marks in the human skin or tissue by inserting pigments or dyes into punctures made in the skin or tissue using tools that are culturally traditional in structure and used in procedures such as Tā moko, Tatau, Uhi or any other traditional tattooing practice that has recognised cultural significance.

Uhi: means Māori tattooing implements (chisel blades).

3. Tohu Rēhita | Certificate of Registration

- 3.1. A Person must not use any Premises to carry out any Prescribed Process without a current Certificate of Registration.
- 3.2. Applications for a Certificate of Registration must be made by the owner or manager or Operator and shall be made on the prescribed form. The applicant must pay the applicable registration fees as set by the Council.
- 3.3. Council may make controls and set fees or recover costs for the following matters with respect to any Certificate of Registration required by clause 3.1:

- a) applications for a Certificate of Registration (including renewals);
 - b) process to review, suspend or cancel a registration or its conditions;
 - c) process to object to a decision of the Council in relation to the review, suspension or cancellation of a registration;
 - d) conducting inspections necessary as part of the process of assessing an application for registration; and
 - e) conducting inspections to ensure that a registration and its conditions are complied with.
- 3.4. At the discretion of Council and having regard to any controls made under clause 3.3, a Certificate of Registration may be declined, or granted subject to any conditions.
- 3.5. A Certificate of Registration must not be issued unless the Premises concerned complies with all requirements of this part of the bylaw, or an exemption in accordance with section 13 of this part of the bylaw has been granted.
- 3.6. All Operators must comply with the conditions of any Certificate of Registration and requirements within this bylaw unless a written exemption is obtained.
- 3.7. The Certificate of Registration must be prominently displayed at the Principal Entrance so that anyone visiting the Premises can easily see it.
- 3.8. A Certificate of Registration is valid ~~from~~ for up to 12 months from the date it was issued and it must be renewed annually.
- 3.9. A Certificate of Registration issued under this part of the bylaw is not transferable without written approval from Council. If the business is sold or transferred to another person, the owner, manager, or Operator must notify the Council in writing within 14 days of the settlement date of the sale of the business. The new owner must apply to Council for a new Certificate of Registration and must pay the required registration fees.

4. Ngā Herenga Mahi | General Conditions of Operation

- 4.1. A person must not allow or carry out any Prescribed Process on any person under the age of 16 years without the written permission of that person's parent or legal guardian.
- 4.2. A person must not carry out the Prescribed Process of tattooing any person under the age of 18 years.
- 4.1.4.3. A person must not pierce any nipple or genital area of a person under the age of 18 years.

4.2.4.4. A person must not carry out any Prescribed Process on any person whom they suspect is under the influence of alcohol, drugs or Psychoactive Substances.

4.5. A person must not allow or carry out any Prescribed Process unless they hold a Recognised Qualification, where a Recognised Qualification is available for the Prescribed Process. An exemption will be applied to any person under the direct in-person supervision of someone who holds the said qualification and where the person providing the supervision is employed by a training institution.

4.6. Any person who undertakes a prescribed process that pierces or penetrates the skin must have obtained and be able to provide evidence of the successful completion of a bloodborne pathogen training course.

Explanatory Note:

A bloodborne pathogen training course includes training undertaken face-to-face or online. Such courses must cover identification of disease and infection causing microorganisms, the risks associated with such microorganisms, and the prevention and control measures required to protect clients when reprocessed items or equipment is used.

All skin-piercers and tattooists must complete bloodborne pathogen training within one year of either the enactment of this part of the bylaw or within one year of initial registration under this part of the bylaw.

4.3.4.7. A person must not eat or drink on the Premises except in a part of the Premises that is clearly separate from the area where the Prescribed Process is carried out and refreshments are only to be served in client waiting areas, not in work areas.

4.4.4.8. Smoking and vaping are prohibited on the Premises.

4.5.4.9. The Operator of a Premises where any Prescribed Process takes place, must display in a prominent place a notice asking clients to inform them of any Communicable Disease the client has, which may be likely to have an effect on the Prescribed Process.

~~4.6. The Operator must maintain accurate records, in accordance with section 12 of this part of the bylaw.~~

4.7.4.10. A person who knows or suspects that they are suffering from, or are a carrier of, a Skin infection or Communicable Disease, or associated conditions, must not carry out any Prescribed Process, without taking adequate precautions to prevent the transmission of such infection, disease or condition.

4.8.4.11. No Animals, except disability assist dogs, are to be permitted in that part of the Premises where the Prescribed Process takes place.

~~4.9. Any person operating a Solarium must comply with AS/NZS 2635:2008 "Solaria for cosmetic purposes" and Part 5 of the Health Act 1956.~~

~~4.10.~~~~4.12.~~ Prior to performing any Prescribed Process that invades someone's body in any way, information must be given in a manner which fully explains the nature of the procedure, the outcomes of it and any risks involved. The information must be understandable and take into account the age of the person involved and their understanding of the language used. Informed consent cannot be legally given by someone under the age of 16 years.

~~4.11.~~~~4.13.~~ Any person who wishes to have a Prescribed Process carried out, must inform the Licensee, manager, or other person for the time being appearing to be in charge of the Premises, prior to the commencement of any Prescribed Process, if they know or suspect that they:

- a) are suffering from a Communicable Disease;
- b) have a history of problem bleeding;
- c) are taking medication such as anticoagulants which thin the blood or interfere with blood clotting;
- d) have a history of allergies or adverse reactions to pigments, dyes or has other skin sensitivities; or
- e) have a history of epilepsy or seizures.

~~4.12.~~~~4.14.~~ The Operator is required to specifically request the information needed under clause 4.11 and keep accurate records under section 13.

~~4.13.~~~~4.15.~~ The Operator may decline to carry out any Prescribed Process on the basis of information received under clause 4.11 or agree to carry out the Prescribed Process subject to such conditions as are considered appropriate in the circumstances. Nothing in this part of the bylaw shall be construed as requiring any person to perform a Prescribed Process on any other person.

5. Ngā Āhuatanga Ōkiko o te Hanganga | Physical Aspects of Premises

- 5.1. A person must not use, or allow any Premises to be used for a Prescribed Process except in accordance with all of the following provisions:
- a) the Premises must be maintained in a state of good repair, Sanitised, clean and tidy condition;
 - b) the floors, walls, ceiling, fixtures and fittings in any area connected with the carrying out of any Prescribed Process must be constructed of materials that are continuously smooth, impervious and easily cleaned;
 - c) a wash basin ~~with splash guards~~, a constant piped supply of hot and cold water, soap, a nail brush and approved hand drying facilities must be

provided in a readily accessible position within the working area associated with the Prescribed Process;

- d) a designated sink supplied with a constant piped supply of hot and cold water must be provided in a readily accessible position within the working area for the sole purpose of Cleaning Instruments and equipment associated with a Prescribed Process;
- e) all parts of the Premises must be adequately ventilated;
- f) all parts of the Premises must be provided with adequate lighting to assist in the performance of a Prescribed Process and facilitate cleaning and inspection;
- g) there must be a sufficient supply of Cleaning, Sanitising and Sterilising agents, and suitable Cleaning equipment, to enable regular and proper Cleaning of the Premises and the equipment.
- h) there must be a separate area in the Premises for the storage of chemicals, cleaning equipment and products associated with any Prescribed Process when they are not in use;
- i) there must be an a sufficient supply of covered waste receptacles that are constructed of easily cleanable materials;
- j) all mattresses, squabs and cushions used on any chair, bed, table or the like, used in conjunction with the carrying out of any Prescribed Process, must be covered in impervious and readily cleanable material. After each client, all linen/paper used to cover these must be replaced and the tables and equipment must be Cleaned and Disinfected.
- k) there must be a separate storage area for clean and soiled laundry. The storage containers for the laundry must be made of water-proof material and capable of being easily cleaned;
- l) there must be a separate storage area in the Premises for the storage of beauty products and other products or materials.
- m) where refreshments are served to clients, single use utensils are to be used unless ~~Approved Dishwashing Facilities~~ are supplied.

6. Ngā Hanganga Hīkawe me ngā Kaiwhakahaere Hīkawe | Mobile Premises and Mobile Operators

6.1. All Mobile Operators must:

- a) provide sufficient facilities in the Mobile Premises to adequately store all clean and used equipment, linen and waste products safely in separate containers before and after use and while in transit;
- b) establish and maintain a 'clean' work area in the Mobile Premises and protect all surfaces and equipment in that work area from contamination by dust, dirt, other such contaminants or members of the public at all times;
- c) ensure that ~~they~~ in the Mobile Premises, ~~there is~~ ~~they have~~ direct access to hand washing facilities with soap, paper towels and hot and cold running water, ~~preferably through a single spout~~. Alternatively, where it is physically impossible to have hand washing facilities with running water in the Mobile Premises, waterless alcohol-based antiseptic hand gels, foams, or liquids can be used.
- d) clean their hands using waterless alcohol-based hand cleanser between each client;
- e) wash their hands with running water and soap if their hands are visibly soiled; and
- f) ensure there is sufficient Sterile equipment for all clients undergoing Skin penetration procedures and, if the Mobile Premises does not have an Autoclave, then single use pre-sterilised equipment is to be used.

6.2. All owners or Operators of a Mobile Premises must ensure that the area set aside for the Mobile Premises complies with all controls for a Prescribed Process. The controls for a Prescribed Process in a Mobile Premises are to be determined by an Authorised Officer, who will take into consideration the circumstances in which the Prescribed Process is being undertaken to decide what is appropriate.

7. Ngā Whanonga | Conduct

7.1. While on the Premises, an Operator must:

- a) at all times keep their clothing, hands and fingernails clean, and cover any infected, damaged or inflamed skin with an impermeable dressing or disposable gloves;
 - b) thoroughly clean their hands immediately:
 - i. before commencing and after completing any Prescribed Process;
 - ii. after using a toilet;
 - iii. after smoking or vaping;
 - iv. after blowing the nose; and
 - v. after handling soiled laundry, money, biological matter or waste materials used or produced in connection with a Prescribed Process;
 - c) prior to commencing any Prescribed Process, cleanse the client's skin by swabbing with a hospital-grade suitable cleansing agent; and
 - d) dispose of all blood or tissue contaminated materials, and dye residue used in a Prescribed Process into a puncture resistant container, 'sharps container' or otherwise in a manner approved by an Authorised Officer.
- 7.2. An Operator shall, at the completion of any Prescribed Process, provide to each client suitable written instructions for the subsequent after care of the site to prevent its infection.
- 7.3. An Operator must not undertake any Tattooing, waxing, Electrolysis or Skin Piercing procedure unless that person covers their hands with new, single use gloves for each client, wherever practical.
- 7.4. Any equipment used for a Prescribed Process must be calibrated, serviced and operated according to manufacturer specifications and only used for the purpose set out in the instructions. Section 13 contains requirements for keeping records about the servicing and calibration of this equipment.
- 7.5. An Operator must ensure there is a written procedure for the Cleaning of any blood or tissue contaminated linen or fixtures held onsite at all times.

8. Kirituhi | Tattooing

- 8.1. The Sterilisation of Tattooing equipment must include, but not be limited to, the Sterilisation of needle bars, tubes and tube tips.
- 8.2. Stencils and marker pens must only be used for one client and then disposed of.
- 8.3. An Operator must not, in Tattooing a client, use any dye, pigment or solution, unless the dye, pigment or solution:

- a) has been decanted into a sterile-single use container (as per Section 11) holding a sufficient amount of the liquid for carrying out the Tattoo on that client only; and
 - b) is, while the process is being carried out on that client, extracted or withdrawn only from that container.
- 8.4. The Operator must ensure that on completion of the Tattoo, any dye, pigment or solution residue is discarded and disposed to waste, and the container is either sterilised or discarded.
- 8.5. The Operator is responsible for ensuring all dyes, inks, pigments, or solutions used for Tattooing are:
- a) approved under the New Zealand Environmental Protection Authority's Tattoo and Permanent Makeup Substances Group Standard 2022~~20~~ (or subsequent iteration) or meet the relevant standards that apply under legislation from the territory or country from which they are imported; and
 - b) prepared, stored and dispensed in such manner as to prevent any likelihood of infection to any other person.

9. Haumanu Rerehua, Titi Kiri me te Kuku Huruhuru | Beauty Therapy/Skin Piercing/Epilation

- 9.1. An Operator must not remove hairs from moles, birthmarks and other abnormalities without medical permission.
- 9.2. The client's Skin must be sanitised-suitably cleansed prior to waxing.
- 9.3. No person may use any Instrument to pierce Skin unless it has been Sterilised and has been kept in such a manner as to maintain sterility. All needles must be either pre-sterilised disposable types or needles sterilised as directed in section 11. No needle or other Instrument used to carry out a Skin Piercing may be touched by bare fingers, nor contaminated by packaging which has been contacted by bare fingers.
- 9.4. All jewellery used for Skin Piercing must be Sterile.
- 9.5. Any product that has been applied to a client's body (including wax) must not be reused on another client.
- 9.6. Any applicator that makes contact with a person's Skin must not be reused (double-dipped) or be replaced in a receptacle containing wax or any product unless the product has been decanted into single use containers.
- ~~9.7. Any product cross-contaminated through the process of double-dipping must be disposed of before the next client.~~

~~9.8.9.7.~~ All equipment and disposables used as part of treatment or after care must be used and stored in such a way to prevent contamination.

10. Ngā Ratonga Aukati | Prohibited or Restricted Services

- 10.1. Commercial Services that pierce the eyeball (including tattooing of the eyeball or scleral tattooing) are prohibited unless undertaken by appropriately qualified health practitioners (Ophthalmologists) who are covered by the Health Practitioners Competence Assurance Act 2003 in the practice of their profession.

11. Te Patu Moroiti i ngā Taputapu | Sterilisation of Equipment

- 11.1. No tools or equipment used for any Prescribed Process, such as needles and similar equipment that pierces or risks cutting the Skin (including pedicure, manicure or waxing equipment), shall be reused unless it has been Sterilised in one of the following ways:
- a) thoroughly cleansed and Sterilised in an Autoclave in accordance with manufacturer's instructions. Evidence of the use of chemical indicator strips to demonstrate that the appropriate temperatures have been achieved during the Sterilisation cycle must be kept and be made available for inspection for a minimum of 12 months. ~~During each use, the gauges on the Autoclave shall be viewed to ensure that the correct times, temperatures and pressures are reached.~~
 - ~~b) thoroughly cleansed and exposed to dry heat for at least 60 minutes at not less than 170oC~~
 - ~~c) thoroughly cleansed then totally immersed in a glass bead Steriliser according to manufacturer's instructions.~~
 - ~~d) b)~~ thoroughly cleansed by a method appropriate to the nature of the article concerned and then submitted to a process of Sterilisation approved by an Authorised Officer.
- 11.2. All disposable needles used for any Prescribed Process must be disposed of in an appropriate "sharps" container for medical waste, which in turn must be disposed of in an approved manner.
- 11.3. All materials containing body fluids and blood (including follicles) must be disposed of as medical waste in an approved manner. Medical waste must not be stored on the Premises for any longer than two weeks.
- 11.4. All non-medical waste is to be stored in a covered receptacle and removed from the Premises regularly.
- 11.5. Where an Instrument or like article used for projecting a needle into the Skin of any person, would be rendered inoperable or be damaged if a hand

piece attached to it were Sterilised, the hand piece shall be deemed to be Disinfected if it has been cleaned of all visible soiling then wiped with a clean paper towel saturated with:

- a) a solution of industrial methylated spirit; or
- b) ethyl alcohol or isopropyl alcohol (in each case containing not less than 70 per cent alcohol); ~~or~~
- ~~c) iracleen or other similar approved solutions.~~

- 11.6. Prior to cleansing the hand piece, the needle shall be removed from the hand piece and disposed.

Explanatory Note:

~~Chlorine solution will corrode metals.~~

Operators should follow manufacturer's instructions in cleaning products, in particular concentration and use by dates.

12. Te Patu Huakita, te Whakamā, te Akuaku me te Whakatika | Disinfection, Cleaning, Cleansing and Repair

- 12.1. Where any Premises, equipment or procedures used to carry out any procedure or Prescribed Process are in such a condition whereby clients may be exposed to contamination or Communicable Disease, the Licensee must on receipt of a notice signed by an Authorised Officer cleanse, reconstruct or repair the Premises, equipment or redesign the procedures as directed within the time specified on the notice or cease using the Premises until any such time agreed by the Authorised Officer.
- 12.2. All equipment, Instruments and utensils that are unable to be Sterilised must be thoroughly Cleaned and then Disinfected by a thermal or chemical Disinfection procedure in accordance with the manufacturer's instructions.
- 12.3. After thorough Cleaning, approved solutions for Disinfecting include, but are not limited to:
- a) Ethyl alcohol, isopropyl alcohol or methylated spirits (in each case containing not less than 70% alcohol); or
 - b) an industrial strength disinfecting solution (such as a chlorine, phenol or Quaternary ammonium cation (QUAT) based solution) used in accordance with manufacturer's instructions.
- 12.4. For any chemical used to Disinfect, Operators must be able to demonstrate knowledge of chemical dilution rates, application method and contact times.

13. Ngā Mauhanga | Records

- 13.1. ~~Accurate~~ Records must be maintained to assist Operators with providing aftercare advice for clients and as an opportunity to audit the quality of procedures, should complications occur.
- 13.2. Prior to commencing any Prescribed Process, the Operator must obtain and record the following information in writing:
- a) client name, address, and phone contact;
 - b) client date of birth;
 - c) details of the procedure type and potential risks associated with the Prescribed Process to be administered;
 - d) consent for the Prescribed Process to be administered that is signed by the client; and
 - e) client health information including, but not limited to:
 - i. any medication taken which may affect the Prescribed Process;
 - ii. any known blood or bleeding disorder or blood thinning medication taken;
 - iii. any medical history of known allergies or adverse reactions; and
 - iv. any medical history in relation to Communicable Disease or infectious disease.
- 13.3. The Operator must hold client records ~~regarding such information~~ on site and ensure that information is updated after every visit. These records must be made accessible to an Authorised Officer upon request.
- 13.4. Records must be strictly confidential and all personal client information must be kept secure in a secure area, in accordance with the Privacy Act 2020.
- 13.5. The Operator must hold ~~client~~ records regarding information collected under clause 12.2 (regarding equipment, instruments, and utensils) on site for a period of 12 months from the date of the initial Prescribed Process. These records must be made accessible to an Authorised Officer upon request.
- 13.6. The Operator must collate information relating to the monitoring and regular servicing and calibration of all equipment used for Sterilisation such as an autoclave, ~~UV cabinet or glass bead Steriliser~~. Such records must be kept for a minimum period of 12 months from the date the monitoring or servicing was carried out. The records shall be made available to an Authorised Officer or a Medical Officer of Health upon request.

- 13.7. A record of medical waste disposal must be kept for a minimum period of 12 months from the date of disposal. The records must be made available to an Authorised Officer or a Medical Officer of Health on request.

14. Ngā Kapenga | Exemptions

14.1. The provisions of clause 4.5 of this part of the bylaw shall not apply:

- a) where the procedures are carried out in the practice of medicine, dentistry, nursing, physiotherapy, pharmacy or podiatry respectively, by a medical practitioner registered pursuant to the Medical Practitioners Act 1995, a dentist registered under the Dental Act 1988, a nurse registered under the Nurses Act 1977, a physiotherapist registered under the Physiotherapists Act 1949, a pharmacist registered under the Pharmacy Act 1970, a podiatrist registered under the Medical Auxiliaries Act 1966, or any Health Practitioner registered under the Health Practitioners Competence Assurance Act 2003 or subsequent Act;
- b) acupuncture undertaken by members of the New Zealand Register of Acupuncturists or members of the New Zealand Acupuncture Standards Authority or by members of Acupuncture NZ;

~~c) commercial ear piercing services undertaken in a pharmacy licenced by the Ministry of Health;~~

~~e)c)~~ a person acting under the direction or supervision of a any person described and acting in accordance with clause 14.1 (a), where the purpose is the practice of medicine, dentistry, nursing, physiotherapy, pharmacy or podiatry;

~~e)d)~~ to any tertiary educational institution authorised to train persons to become qualified in the practices of Beauty Therapy and/or nail technology; or

~~f)e)~~ in a situation where an Authorised Officer is satisfied that compliance with any requirements of this part of the bylaw would be impractical or unreasonable, having regard to the Premises in question, or the Prescribed Process being undertaken. A written exemption may be granted with such modifications, and subject to such conditions as are in the interests of public health as may be desirable in the circumstances.

14.2. Kua kore tēnei wāhanga o ngā ture ā-rohe e hāngai ki ngā ringatā e tā moko ana ki ngā marae i Wairarapa, whai rawa i ngā tikanga Māori. Me whai whakaaro ngā ringatā ki ngā paerewa, ki ngā tohutohu hoki o roto i te 2010 Customary Tattooing Guidelines for Operators a te Manatū Hauora hei ārahi matua, me ētahi anō tohutohu ārahi e tuwhera ana. He taonga te tā

moko. Ko tā te Atikara 2 o Te Tiriti o Waitangi he tiaki i te rangatiratanga o Ngāi Māori ki ō rātou taonga.

Explanatory Note:

Section 14.2 in English means practitioners undertaking Tā moko on a marae in the Wairarapa and in accordance with tikanga Māori (traditional Māori custom) are exempt from complying with this part of the bylaw. Practitioners should consider the minimum standards of this part and the Ministry of Health's 2010 Customary Tattooing Guidelines for Operators as a best practice guide, alongside other available guidance. Tā moko is considered to be a taonga (or cultural treasure). Article 2 of the Treaty of Waitangi protects Māori rangatiratanga over taonga.

- 14.3. Any Operator may apply for an exemption from any requirement in this part of the bylaw where the Operator can demonstrate that any risk to public health is mitigated to the same extent as what is provided for in this part of the bylaw.

15. Ngā Hara me ngā Hāmene | Offences and Penalties

- 15.1. An Authorised Officer undertaking inspections under this part may take or remove a sample or thing for analysis, for the purpose of determining whether or not this part is being complied with.
- 15.2. Any person who breaches or fails to comply with this part of the bylaw commits an offence and may be liable on conviction to a penalty under the Health Act 1956 or the Local Government Act 2002 (LGA). Refer to Wairarapa Consolidated Bylaw 2025: Part 1 - Introductory (Section 15.2) for details of what constitutes a breach
- 15.3. A breach or failure to comply with this part of the bylaw may result in a Certificate of Registration being cancelled.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Eight:

- is liable to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;
- is liable to a fine not exceeding \$500 in accordance with section 66 of the Health Act 1956;
- where the offence is continuing, is liable to a fine not exceeding \$50 every day the offence continues in accordance with section 66 of the Health Act 1956
- where a person provides artificial tanning services to a person under 18, is liable to a fine not exceeding \$2,000 for an individual or \$10,000 for a body corporate in accordance with section 114(3) of the Health Act 1956.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Iwa: Kohinga Wai

Part Nine: Water Supply

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Five – Water Supply	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Nine – Water Supply	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Hāngai | Related Documents

The following legislation is related to Part Nine:

- Building Act 2004
- Building Regulations 1992 Schedule 1 (New Zealand Building Code)
- Fire and Emergency New Zealand Act 2017
- Health Act 1956
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991
- Water Services Act 2021
- Water Services (Drinking Water Standards for New Zealand) Regulations 2022

The following standards and codes are related to Part Nine:

- Taumata Arowai Acceptable Solutions
- Taumata Arowai Aesthetic Values for Drinking Water Notice 2022
- Taumata Arowai Drinking Water Quality Assurance Rules 2022
- Taumata Arowai Drinking Water Quality Assurance (Very Small to Medium Drinking Water Supplies) Amendment Rules 2024
- NZS 4503:2005 Hand Operated Fire-Fighting Equipment
- NZS 4517:2010 Fire Sprinkler Systems for Houses
- OIML R 49-1 2013 (E) Water meters intended for cold potable water and hot water. Part 1: Metrological and technical requirements;
- OIML R 49-2 2006 (E) Water meters intended for cold potable water and hot water. Part 2 Test methods
- OIML R 49-3 2006 (E) and Water meters intended for cold potable water and hot water. Part 3 Test report format
- Wellington Water Limited: Regional Standard for Water Services published dated December 2021 (Version 3.0)

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

The following other publications are related to Part Nine:

- Wairarapa Combined District Plan

Kupu Takamua | Foreword

Part Nine is made under section 145 and section 146(b)(ii) of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

1.1. Part Nine enables the Water Supply Authority (WSA) to:

- a) promote the efficient use of water and protect against waste or misuse of water from the water supply network;
- b) protect, promote and maintain public health and safety in relation to the supply of Drinking Water;
- c) manage and provide public water supply services; and
- d) protect the public water supply network from damage, misuse, or interference.

Compliance with other Acts and Regulations

1.2. The supply and sale of water by a WSA is also regulated and controlled by other acts and regulations, and relevant codes and standards. Compliance with this bylaw does not remove the need to comply with the requirements of any Act, regulation or other bylaw. In the event of any inconsistency between this Part and the requirements of any Act or regulation, the Act and regulation prevails.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

2.1. The following definitions are applicable to Part Nine:

Backflow: means the unplanned reversal of a flow of water or mixtures of water and contaminants into the Water Supply Network.

Backflow Prevention Device: means a device approved by the Council that is designed to prevent Backflow and includes an air gap separation.

Buried Servies: means the WSA's underground systems, networks and infrastructure that deliver water supply to the public via the Water Supply Network.

Catchment: means an area of land which drains to a waterbody from where a public water supply is drawn.

Check Meter: means a secondary meter used to measure water usage generally installed inside the boundary of a Property, for the purpose of measuring the volume of water consumed by each individual Property where there are multiple Properties sharing a single connection.

Commercial Use: means the use of land and buildings for Commercial Activities as defined in the Wairarapa Combined District Plan.

Corridor Access Request: has the meaning given to it under the National Code of Practice for Utility Operators and "CAR" has a corresponding meaning.

Customer: means a Person who has obtained the right to use or direct the manner of use of, water supplied by the WSA to any Premises.

Detector Check Valve: means 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.

Development Contribution: has the meaning given to it under section 197(2) of the Local Government Act 2002.

Drinking Water: has the meaning given to it under section 6 of the Water Services Act 2021.

Emergency Services: has the meaning given to it under section 4 of the Civil Defence Emergency Management Act 2002.

Extraordinary Supply: means a category of On-Demand Supply including all purposes for which water is supplied other than that of Ordinary Supply and which may be subject to specific conditions and limitations.

Extraordinary Use: means the use of water for purposes other than Ordinary Domestic Use and includes but is not limited to:

- domestic use from spa or swimming pools in excess of 10 m3 capacity
- domestic use from permanent fixed garden or lawn irrigation systems;
- Commercial Use;
- Industrial Use;
- agricultural, horticultural, viticultural, and lifestyle blocks (peri-urban or small rural residential) use;
- fire protection systems (other than sprinkler systems installed to comply with NZ4517) which have prior approval of the Council;
- out of district supply (i.e. supply to a Consumer outside the water supply area); and
- temporary supply.

FENZ: has the meaning given to it under section 6 of the Fire and Emergency New Zealand Act 2017.

Flow Control Device: means a device used to regulate, direct, or limit the flow of water to a Customer's Premises.

Industrial Use: means the use of land and buildings for Industrial Activities as defined in the Wairarapa Combined District Plan.

Level of Service: means the measurable performance standards on which the WSA undertakes to supply water to its Customers.

Meter: means a device for the purpose of measuring the volume of water consumed.

Meter Reading Period: means the regular interval determined by the WSA at which Meter readings are scheduled or carried out for billing purposes. This may vary between properties.

Metered: means the amount of water being used is measured using a Meter.

National Code of Practice for Utility Operators: means the National Code of Practice for Utility Operators' Access to Transport Corridors pursuant to section 12 of the Utility Access Act 2010 and as updated from time to time.

On-Demand Supply: means a supply which is available on demand directly from the Point of Supply subject to the agreed Level of Service.

Ordinary Supply: means a category of On-Demand Supply used solely for Ordinary Domestic Use.

Ordinary Domestic Use: means the use of water for domestic purposes which is water taken and used for the purpose of providing for individual household use and for human drinking and sanitation needs. Domestic use may include use in a fire sprinkler system to NZS 4517¹, and includes:

- washing down a car, boat or similar;
- garden watering by hand;
- garden watering by a portable sprinkler (subject to the provision of clauses 10.5 and 10.6 Demand Management).

Permit: means written permission or authority issued by an Authorised Officer.

Point of Supply: means the point on the Service Pipe leading from the Water Main to the Premises, which marks the boundary of responsibility and is typically the Customer side of the Service Valve (Toby), unless otherwise specified, and regardless of whether the Service Valve (Toby)

¹ Note: For use from a fire protection system to NZS 4517 to be classified as an Ordinary Use, the Customer should comply with the conditions set under clause 49.1.

is inside or outside the property boundary.

Potable Water: means water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the New Zealand Drinking Water Standards applicable at the time.

Premises: means the physical location to which a water supply is provided and includes the following:

- a Property;
- 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 Record of Title is available; or
- land held in public ownership (such as a Reserve) for a particular purpose.

Property: means a property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued and is a separate Rating Unit and showing on the Rating Information Database.

Ranger: means a person responsible for the management of a WSA controlled catchment area or water reserve.

Rating Unit: has the meaning given to it under sections 5B and 5C of the Rating Valuations Act 1998.

Restricted Flow Supply: means a type of water supply connection where a small continuous flow of water is supplied through a Flow Control Device across an air gap separation, and storage is provided by the Customer to cater for the Customer's demand fluctuations.

Restrictor: means a Flow Control Device fitted to the Service Pipe.

Rural Water Supply Area: means an area formally designated by a WSA within a zone defined as rural in the Wairarapa Combined District Plan that is capable of being serviced by a reticulated Water Supply System.

Service Pipe: means the section of water pipe between a water main and the Point of Supply.

Service Valve (Toby): means the valve at the Customer end of the Service Pipe used to control and/or isolate the supply.

Storage Tank: means any container having a free or enclosed water surface in which water is stored for use.

Supply Pipe: means the section of pipe between the Point of Supply and the Customer's Premises through which water is conveyed to the Premises.

Totaliser Meter: means a primary device, generally installed on the

Customer end of the Service Pipe outside the boundary of the Property, for the purpose of measuring the total accumulated quantity of water consumption for the entire Property.

Transport Corridor: has the meaning given to it under the National Code of Practice for Utility Operators.

Urban Water Supply Area: means an area formally designated by a WSA within a residential, Commercial, mixed use or Industrial zone in the Wairarapa Combined District Plan as an area serviced by a reticulated Water Supply System.

Water Supply Authority: means the operational unit of the Masterton District Council, Carterton District Council or the South Wairarapa District Council responsible for the supply of water and includes its Authorised Agents and “WSA” has a corresponding meaning.

Water Supply Network: means all those 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:

- Catchments, 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 and tobies.

Water Unit: means the basis of measurement of water on a restricted supply scheme (e.g. rural supply or urban extension). A single Water Unit is equivalent to a volume of one cubic metre (1000 litres).

Waterworks: has the meaning given by section 5 of the Local Government Act 2002.

Works Access Permit: has the meaning given to it under the National Code of Practice for Utility Operators and “WAP” has a corresponding meaning.

3. Te Tiaki Kohinga Wai | Protection of Water Supply

Access to Water Supply Network

- 3.1. No person, except the WSA, will have access to any part of the Water Supply Network, except to connect to the Point of Supply as outlined in section 7, and/or to operate the Service Valve.
- 3.2. A Person must not cause damage to or otherwise interfere with any part of the Water Supply Network. Any damage which occurs to any part of the Water Supply Network must be reported to the WSA immediately by the Owner or Occupier of the Premises, or the Person otherwise responsible for causing the damage.

- 3.3. The WSA reserves the right to charge the Owner or Occupier of the Premises, or the Person otherwise responsible for causing the damage, the cost of repairing the damage to the WSA Water Supply Network (including any reinstatement or replacement in part if required), and any other consequential costs the WSA incurs as a result of the incident

Fire Hydrants

- 3.4. The right to gain access to, and draw water from, fire hydrants is restricted to:
- a) the WSA, authorised contractors to the WSA, or otherwise as approved by the WSA;
 - b) FENZ personnel for the purpose of FENZ operations;
 - c) Emergency Services; and
 - d) persons with a Permit to draw water, in accordance with the terms and conditions of approval.
- 3.5. To obtain a Permit to draw water from a fire hydrant under section 3.4(d) above, the applicant must submit an application to the WSA with all required information, and pay any prescribed fees. The WSA will review the application and may grant or decline the application at its discretion. If granted, the WSA may (as it sees fit) impose any conditions, including restrictions on the time period during which water can be drawn from the hydrant.
- 3.6. Any Person accessing and drawing water from a fire hydrant in breach of section 3.4 must immediately remove the standpipe when requested to do so by the WSA.
- 3.7. Any Person using a fire hydrant pursuant to clause 3.4(d) is liable to the WSA for any damage or loss caused to the fire hydrant or the Water Supply Network as a result of that use.

Other Uses

- 3.8. The WSA reserves the right to decline, revoke, or modify any written approval to draw water from authorised locations at any time, and may direct water to be drawn only from other alternative locations as approved by the WSA.

4. Te mahi tata ki ngā Ratonga Rōnuku | Working around Buried Services

Explanatory Note:

Protecting the Water Supply Network from damage is vital for public health.

- 4.1. The WSA will keep permanent records ('as-builts') of the location of its Buried Services. This information is available for inspection at no cost to users but charges may apply to provide copies of this information.
- 4.2. Any Person proposing to carry out excavation work or otherwise interfere with land shall, prior to undertaking such work, view the as-built information to establish whether any part of the WSA's Water Supply Network is located in the vicinity of the proposed work, including rural public water supply networks.
- 4.3. At least five working days' notice in writing must be given to the WSA of an intention to excavate in the vicinity of the WSA's Water Supply Network.
- 4.4. Where appropriate, the WSA will mark out on the ground (to within ± 0.5 metres) the location of its services and provide in writing any restrictions on the work it considers necessary to protect the WSA Water Supply Network. The WSA may charge for this service.
- 4.5. Any persons excavating and working around Buried Services:
 - a) within a Transport Corridor or Public Place, must follow any procedures required for obtaining a permit from the appropriate roading authority;
 - b) must take due care to ensure the WSA Water Supply Network is not damaged, and that bedding and backfill are reinstated in accordance with the appropriate WSA specification.
 - c) must report any damage it causes to the WSA Water Supply Network to the WSA immediately.
- 4.6. The WSA reserves the right to charge the cost of repairing the damage to the WSA Water Supply Network (including any reinstatement or replacement in part if required), and any other consequential costs the WSA incurs as a result of the incident.

Explanatory Note:

Excavation within roadways is also subject to the permit process of the appropriate roading authority.

5. Herenga kia Hāngai ai ngā Mahi | Requirement for Compliance of Works

- 5.1. All connections, installations, maintenance, repair works, and any other work on or around the Water Supply Network must be in accordance with this bylaw, relevant regulations, standards and Council policies, unless otherwise agreed by the WSA in writing.

6. Te Tiaki Mātāpuna Wai | Protection of Water Source

Catchment classes

- 6.1. The WSA may designate surface water and groundwater Catchment areas from which untreated water is drawn for the purposes of water supply, as controlled, restricted or open.

Controlled catchments

- 6.2. The following conditions apply to Controlled Catchments:

Entry

- a) No Person may enter a Catchment areas designated as controlled, or any area held by the WSA as a water reserve, unless they are specifically authorised or permitted in writing by the WSA.
- b) Within controlled Catchment areas, unless provided for by the WSA, no person is allowed to:
 - i. camp;
 - ii. take or allow to stray any livestock;
 - iii. bathe or wash anything;
 - iv. deposit any dirt, rubbish or foul material of any kind; or
 - v. defecate.

Permits

- c) No Person shall enter a controlled Catchment to undertake any of the following activities, without a Permit:
 - i. hunting, trapping, shooting, or fishing;
 - ii. lighting or maintaining any fire;
 - iii. taking of any dog or other animal;

- iv. damaging or destroying any trees, shrubs, or other existing cover, or interference with any property;
 - v. carrying of any firearm or weapon of any kind, any trap or any fishing gear which may be used for the hunting or catching of birds, fish or animals; or
 - vi. use of any pesticide or toxic substance for any purpose whatsoever.
- d) A Permit will allow entry and may forbid, regulate or control any of the above-mentioned activities and the WSA may impose any conditions it considers necessary and appropriate.
- e) A Person may be required to present a medical clearance before an entry Permit will be issued.

Permits to be presented

- f) Unless the WSA allows:
- i. a Person who has been issued with an entry Permit must not enter or leave any controlled Catchment area or land held by the WSA as a water reserve without showing the Permit to the WSA ranger for inspection and notifying the ranger of their intention to enter or leave the area;
 - ii. every Person on any controlled catchment area or land held by the local authority as a water reserve must produce their entry Permit for inspection by the ranger on demand;
 - iii. Permits are non-transferrable; and
 - iv. the WSA may revoke or suspend a Permit at any time, by giving written notice to the holder of the Permit, specifying the duration of the revocation or suspension.

Restricted catchments

6.3. Catchment areas which are designated as restricted allow some activities but have the same rules as controlled Catchments for other activities. The activities that may be allowed without restriction include unrestricted entry for:

- a) tramping;
- b) hunting;
- c) trapping;

- d) shooting; and
- e) fishing.

Open catchments

- 6.4. Open Catchment areas are all other water supply Catchments in the District administered by the WSA that are not controlled or restricted. In open Catchment areas, whether designated or not, there will generally be no specific controls or restrictions on activities other than those that may be contained in any part of the Wairarapa Combined District Plan and National Environmental Standards issued under section 43 of the Resource Management Act 1991.

Spills and Adverse Events

- 6.5. In the event of a spill, or any event which may compromise Potable Water or the Water Supply Network, the Person responsible for the event or spill must advise the WSA immediately. This requirement is in addition to any other notification procedures required by other authorities.
- 6.6. Where the Owner or Occupier of any Premises allows or permits any item or items on the Premises that may potentially contaminate or leach into the water supply and to accumulate on the Premises contained within the Catchment, the WSA may request the Owner or Occupier to contain and remove the item or items using a WSA approved method and location.
- 6.7. If the items in section 6.6 are not removed within the period specified, the Council or its Authorised Agents may remove the items and recover any and all costs, from the Owner or Occupier of the Premises, associated with containment, removal and disposal.

7. Tono Kohinga Wai | Application for Supply

- 7.1. An application is required to:
 - a) obtain a new connection to the Water Supply Network;
 - b) replace an existing connection to the Water Supply Network;
 - c) alter an existing connection to the Water Supply Network, including disconnection from the network,
 - d) change the use of, or demand on, or capacity of the water or Level of Service to their Premises (e.g. changing from Ordinary Domestic Use to Extraordinary Use).
- 7.2. Applications must be made on the prescribed form and must include all information required by the WSA, and be accompanied by the prescribed fees.

- 7.3. Applications must be made on the prescribed form and must include all information required by the WSA, and be accompanied by the prescribed fees.
- 7.4. Applications to disconnect from the Water Supply Network must be submitted at least 20 working days' before the requested disconnection date. Disconnection is at the Customer's expense.
- 7.5. On receipt of a complete application the WSA will either:
- a) approve the application, subject to conditions the WSA considers appropriate, including conditions to comply with relevant regulations, standards and policies, and notify the applicant of any requirements or applicable conditions; or
 - b) refuse the application and notify the applicant of the decision giving the reasons for refusal;
 - c) request further information to be supplied by the applicant within a specified timeframe.
- 7.6. The WSA will determine the sizes of all pipes, fittings and any other equipment, up to the Point of Supply. The WSA will 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 an approved contractor in the case of new subdivision servicing.
- 7.7. The applicant must have the authority to act on behalf of the owner of the premises for which the supply is sought and produce written evidence of this if required.
- 7.8. Approved applications that have not been actioned within six months of the date of approval will lapse unless a time extension has been approved. Any refund of fees and charges will be at the discretion of the WSA.

Prescribed charges for connections

- 7.9. Charges applicable at the time of connection may include:
- a) payment to the WSA for the cost of the physical works required to provide the connection;
 - b) a Development Contribution determined in accordance with the LGA; or
 - c) a financial contribution charge determined in accordance with the Resource Management Act 1991.

8. Te Pito Kohinga Wai | Point of Supply

Single Ownership

- 8.1. For each individual Customer there will only be one Point of Supply, unless otherwise approved by the WSA.
- 8.2. For individual Customers the Point of Supply will be located as shown in Figure 1 or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position. Other positions require WSA approval.
- 8.3. The typical layout at a Point of Supply is shown in Figure 2.
- 8.4. The WSA does not guarantee the serviceability of the Service Valve located on the Service Pipe. Where there is no customer stopcock, or where maintenance is required between the Service Valve and the customer stopcock (i.e. to identify a private leak), the Customer may use the Service Valve to isolate the supply (this valve is not to be used to manage the private supply, a private shut off valve on the Supply Pipe may be installed for this purpose). The WSA reserves the right to charge the Customer for the cost of any maintenance, repair, or replacement of the Service Valve if damage occurs during this use.

Explanatory Note:

Refer to section 15 of this bylaw for ownership, maintenance and other responsibilities relating to water supply.

FIGURE 1 – POINT OF SUPPLY LOCATION – INDIVIDUAL CUSTOMERS

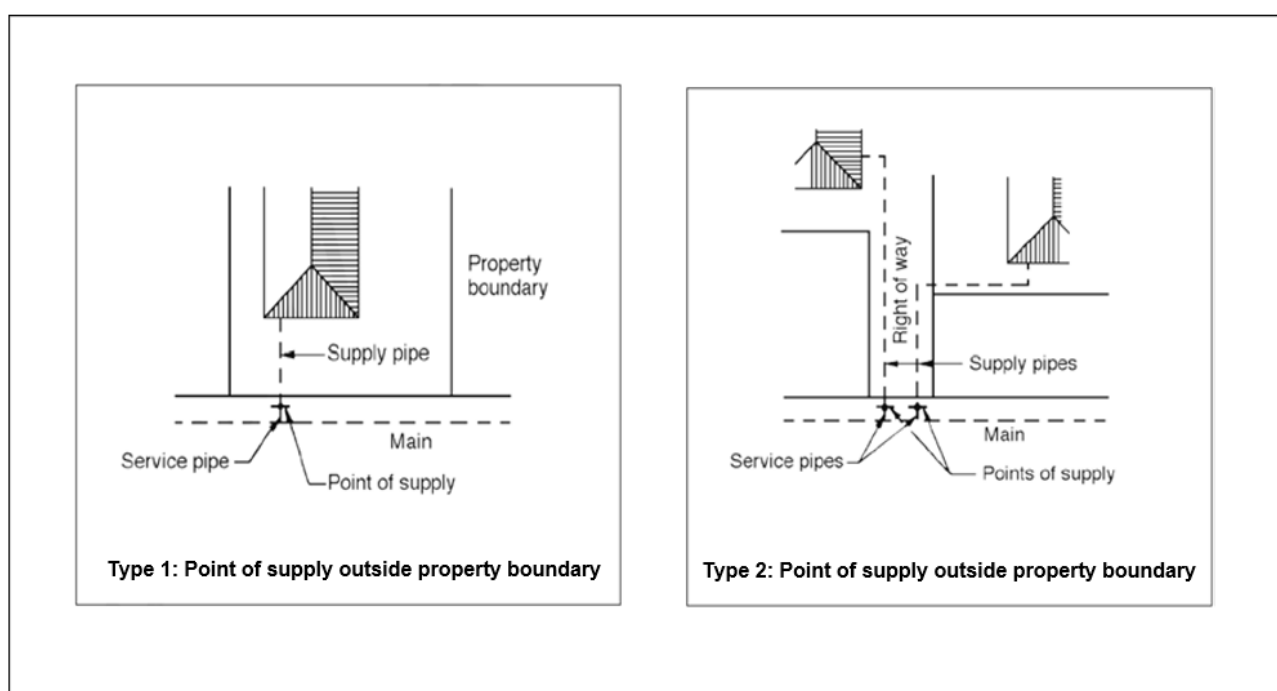
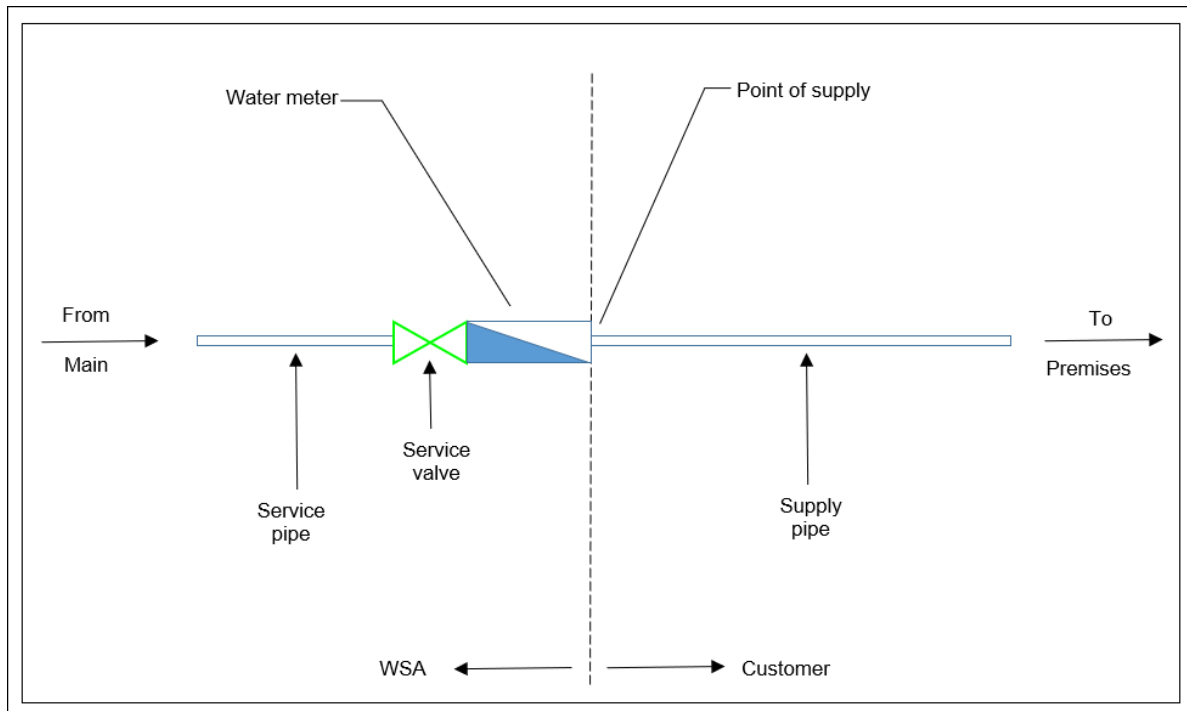


FIGURE 2 – TYPICAL LAYOUT AT POINT OF SUPPLY



Multiple Ownership

- 8.1 The Point of Supply for the different forms of multiple ownership of Property is as follows:
- a) for Company Share/Block Scheme (Body Corporate) – as for single ownership;
 - b) for Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each Customer shall have an individual supply with the location of the Point of Supply to be determined by agreement with the WSA. In specific cases other arrangements may be acceptable, subject to individual WSA approval.
- 8.2 For a multiple ownership supply which was in existence prior to this bylaw coming into effect, the Point of Supply will be the arrangement that existed at that time, or as determined by agreement with the WSA.

9. Te Whaiwāhi ki te Pito Kohinga Wai | Access to Point of Supply

- 9.1. Where the Point of Supply is on private property the Customer must allow the WSA access to, and about the Point of Supply between 7.30am and 6.00pm on any day for:

- a) a meter reading without notice; or
 - b) checking, testing and maintenance work with notice being given whenever possible.
- 9.2. Outside the hours in section 9.1 above (such as for night-time leak detection) the WSA will give notice to the Customer.
- 9.3. If access is not provided at the times mentioned in sections 9.1 and 9.2, and the WSA needs to make another visit, a fee may be charged for 'meter reading by appointment.'
- 9.4. In accordance with section 173 of the Local Government Act 2002, in the case of a sudden emergency causing or likely to cause loss of life or injury to any person, or damage to property or the environment, or there is danger to any works or adjoining property, the WSA may enter the Property without giving prior notice and the Customer shall allow the WSA unobstructed access to, and about the Point of Supply at any time.

10. Ngā Momo Kohinga | Types of Supply

- 10.1. Water supplies shall be classified as either On-Demand or Restricted Flow and the use of water from the supply shall be either Ordinary Domestic Use or Extraordinary Use.
- 10.2. Properties in a rural area are not eligible for connection to the Water Supply Network unless specifically approved by the WSA. Should the WSA approve a new connection for a Property in a rural water supply area, a Restricted Flow supply for Ordinary Domestic Use will be provided, but not necessarily with firefighting capability.

On-Demand: Ordinary Supply

- 10.3. Every Premises is entitled to an Ordinary Supply of water subject to the following conditions:
- a) the Premises are located within an Urban Water Supply Area;
 - b) the exclusion of its use under any restrictions made by the WSA under section 11.5 (Demand Management);
 - c) payment of the prescribed charges in respect of supply to those Premises;
 - d) payment of any other charges or costs associated with subdivisional development; and
 - e) compliance with the conditions of this part.
- 10.4. Ordinary Domestic Use of water supplied by the WSA will normally be Metered and the cost of such use (allocated and extra over and above)

must be in accordance with sections 9, 15-19, 101-103 of the Local Government (Rating) Act 2002, and as set through the Council's annually reviewed fees and charges.

On-Demand: Extraordinary Supply

- 10.5. The WSA is under no obligation to provide an Extraordinary Supply of water (see also the provisions of section 11 and section 12.4).
- 10.6. Extraordinary Supply of water is normally measured by way of a Meter and charged for in accordance with section 10.4 above.
- 10.7. Where the Extraordinary Supply is for fire protection only, this supply will not normally be metered.

Restricted Flow Supply

- 10.8. Restricted Flow Supply is available to Premises within a designated area or areas only, or under special conditions set by the WSA.
- 10.9. The water supply will be restricted to deliver the agreed number of Water Units at a steady flow rate.
- 10.10. The WSA will charge for the Restricted Flow Supply by either:
 - a) the volume passing through a Meter; or
 - b) a volume of 365m³ per year delivered at the rate of 1m³ per day; or
 - c) the agreed number of Water Units.

11. Te rere tonu o te Kohinga | Continuity of Supply

Continuity of supply and uninterrupted service

- 11.1. The WSA provides water in accordance with the agreed Level of Service. For periods where the Level of Service allows non-compliance with the specified value(s), the WSA will make every reasonable attempt to achieve the specified value(s).
- 11.2. Due to practical and physical limitations, the WSA does not guarantee an uninterrupted or constant supply of water in all circumstances, nor the continuous maintenance of any particular pressure.
- 11.3. Where works of a permanent or temporary nature are planned which will affect an existing supply, the WSA will consult with, inform or give notice to all known customers likely to be substantially affected.
- 11.4. If a Customer has a particular requirement for an uninterrupted level of service (flow, pressure, or quality), it is the responsibility of that Customer to

provide any storage, back-up facilities, or equipment necessary to provide that Level of Service.

Demand management

- 11.5. The Customer must comply with any restriction or other conservation measures, which may be approved by the WSA to manage high seasonal or other demands. Restrictions will be advised by public notice.
- 11.6. Even when such restrictions apply the WSA will take all practicable steps to ensure that an adequate supply for Ordinary Domestic Use is provided to each Point of Supply.

Emergency restrictions

- 11.7. During an emergency the WSA may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its Customers. Such restrictions will be publicly notified in the most effective way to suit the particular circumstance.
- 11.8. Where immediate action is required, any restriction or prohibition may be imposed by the manager of the WSA, subject to subsequent Council ratification.
- 11.9. Nothing in this Bylaw affects any emergency powers which may be exercised by Taumata Arowai under the Water Services Act 2021.

Supply during maintenance and repair

- 11.10. Wherever practical, the WSA will make every reasonable attempt to notify the Customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the WSA may shut down the supply without notice.

Liability

- 11.11. The WSA will endeavour to meet the level of service requirements set out in section 11.1, but is not liable for any loss, damage or inconvenience as a result of deficiencies in, or interruptions to, the water supply.

12. He Hononga Kaupare Ahi | Fire Protection Connection

- 12.1. Any application for a connection to the Water Supply Network for fire protection purposes must be submitted on the prescribed form and accompanied by any prescribed fee.
- 12.2. The WSA may grant an application made under clause 12.1, subject to any conditions specified by the WSA.

- 12.3. It is the Customer's responsibility to confirm with the WSA and monitor whether the supply available is adequate for their intended use.
- 12.4. Where the supply of water to any Premises is Metered, the WSA may allow the supply of water for the purposes of firefighting 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; and
 - b) a WSA approved detector check valve has been fitted on the Meter bypass.
- 12.5. Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing the fire protection system.
- 12.6. Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the WSA may require the supply to be Metered.
- 12.7. 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.
- 12.8. Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is Metered and water has been used for firefighting purposes, the WSA shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.
- 12.9. Customers intending to test fire protection systems in a manner that requires a draw-off of water shall obtain the approval of the WSA beforehand. 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 WSA.

13. Kaupare Wairere Whakamuri | Backflow Prevention

- 13.1. The Customer and WSA have responsibilities under the Building Act 2004 and the Water Services Act 2021 to take all necessary measures to ensure that water drawn from the Water Supply Network does not return to that supply.

- 13.2. Notwithstanding section 13.2, the WSA may install a Backflow Prevention Device on the WSA side of the Point of Supply where the Customer cannot demonstrate that the risk of Backflow is adequately managed. The WSA may require the Customer to reimburse the costs of installation, maintenance and ongoing testing of the Backflow Prevention Device.

Explanatory Note:

As at the date the bylaw comes into force, responsibilities to ensure that water drawn from the Water Supply Network does not return to that supply include:

- a) providing adequate Backflow prevention either by providing an adequate air gap, or by the use of an appropriate Backflow Prevention Device; and
- b) ensuring there is no cross-connection between the WSA Water Supply Network and:
 - i. any other water supply (Potable Water or non-Potable Water);
 - ii. any other water source;
 - iii. any Storage Tank; or
 - iv. any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-drinking water substances.

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 Water source or a Storage Tank or fire pump that operates at a pressure in excess of the WSA's normal minimum operating pressure.

14. Ine-Wai me ngā Taputapu Aukati Wai | Meters and Restrictors

Installation and location

- 14.1. All Meters and Restrictors will be located in a position where they are readily accessible for reading and maintenance by the WSA, and if practicable immediately on the WSA side of the Point of Supply (refer Figure 2).

Installation for existing rateable properties

- 14.2. For existing rateable Properties (residential or commercial) that have an unmetered supply as at the date the Bylaw comes into force, the WSA will supply and install a Meter for On-Demand Supply, and Restrictors for Restricted Flow Supply where a Restrictor is required by the WSA. The WSA will own these devices and will be responsible for the ongoing maintenance of them.

- 14.3. For existing rateable Properties (residential or commercial) that share a single connection, the WSA will supply and install a Totalising Meter and a Restrictor for Restricted Flow Supply where a Restrictor is required by the WSA. The WSA will own these devices and will be responsible for maintenance of them.
- 14.4. For existing rateable Properties that share a single connection, the WSA may supply a Check Meter upon request by the Customer, which shall be installed by the Customer in accordance with the WSA's directions. The WSA will own the Check Meter and will be responsible for the maintenance of it once installed.

Installation for new rateable properties

- 14.5. For new rateable Property connections (residential or commercial) that are developed after the date the Bylaw comes into force, the Customer or developer will supply and install a Meter for On-Demand Supply, and a Restrictor for Restricted Flow Supply where a Restrictor is required by the WSA, for each rateable Property. The Meter or Restrictor will be installed in accordance with section 14.1 of the Bylaw, and any further requirements of the relevant resource consent. These devices shall become the property of the WSA upon installation and the WSA shall be responsible for maintenance of them.

Accuracy

- 14.6. Meters will be tested as and when required by the WSA or as prescribed in OIML R 49-2 2006 (E) water Meters intended for cold potable water and hot water. Part 2 Test methods.
- 14.7. The maximum permissible error for the upper flow rate zone ($Q_2 < Q < Q_4$) is ± 2 per cent, 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 ± 5 per cent. This accuracy will 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 must be accurate to within ± 10 per cent of their rated capacity .
- 14.8. Any Customer who disputes the accuracy of a Meter or Restrictor may apply to the WSA for it to be tested provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy in clause 14.4, the Customer will not be charged for the test. If the test shows compliance, the Customer must pay a fee in accordance with the WSA current fees and charges.
- 14.9. Test reports from Meter testing under 14.3 shall be made available as prescribed in OIML R 49-3 2006 (E) and Water meters intended for cold potable water and hot water. Part 3 Test report format.
- 14.10. The variation in the error curve shall not exceed 3 per cent for flow rates in the lower zone and 1.5 per cent 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 will apply.

- 14.11. The curves must not exceed a maximum error of ± 6 per cent for flow rates in the lower zones and ± 2.5 per cent for flow rates in the upper zones.
- 14.12. Restrictors will be tested by measuring the quantity that flows through the Restrictor in a period of not less than one hour at the expected minimum operating pressure. A copy of independent certification of the test result is available to the Customer on request.

Adjustment

- 14.13. If any Meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a Meter, the WSA shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the WSA but not exceeding 12 months, and the Customer shall pay a greater or lesser amount according to the adjustment.
- 14.14. Where a Meter is under-reading by more than 20 per cent or has stopped, the WSA 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.
- 14.15. Where a Meter is over-reading, the WSA shall make appropriate adjustments to the Customer's invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

Charging when a meter is unreadable

- 14.16. Where a Property is supplied with water through a Metered connection but the Meter cannot be read by the WSA at one or more of the scheduled Meter Reading Periods due to one or more of the following reasons:
 - (a) the Meter is damaged, removed, or otherwise rendered inoperable;
 - (b) the Meter has been tampered with or interfered with in a way that prevents a reading;
 - (c) the Meter is otherwise unable to be accessed or readthen the WSA may apply a fixed water usage charge to the Customer instead of a charge based on an actual metered consumption for the relevant period.
- 14.17. The fixed charge shall be calculated for the Meter Reading Period during which the Meter was unreadable). The fixed charge shall be determined by the WSA by resolution and included in the WSA's Fees and Charges Schedule and shall be applied in accordance with that Schedule.

- 14.18. If the Meter is restored so that it is readable partway through a Meter Reading Period, the WSA may apply a pro-rata fixed charge, based on the proportion of the Meter Reading Period during which the Meter remained unreadable. Once a Meter becomes readable, volumetric charges shall resume from the date and time of the successful reading onwards.

Charging when there is a leak

- 14.19. The Customer is responsible for leak detection and repair on their property as set out in section 15.4.
- 14.20. If Metering shows a significant increase in consumption for a Premises, and the increase is established as being caused by a previously unknown leak, the WSA may grant a waiver of the costs associated with excessive usage, provided that the Customer produces evidence by way of an invoice that a tradesperson has investigated, located and repaired the leak in a timely manner, or other appropriate evidence of the repair identified by the WSA.

Incorrect amounts

- 14.21. Where a situation occurs, other than as provided for in sections 14.13 and 14.14, where the recorded consumption does not accurately represent the actual consumption on a Property, the account shall be adjusted using the best information available to the WSA. 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.
- 14.22. Where an adjustment is required, in favour of the WSA or the Customer, this shall not be backdated more than 12 months from the date the error was detected.

15. Pupuri Mana, Whakahaere me Ētahi atu Haepapa Kohinga Wai | Ownership, Maintenance and Other Responsibilities Relating to Water Supply

Ownership, care and maintenance

- 15.1. The WSA owns and maintains the Service Pipe, Service Valve, and fittings up to the Point of Supply, including any Meters where fitted.
- 15.2. The Customer owns and must maintain the Supply Pipe beyond the Point of Supply.
- 15.3. The Customer must maintain the area in and around the Point of Supply keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access.

Prevention of water loss and waste

- 15.4. The Customer must not waste the water or allow it to be wasted. Wasting or allowing it to be wasted includes without limitation allowing water to run to waste from any pipe, tap, or other fitting, allowing leaks to continue unrepaired, allowing the condition of the plumbing within the Property to deteriorate to the point where leakage or wastage occurs.
- 15.5. The Customer must not use water or water pressure directly from the Point of Supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved.
- 15.6. The Customer must not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved.

Plumbing system

- 15.7. Quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the Water Supply Network, or compromise the ability of the WSA to maintain its stated levels of service must not be used on any piping beyond the Point of Supply. In special circumstances such equipment may be approved by the WSA at its discretion.

Inspection

- 15.8. Subject to the provisions of the LGA, the Customer must allow the WSA access to any area of the Premises (excluding a dwellinghouse unless the entry is authorised by a warrant given by an issuing officer within the meaning of section 3 of the Search and Surveillance Act 2012)) for the purpose of determining compliance and/or detecting a breach of this bylaw.

16. Whakahaere | Administration

Payment

- 16.1. The Customer will be liable to pay for the supply of water and related services in accordance with the fees and charges which Council may determine by resolution, publicly notified.
- 16.2. The WSA may recover all unpaid water charges in the manner prescribed in sections 57 to 82 of the Local Government (Rating) Act 2002.

Transfer of rights and responsibilities

- 16.3. The Customer must not transfer to any other party the rights and responsibilities set out in this bylaw.
- 16.4. A supply pipe will serve only one customer and must not extend by hose or any other pipe beyond that Customer's Property.

- 16.5. Any water which the Customer draws from the WSA Water Supply Network must not be provided to any other party without approval of the WSA.

Change of Ownership

- 16.6. In the event of a Premises changing ownership, the WSA will record the new owner as being the Customer at that Premises. Where a Premises is Metered, the outgoing Customer must give the WSA five working days' notice to arrange a final meter reading.

17. Whakaūnga | Enforcement

Offences and Penalties

- 17.1. Any Person who breaches this part of the bylaw commits an offence and may be liable on conviction to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2025: Part One - Introductory (section 15.2) for details of what broadly constitutes a breach of this part.
- 17.2. To avoid any doubt, breaches include but are not limited to:
- a) providing an incorrect application which fundamentally affects the provisions;
 - b) failure by the Customer to comply with any duty, obligation or condition
 - c) imposed by this part;
 - d) failure to meet any obligation placed on the Customer under all current legislation and regulations;
 - e) frustration of the WSA's ability to adequately and effectively carry out its obligations;
 - f) an act or omission including but not limited to any of the following:
 - i. failure to pay the appropriate charges by the due date;
 - ii. failure to repair a leak, or in any way willfully allowing water to run to waste, or to be misused;
 - iii. the fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the Water Supply Network, or compromise the ability of the WSA to maintain its stated levels of service (subject to section 15.7);
 - iv. failure to prevent backflow (see section 13);
 - v. failure to comply with water use restrictions or prohibitions introduced by the WSA for any specified purpose;

- vi. using water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the WSA;
- vii. using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved;
- viii. extending by hose or any other pipe a private water supply beyond that Customer's Property;
- ix. providing water drawn from the WSA Water Supply Network to any other party without approval of the WSA;
- x. taking water from a fire hydrant without a Permit;
- xi. misuse of or interference with the Water Supply Network, including accidental or intentional damage; or
- xii. any unauthorised connection to the Water Supply Network.

Removal of works and recovery of costs

- 17.3. In the event of a breach, the WSA will serve notice on the Customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the Customer persists in the breach, the WSA reserves the right, in accordance with section 193 of the Local Government Act 2002 and section 25(7) of the Water Services Act 2021, to reduce the flow rate of water to the Customer without notice. In such an event the full service of the supply will be re-established only after payment of the appropriate fee and remedy of the breach to the satisfaction of the WSA.
- 17.4. Where a Customer fails to carry out the necessary work to repair an ongoing leak after being served notice by the WSA in accordance with section 17.3, the WSA may repair the leak and charge the Customer all associated costs, including for the cost of water lost as a result of the leak.
- 17.5. If the breach requires the WSA to disconnect the supply for health or safety reasons the disconnection will be carried out immediately.
- 17.6. Any tampering or interfering with WSA equipment, either directly or indirectly, constitutes a breach. Without prejudice to its other rights and remedies, the WSA is entitled to estimate (in accordance with sections 14.13 and 14.14) and charge for the additional water consumption not recorded or allowed to

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Nine is liable to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002;

pass where a Meter or Restrictor has been tampered with, and recover any costs incurred.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Tekau: Waipara

Part Ten: Wastewater

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Eight – Wastewater	Masterton District Council Carterton District Council South Wairarapa District Council
September 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Ten – Wastewater	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Hāngai | Related Documents

The following legislation is related to Part Ten:

- Building Act 2004
- Building Regulations 2007 (New Zealand Building Code)
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Local Government Act 1974
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991

The following standards and codes are related to Part Ten:

- NZS 3604: 2011 Timber Framed Buildings
- NZS 4404: 2010 Land Development and Subdivision
- Wellington Water Regional Standard for Water Services
- NZ Transport Agency Waka Kotahi Bridge Manual (SP/M/022 Third Edition)
- Wairarapa Combined District Plan

Kupu Takamua | Foreword

Part Ten is made under section 145 and section 146(b)(iii) of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Ten enables the Wastewater Authority (WWA) to:
- a) manage, regulate, and protect the wastewater drainage network from damage, misuse or loss;
 - b) prevent the use of the land, structures, and infrastructure associated with the wastewater drainage network, from damage, misuse or loss; and
 - c) protect, promote and maintain public health and safety by preventing potential adverse effects of harmful substances to the Wastewater Drainage Network.

Application of the Bylaw to Trade Waste

- 1.2. This part of the bylaw regulates Wastewater drainage from both Domestic and Trade Premises to a Wastewater Authority (WWA). Application for acceptance of trade wastes into the public wastewater drainage network is the subject of Part Eleven – Trade Waste.

Compliance with other Acts and Regulations

- 1.3. Wastewater drainage is also regulated and controlled by other acts and regulations, and relevant codes and standards. Compliance with this bylaw does not remove the need to comply with the requirements of any other Act, regulation or bylaw. In the event of any inconsistency between this part and the requirements of any Act or regulation, the Act and regulation prevails.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

- 2.1. The following definitions are applicable to Part Ten:

Batch Discharge: means any discharge of accumulated Trade Waste over a short duration that has not been approved for discharge under any existing permit and can include the discharge of Tankered Waste to designated points into the Wastewater Drainage Network.

Buried Services: means all public sewers, rising mains, trunk sewers and other underground utilities under the responsibility of the WWA.

Characteristic: means any of the physical or chemical characteristics of a Trade Waste referred to in Part Eleven – Trade Waste.

Condensing Water or Cooling Water: means any 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.

Contaminant: has the meaning given to it in section 2 of the Resource Management Act 1991.

Customer: means a person who either discharges or has obtained permission to discharge or direct the manner of discharge of Wastewater from any Premises to the public Sewer. The Customer may be an Owner or an Occupier.

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

Development Contribution: has the meaning given to it under section 197(2) of the Local Government Act 2002.

Disconnection: means the physical cutting and sealing of the drain from a Premises and "Disconnect" has a corresponding meaning.

Domestic Wastewater: means either Wastewater which is discharged from Premises used solely for Residential Activities or wastes of the same character discharged from other Premises, provided that the characteristics of the Wastewater are an acceptable discharge which comply with the requirements as scheduled in Part Eleven – Trade Waste. Such activities include the draining of domestic swimming and spa pools subject to section 10 of this part of the bylaw.

Flow Control Device: means a device used to regulate, direct, or limit the flow of water.

Groundwater: means water found beneath the ground surface.

Hazardous Substance: means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials, or any materials which when mixed with Wastewater, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any person or harmful to the Wastewater Drainage Network, and includes 'hazardous substances' as defined in section 2 of the Hazardous Substances and New Organisms Act 1996.

Industrial Use: means the use of land and buildings for Industrial Activities as that term is used in the Wairarapa Combined District Plan.

Infiltration: means water entering a public Sewer or Private Drain from Groundwater through defects such as, but not limited to, poor joints, cracks in pipes or manholes. It does not include Inflow.

Inflow: means water entering a Private Drain from non-complying connections or other drainage faults. It includes Stormwater entering through illegal downpipe connections or from low gully traps.

Level of Service: means the measurable performance standards on which the WWA undertakes to receive Wastewater from its Customers.

Manhole: means a vertical access point or chamber, typically used for maintenance or inspection purposes in utilities such as Sewage systems and Stormwater drains.

On-site Wastewater System: A septic tank, holding tank, aerated / advanced Wastewater treatment system or any other Wastewater treatment system that is not connected to the WWA's Wastewater Drainage Network.

Point of Discharge: means the connection of the boundaries between the public Sewer and a Private Drain.

Premises: means the physical location to which a Wastewater service is provided and includes any of the following:

- a Property;
- 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 Record of Title is available; or
- land held in public ownership (such as a Reserve) for a particular purpose.

Private Drain: means the section of drain between the Customer's Premises and the Point of Discharge through which Wastewater is conveyed from the Premises.

Prohibited Characteristics: means a Wastewater that must not be discharged into WWA's Wastewater Drainage Network, as scheduled in the Part Eleven - Trade Waste.

Property: means a property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued and is a separate Rating Unit and showing on the Rating Information Database.

Rating Information Database: means a databased required to be kept by a local authority under section 27 of the Local Government (Rating) Act 2002.

Rating Unit has the meaning given to it under section 5 of the Local Government (Rating) Act 2002.

Residential Activities: has the meaning given to it in Section 27 (Definitions) of the Wairarapa Combined District Plan.

Rising Main: means a Sewer through which Wastewater is pumped.

Sewer: means the main public Sewer and lateral connections that carry away Wastewater from the Point of Discharge.

Stormwater: means all surface water run-off resulting from precipitation.

Trade Premises: means either:

- any Premises used or intended to be used for any Industrial Use or trade purpose; or
- any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- any other Premises from which a Contaminant is discharged in connection with any Industrial or Trade process;
- any other Premises discharging anything other than domestic Wastewater; and
- includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste: means any liquid, with or without matter in solution or suspension that is, or may be, discharged from:

- Trade Premises to the WWA's Wastewater Drainage Network from batch discharge; or
- Trade Premises, in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature;

and may include condensing or cooling waters, and Stormwater which cannot be practically separated from Wastewater, or Domestic Wastewater.

Treatment Plant: means a facility designed to clean Wastewater, by removing Contaminants and purifying organic matter.

Trunk Sewer: means a Sewer, generally greater than 150mm in diameter, which forms a part of the principal drainage network of Council's Wastewater Drainage Network.

Wastewater: means any water discharge with matter in solution or suspension, including Domestic Wastewater and liquid Trade Waste discharged from a Premises to a Sewer.

Wastewater Authority (WWA): means the operational unit of Masterton District Council, Carterton District Council or South Wairarapa District Council, including their Authorised Agents, responsible for the collection, treatment and disposal of Wastewater.

Wastewater Drainage Network: means a set of facilities and devices owned by or under the control of the WWA which are used to receive, transport, treat, and dispose of Wastewater to a Treatment Plant. 'Facilities' and 'devices' in this definition, includes but is not limited to drains, pipes and other conduits, Manholes, chambers, traps, pumping stations, storage tanks, outfalls, Treatment Plants, and other related structures or access points.

3. Te Tiaki Tūāhanga Waikeri Waipara | Protection of the Public Wastewater Drainage Network

- 3.1. No Person, except the WWA, will have access to or connect to any part of or otherwise interfere with, the Wastewater Drainage Network except to connect/disconnect as outlined in section 6.
- 3.2. A Person must not use, store, transport, handle or otherwise deal with a Hazardous Substance on a Premises without taking all reasonable steps to prevent the entry of that Hazardous Substance, whether from leakage, spillage or other mishap, into the Wastewater Drainage Network.
- 3.3. If the Hazardous Substance does leak, spill or otherwise enter into Wastewater Drainage Network, the Occupier of that Premises must immediately notify the WWA. This obligation is in addition to any other requirement either under statute or otherwise in relation to a leak, spill or otherwise of Hazardous Substances. This doesn't include discharges which are permitted or provided for under a Trade Waste Permit in accordance with Part 11 - Trade Waste.
- 3.4. The Occupier shall comply with the requirements of the Hazardous Substances and New Organisms Act 1996 and associated regulations.

4. Te mahi tata ki ngā Ratonga Rōnuku | Working around Buried Services

- 4.1. The WSA will keep permanent records ('as-builts') of the location of its Buried Services. This information is available for inspection at no cost to users, but charges may apply to provide copies of this information.
- 4.2. Any Person proposing to carry out excavation work or otherwise interfere with land shall, prior to undertaking such work, view the as-built information to establish whether any part of the WWA's Wastewater Drainage Network is located in the vicinity of the proposed work.
- 4.3. A Person must obtain written approval from the WWA if they wish to excavate, or carry out piling or similar work:
 - a) within five metres for the centre line of any Rising Main or Trunk Sewer; or
 - b) within two metres from the centre line on any public Sewer; or
 - c) within the area the WWA has an existing easement over for the purposes of anything related to the Wastewater Drainage Network.
- 4.4. At least five working days' notice in writing must be given to the WWA of an intention to excavate in the vicinity of the WWA's Wastewater Drainage Network.
- 4.5. Where appropriate, the WWA will mark out on the ground (to within ± 0.5 metres) the location of its services and provide in writing any restrictions on the work it considers necessary to protect the Wastewater Drainage Network. The WWA may charge for this service.
- 4.6. Conditions may be imposed on the approval given under section 4.3 to carry out any work near the Rising Main or Trunk Sewer, Sewer or easement area.
- 4.7. Any persons excavating and working around Buried Services:
 - a) within a Transport Corridor or Public Place, must follow any procedures required for obtaining a permit from the appropriate roading authority;
 - b) must take due care to ensure the WWA Wastewater Drainage Network is not damaged, and that bedding and backfill are reinstated in accordance with the appropriate WWA specification.
 - c) must report any damage it causes (whether directly or indirectly) to the WWA Wastewater Drainage Network to the WWA immediately.

- 4.8. The WWA reserves the right to charge the cost of repairing the damage to the WWA Wastewater Drainage Network (including any reinstatement or replacement in part if required), and any other consequential costs the WWA incurs as a result of the incident.

Explanatory Note:

Any Persons seeking to excavate within any Transport Corridor or Public Place must first submit a Corridor Request Application for the issue of a Work Access Permit before beginning any works. See section 11 of Part 2 – Public Places for additional information.

5. Te hanga ki runga o ngā Ratonga Rōnuku | Building over Buried Services

Rising Mains and Trunk Sewers

- 5.1. A building must not be built over a public Rising Main or Trunk Sewer, or closer than the greater of:
- a) 1.7 metres from the invert of any Rising Main or Trunk Sewer; or
 - b) 1.5 times the depth of the invert of the Trunk Sewer, plus the diameter of the Trunk Sewer, plus 0.2 metres, subject to compliance with 3.1 of NZS 3604.

Other Public Sewers (150mm diameter or less)

- 5.2. A building must not be built over a public Sewer, whether on public or private land.
- 5.3. No building shall be built closer than the greater of:
- a) 1.7 metres from the invert of any main or public Sewer; or
 - b) 1.5 times the depth of the invert of the Sewer, plus the diameter of the Sewer, plus 0.2 metres, subject to compliance with section 3.1 of NZS 3604.
- 5.4. A Person may divert the public Sewer (including any Manholes) with prior written consent from the WWA. The diversion must be carried out by the Person in accordance with the WWA's standards and any engineering requirements. The Person must meet all costs for this work.

- 5.5. The WWA may approve a building to be constructed in a manner that does not comply with sections 5.1, 5.2 and 5.3 if it is impractical to do so and the building cannot be sited elsewhere on the Property or modified to conform with the requirements in sections 5.1, 5.2 and 5.3. Approval will be granted only if it is essential for the proposed building to be constructed on that specific part of the Property.
- 5.6. WWA approval under section 5.5 is subject to the Person meeting the cost of the design, construction, supervision, and work (including any specific requirements) and meeting any specific requirements, including but not limited to, the provision of Manholes, pipe strengthening, ducting, additional support of the building's foundations and re-locatable construction, and other requirements such as:
- a) carrying out sufficient investigations to accurately determine the Sewer's location and depth, and to prove that the Sewer is in a condition where it has a remaining life of at least 50 years; or
 - b) carrying out remedial work or relaying the Sewer to meet the requirements of:
 - i. bore piling the building 1.0 metre clear distance either side of the Sewer to below the Sewer invert to ensure that no building loads are transferred to the Sewer and so that it is possible to excavate down to the Sewer without threat to the building;
 - ii. providing two additional Manholes into the Sewer between 2.0 and 3.0 metres from the edge of the building at the points it enters and leaves the building (unless there is an existing Manhole within 10 metres), provided that the Sewer lies in a straight line and that there are no other connections between these two Manholes;
 - iii. carrying out all work on and around the Sewer in accordance with the WWA's engineering standards to the satisfaction of the WWA;
 - iv. registering the public Sewer by a Memorandum of Encumbrance and Deed of Covenant against the Record of Title for the Property (Schedules A and B of the Model Bylaw NZS 9201: 1999).

**6. Te Rau, Te Kawe rānei o ngā Matū, o ngā Mīhini rānei
ki runga o ngā Tūāhanga Waikeri Waipara | Placing or Loading
Material or Machinery over Wastewater Drainage Network**

- 6.1. A Person must not cause the crushing load imposed on a public Sewer to exceed that which would arise from the soil overburden plus a HN-HO-72

wheel or axle load (as defined by the NZ Transport Agency Waka Kotahi in section 3.2. of the Bridge Manual).

- 6.2. A Person must not place any additional material or place any machinery over or near a public Sewer without prior written consent from the WWA.
- 6.3. Manholes, chambers and other ancillary structures must not be covered or opened by any person in any way unless prior written consent is obtained from the WWA.
- 6.4. Removal of any covering material or adjustment of the structures will be carried out by the WWA at the property Owner's or Occupier's expense.
- 6.5. Should any work, or repair of the Manhole, chambers, or other ancillary structures, or any part of the Wastewater Drainage Network be required as a result of an action under section 6.1 to 6.4, the WWA may undertake the work and or repair and recover the costs for this from the property Owner or Occupier.

7. Te Whakawhanake Wāhi | Development of Premises

- 7.1. A Person must not carry out works that affect or connect to the Wastewater Drainage Network on their Premises without obtaining the prior written approval of the WWA.
- 7.2. To request approval under 7.1, an application must be submitted to the WWA on the prescribed form and must include all information required by the WWA and be accompanied by the prescribed fees. This includes (but isn't limited to) detailed drawings and specifications for the proposed works. The drawings must show the proposed works and their effects on the subject Premises and surrounding land to the satisfaction of the WWA.
- 7.3. All proposed works must be designed, constructed and operated:
 - a) in compliance with any relevant Wastewater Management Plan or discharge consent including its recommendations or conditions for the area concerned; and
 - b) to WWA's standards for corresponding public Wastewater works where they serve or may serve land or buildings in different ownership; and
 - c) in compliance with any WWA Wastewater Drainage policies; and
 - d) in compliance with any written conditions imposed by the WWA when approving the works, and with any relevant building or resource consent; and

- e) to be consistent with foreseeable catchment-wide works (for example, extending a pipe upstream or downstream) so as to give a benefit to the catchment as a whole.
- 7.4. The Owner of the Premises on which the works are carried out remains fully responsible for the works unless and until they are taken over and vested in Council. The Owner will bear all costs of and associated with such works unless a specific agreement for alternative cost sharing is approved in writing by the WWA.
- 7.5. Subject to written approval by the WWA, a Person may divert a public Wastewater pipe (including any ancillary structures) in accordance with any engineering requirements specified by the WWA provided they meet the cost of such diversion work.

8. He Tono Hononga | Application for Connection

- 8.1. An application is required to:
 - a) obtain a new connection to the Wastewater Drainage Network;;
 - b) replace an existing connection to the Wastewater Drainage Network; or
 - c) alter an existing connection to the Wastewater Drainage Network, including Disconnection from the Wastewater Drainage Network.
- 8.2. Applications must be made on the prescribed form and must include all information required by the WWA, and be accompanied by the prescribed fees.
- 8.3. The applicant must have the authority to act on behalf of the Owner of the Premises for which the connection is sought and must produce written evidence of this to the WWA if required.
- 8.4. On receipt of a complete application and affected consideration of the application and other matters relating to the application and the Wastewater Drainage Network the WWA will either:
 - a) approve the application, subject to conditions the WWA considers appropriate, including conditions to comply with this bylaw, the Regional Standard for Water Services, or any other relevant regulations, standard and policies. The WWA will notify the applicant of any requirements or applicable conditions, including the size of the connection; or

- b) refuse the application and notify the applicant of the decision giving the reasons for refusal;
 - c) request further information to be supplied by the applicant within a specified timeframe.
- 8.5. Approved connections inside the boundary of a private Property must be carried out by a registered drainlayer under the supervision of the WWA.
- 8.6. New lateral connections to the boundary of the Property will be carried out by WWA staff or a WWA approved drainage contractor.
- 8.7. Every new connection must be measured from the immediate downstream Manhole to the centre of the newly installed connection. An as-built plan showing the connection must be submitted to the WWA within seven days of installation and acceptance by the WWA.
- 8.8. Land development subdivision within the serviced area shall in all cases provide for a Domestic Wastewater connection to the boundary of each allotment.
- 8.9. Approved applications that have not been actioned within six months of the date of approval will lapse unless a time extension has been approved. Any refund of fees and charges will be at the discretion of the WWA.

Timeframes for Applications to Disconnect

- 8.10. Applications to Disconnect from the Wastewater Drainage Network must be submitted to the WWA:
 - a) for a Building connected to the Sewer, at least seven Working Days before the intended demolition or removal date. The demolition or removal of must not commence until the WWA has completed the Disconnection from the Sewer.
 - b) if relaying of a Private Drain is required, at least two Working Days before the proposed date of Disconnection.

Pump stations

- 8.11. Private Wastewater pump stations will only be approved by the WWA where, in the WWA's opinion, there are no practical alternatives for a gravity flow discharge to the public Sewer.

Single ownership

- 8.12. A private Wastewater pump station for a single Dwelling may be an alternative solution as that terminology is used in the Building Act 2004. The Owner must demonstrate that the pump station complies with the provisions of the New Zealand Building Code when seeking a building consent. This includes without limitation, providing detailed design plans, performance specifications, and supporting documentation that show the pump station meets the requirements for safety, durability, and environmental protection. The Owner must also justify the system's performance, including how it handles expected Wastewater flow, pressure, and any potential system failures and ensure that it will be easily maintainable. The proposal must be submitted to the Building Consent Authority for approval before installation.

Multiple ownership

- 8.13. Where a private Wastewater pump station services more than one residential Premises:
- a) a compliance schedule and annual building warrant of fitness are required to comply with the requirements of the Building Act 2004;
 - b) a 'Common Pump Station Agreement or easement is required between the parties and must include provision for appropriate maintenance of the Rising Mains. The agreement or easement must be registered against the Record of Title for each Property; and
 - c) the combined rate of discharge to the public Sewer must not exceed the rate specified by the WWA.

9. Pito Rere Waipara | Point of Discharge

- 9.1. The Point of Discharge is where the responsibility changes from the Owner/Occupier (Customer) and the WWA. The Point of Discharge is not determined by the boundaries shown on a Record of Title for a Property, but instead by where the WWA's responsibility from the public Sewer starts.
- 9.2. Unless otherwise approved by the WWA, there may only be one Point of Discharge for each Premises, and any Private Drain must not extend by pipe or by other means to serve another Premise unless it is a Common Private Drain.

Single Ownership

- 9.3. For a Property with a single Dwelling location on it, the Point of Discharge must be located at the property boundary as show in Figures 1, 2, 3 and 4. Where fences, walls, or other permanent structures make it difficult to locate

the Point of Discharge at the boundary, it should be located as close as possible to the boundary. If a Person wants to locate the Point of Discharge elsewhere, they must get prior written approval from the WWA.

- 9.4. If the WWA approves the request and the Point of Discharge is positioned in an alternative location that location must be recorded on the drainage plan.
- 9.5. Where a Private Drain discharges into a public Sewer on that same private Property, the Point of Discharge shall be the upstream end of the pipe fitting which forms the junction with the public Sewer.

FIGURE.7;POINT.OF.DISCHARGE.LOCATION.-.WITH.STREET.FRONTAGE

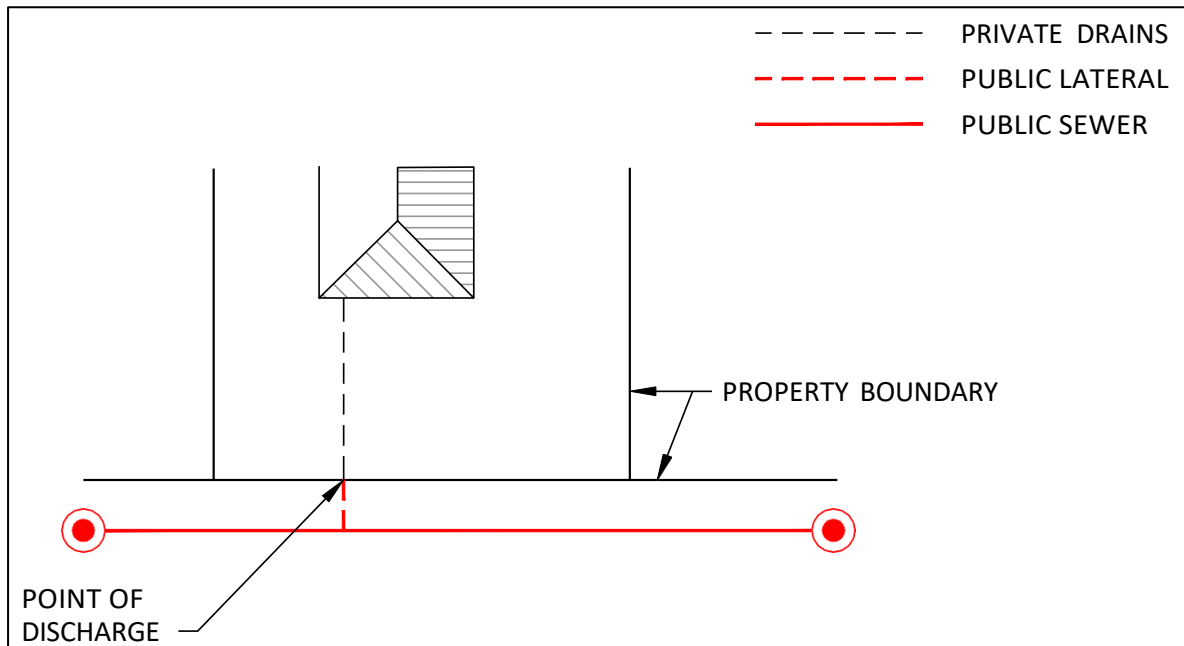


FIGURE.8;POINT.OF.DISCHARGE.LOCATION._REAR.LOTS

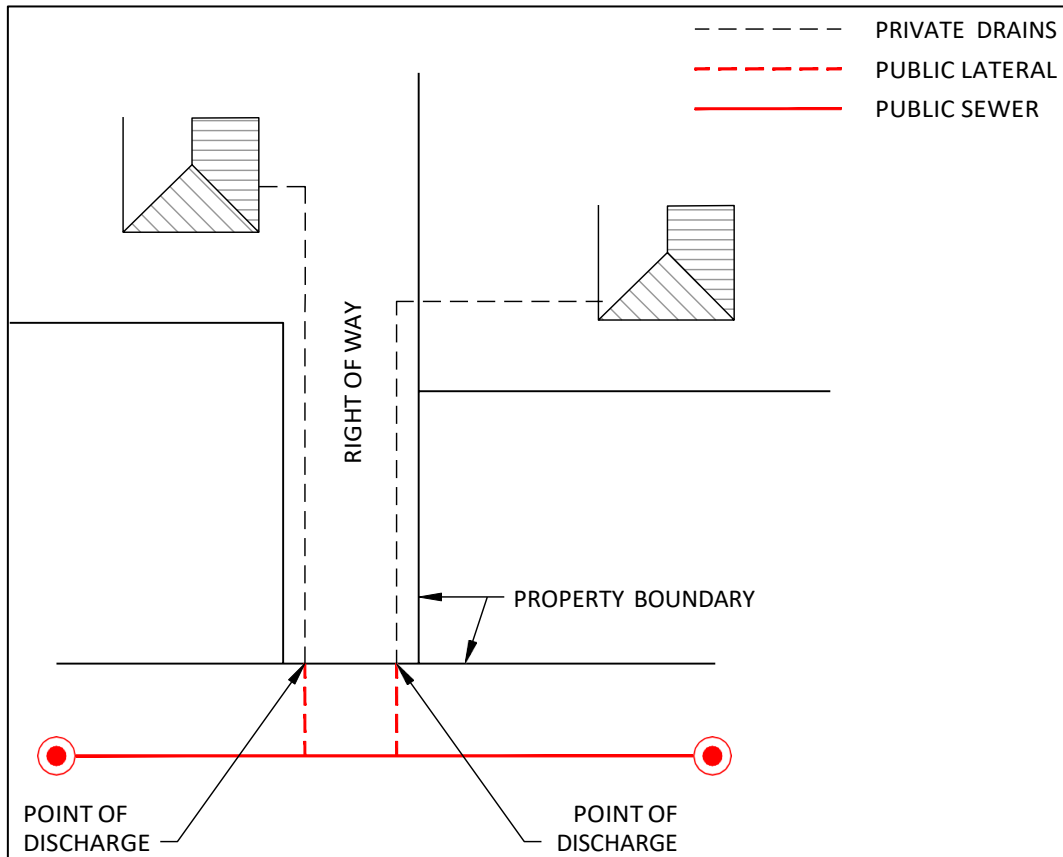


FIGURE.9:POINT.OF.DISCHARGE.LOCATION._PUBLIC.SEWER.ON.PRIVATE.PROPERTY

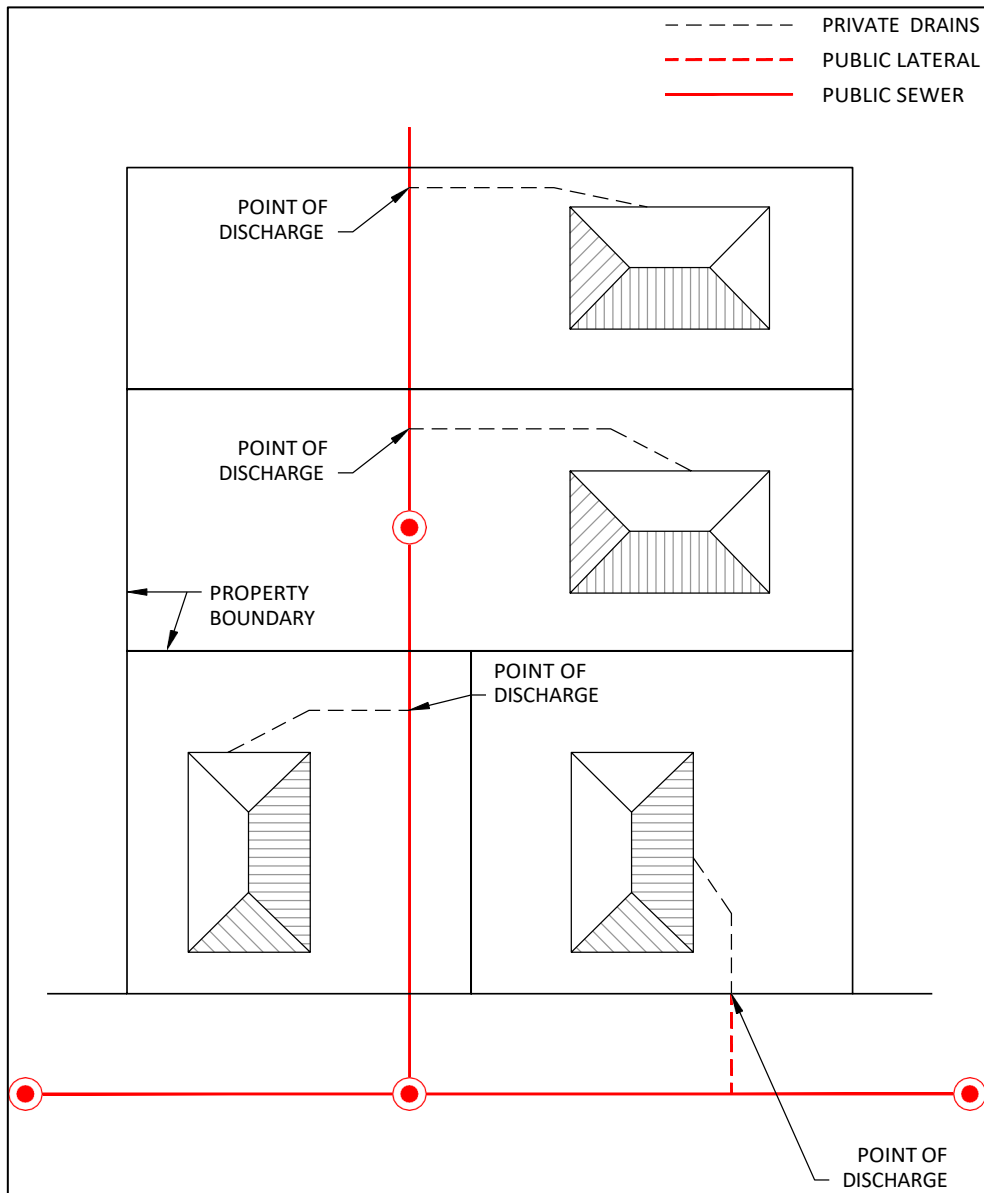
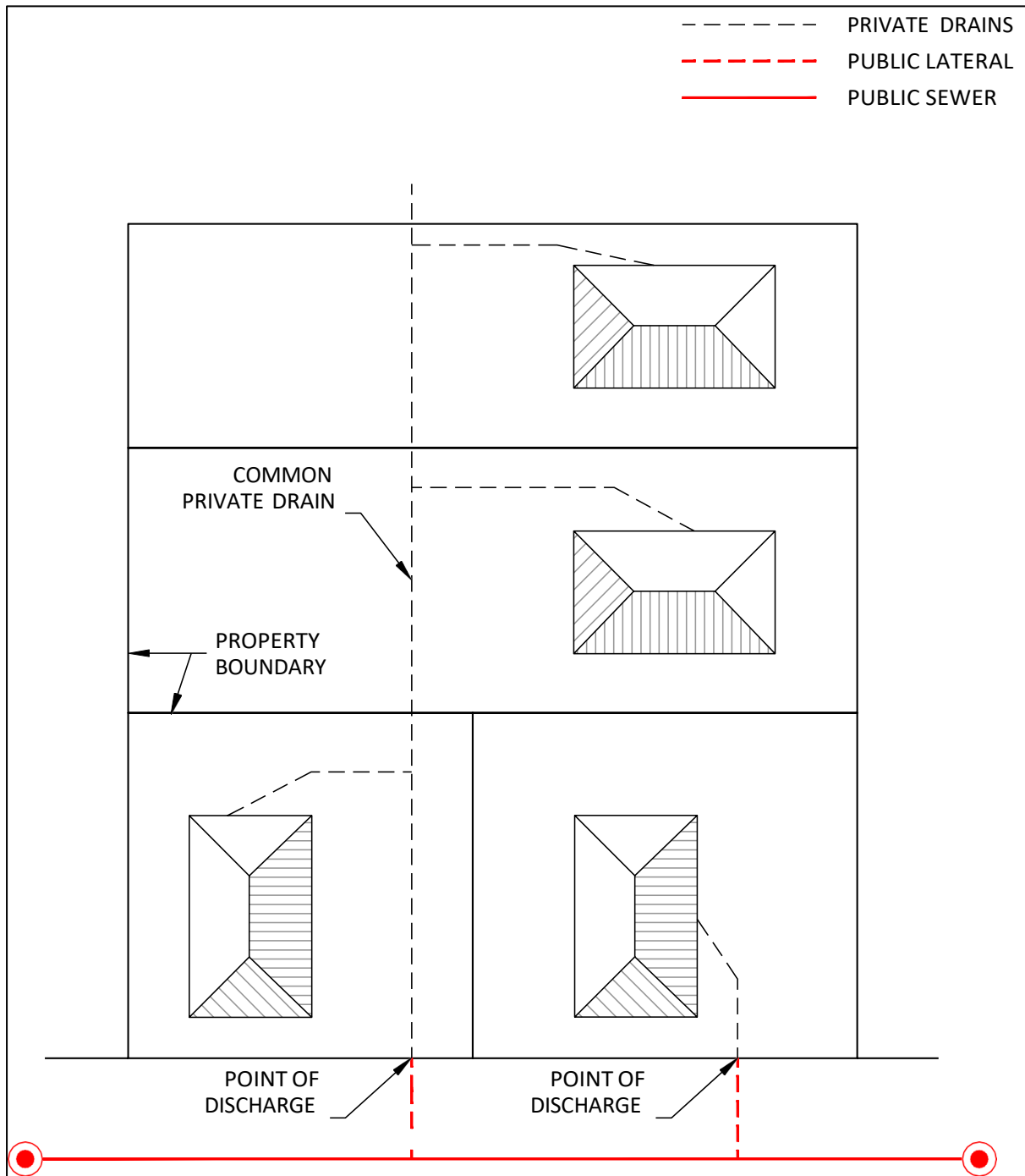


FIGURE 0; POINT.OF.DISCHARGE.LOCATION._COMMON.PRIVATE.DRAIN



Multiple Ownership

- 9.6 The Point of Discharge for the different forms of multiple ownership of Premises and/or land must be as follows:
- a) for Company Share/Block Scheme – as for single ownership;
 - b) for Leasehold/Tenancy in Common Scheme (Cross Lease) and Unit Title (Body Corporate) and any other form of multiple ownership – where practicable each Owner shall have a separate Private Drain with the Point of Discharge determined by agreement with the WWA. If this is not practicable, there is to be a common Private Drain. The lease agreement must include a provision that sets out the maintenance obligations and terms and conditions relating to the common Private Drain. In specific cases other arrangements can be made, but they must be approved on an individual basis by the WWA.

Layout

- 9.7 The physical drainage layout at a Point of Discharge must be as detailed in the New Zealand Building Code, the New Zealand Standard NZS 4404: Land Development and Subdivision Engineering, and as the WWA approves.

Common Private Drains

- 9.8 Common Private Drains will serve a maximum of five (5) single Dwellings, or as determined by the WWA or Building Consent Authority at the subdivision/building consent stage as stated on the Record of Title and must only have one Point of Discharge (in common).
- 9.9 The rights relating to common Private Drains as set out in section 461(1)(a) to (e) of the Local Government Act 1974 will, upon a certificate from the WWA (together with plans (if any) the Registrar General of Land requires), be registered against the Record of Title to each of the properties served by the common Private Drain.

Explanatory Note:

The WWA may, by notice in writing, require owners of land in certain cases to provide Private Drains under section 459 of the Local Government Act 2002.

10. Herenga Rere Waipara | Conditions of Discharge

Domestic Wastewater

10.1. Domestic Wastewater must not:

- a) exceed the substance limits scheduled in Part Eleven – Trade Waste;
- b) contain the substance prohibited in Part Eleven – Trade Waste.

10.2. Where part of domestic Premises is used as an office or other trade related activity from which no Trade Waste could be produced, and which no other Persons apart from those living at those Premises use, then it must be treated as domestic Premises. Any trade activity which produces or has the potential to produce Wastewater must be treated as being from trade Premises.

10.3. The maximum instantaneous flow rate discharged from a domestic Premises must not exceed 2.0 litres/sec and/or 5m³ per day.

Swimming Pools

10.4. Customers with swimming or spa pool on their Premises must demonstrate that the pool drain has been fitted with a Flow Control Device to ensure the discharge does not exceed the maximum instantaneous flow requirement of 2.0 litres/sec.

Prohibited Characteristics

10.5. Wastewater with prohibited characteristics (as scheduled in Part 11 - Trade Waste) must not be discharged into the public Wastewater Drainage Network.

Waste Sustainability

10.6. To meet the principles of sustainable management as promoted by the Resource Management Act 1991, the WWA recommends that Customers fit the devices contained in the table below on all new installations.

Waste Sustainability Device	Control of Usage
Dual flush toilet cistern	Flush 1 - 1.6 litres Flush 2 - 3.0 litres
Low flow shower heads	Maximum 9 litres per minute
Urinal flushing control	Timed, or On-Demand Controller

Prevention of Inflow and Infiltration

- 10.7. The Customer must not allow any Stormwater or Groundwater to enter the Wastewater Drainage Network. This includes roof downpipes, surface water run-off, overland flow, and sub-surface drainage.
- 10.8. Stormwater must be excluded from the Wastewater Drainage Network by ensuring that:
- a) there is no direct connection of any Stormwater pipe or drain to the Wastewater Drainage Network;
 - b) gully trap surrounds are set above Stormwater ponding levels (refer New Zealand Building Code G13), and secondary overland flow path flood levels;
 - c) inspection covers are in place and are appropriately sealed;
 - d) Private Drains shall be kept and maintained in a state which is free from cracks and other defects which may allow infiltration; and
 - e) compliance is achieved by any other means that may be acceptable to the WWA.

11. Te Haere tonu o te Ratonga | Continuity of Service

Continuity of service and uninterrupted service

- 11.1. The WWA will endeavour to provide Wastewater services in accordance with the Level of Service. For those periods where the Level of Service allows non-compliance with the specified value(s), the WWA will make every reasonable attempt to achieve the specified value(s).
- 11.2. The WWA does not guarantee to receive Wastewater without interruption; however the WWA aims to ensure that any disruption is kept to a minimum.

Emergency

- 11.3. Natural hazards or accidents beyond the control of the WWA which result in disruptions to the ability of the WWA to receive Wastewater will be deemed an emergency and be exempt from the Level of Service requirements. The WWA shall not be liable for any loss, damage, or inconvenience which the Customer may sustain as a result of deficiencies in the Wastewater Drainage Network.
- 11.4. During an emergency the WWA may restrict or prohibit the discharge of Wastewater for any specified purpose, for any specified period, and for any

or all of its Customers. Such restrictions will be publicly notified in the most effective way to meet the circumstances.

Blockages

11.5. Where a Customer suspects a blockage in the Wastewater Drainage Network, the Customer must first contact the WWA to investigate. The WWA will arrange to check the public Sewer and to establish the nature and cause of the blockage and whether the blockage is in the public Sewer or the Private Drain, Common Drain or public lateral.

11.6. If the WWA establishes the blockage is in:

a) The public Sewer (excluding the public lateral – see Figures 1 to 4 for identification of the location of the public lateral), provided that:

(i) the Customer has contacted the WWA first, as required under section 11.5I

(ii) the blockage was not forced downstream into the public Sewer in the act of clearing it from the Private Drain;

(iii) the Customer has not been negligent in discharging a non-acceptable Wastewater;

the WWA will clear the blockage and clean up all affected areas at the WWA's cost. To avoid doubt, if otherwise, the WWA shall be entitled to recover the costs of the works from the Customer.

b) either the Private Drain or Common Private Drain the WWA will notify the Customer who must engage a plumber to clear the blockage at the Customer's cost.

c) the public lateral the WWA will notify the Customer who must engage a registered master plumber to clear the blockage at the Customer's cost and provide confirmation to the WWA that the work has been completed.

11.7. No Person may:

a) plant any tree in a position that is likely to cause a Nuisance or damage any part of the Wastewater Drainage Network (including the flow of Wastewater, access to the Sewer by the WWA or the Sewers ongoing physical integrity).

b) allow the roots of any tree on a Customer's Premises to cause or be likely to cause a Nuisance, damage, interference to the flow, or blockage to any part of the Wastewater Drainage Network.

- 11.8. If a tree causes a Nuisance or damage or interference or blockage as set out in section 11.7(a) and (b) above, the WWA will follow the procedure set out in section 468 of the Local Government Act 1974. No compensation will be payable to the Owner of any tree altered or removed under this procedure.

Explanatory Note:

The WWA may also apply for a removal order under section 215 of the Local Government Act 2002 requiring an Owner or Occupier of any Property to remove vegetation. The WWA may also require removal of any tree under section 355 of the Local Government Act 1974 to prevent injury to the road or obstruction to the traffic to any ditch or drain appertaining it

Liability

- 11.9. The WSA will endeavour to meet the Level of Service requirements set out in section 11.1, but is not liable for any loss, damage or inconvenience which the Customer (or any Person within the Premises) may sustain as a result of deficiencies in, or interruptions to, the Wastewater Drainage Network.

12. Pupuri Mana, Whakahaere me ngā Haepapa Kiritaki | Ownership, Maintenance and Customer Responsibilities

Ownership, care and maintenance

- 12.1. The Customer owns and is responsible for maintaining the Private Drain through which Wastewater is conveyed from the Premises. See Figures 1 to 4 in section 9.
- 12.2. In the event of a Premises changing ownership, the new Owner automatically becomes the new Customer of that Premises.
- 12.3. The public Sewer and public laterals are owned and maintained by the WWA. The WWA is responsible for structural faults to the public lateral, but the Customer is responsible for any blockages that occur in the public lateral (refer section 11.6 above).
- 12.4. The Customer must take due care not to damage any part of the Wastewater Drainage Network on or in the vicinity of their Premises.

Customer's Private Drain

- 12.5. The Customer's Private Drain, from inside the building located on the Premises to the customer's side of the Point of Discharge (at the Property boundary) and including on-site wastewater systems, must be designed, installed and maintained in compliance with the Building Act 2004 and the New Zealand Building Code.
- 12.6. Owners or Occupiers are responsible for maintaining the Private Drain on the Premises in good working order, free from cracks and other defects which may allow Infiltration, leakage, or cause blockages.

Access for Maintenance, Repair and Inspection

- 12.7. Subject to the provisions of the LGA, the Owner or Occupier must allow the WWA access to any area of the Premises (excluding a dwellinghouse unless the entry is authorised by a warrant given by an issuing officer within the meaning of section 3 of the Search and Surveillance Act 2012) for the purpose of carrying out any work on the Wastewater Drainage Network including inspection and survey, and for determining compliance and/or detecting a breach of this bylaw.
- 12.8. The WWA will make every reasonable attempt to provide the Owner or Occupier with at least 24 hours of its intended entry wherever practical.
- 12.9. Where immediate action is required and notification is not practical, work will be carried out without notice.

13. Ngā Utu | Fees and Charges

- 13.1. The Owner is liable to pay for the discharge of Wastewater and related services in accordance with WWA's Schedule of Fees and Charges and/or rating requirements under the Local Government (Rating) Act 2002.
- 13.2. Charges applicable at the time of connection may include:
- a) payment to the WWA or an approved contractor for the cost of the physical works required to provide the connection;
 - b) a Development Contribution; or
 - c) a financial contribution charge determined in accordance with the Resource Management Act 1991 and the Wairarapa Combined District Plan in the case of completed land subdivision within the serviced area, if not previously paid to the WWA.

- 13.3. The WWA may recover all unpaid fees and charges and rates as prescribed in sections 57 to 82 of the Local Government (Rating) Act 2002.

14. Whakaūnga | Enforcement

Defect Notices

- 14.1. In the event of a breach of statutory or other legal requirements, the WWA may serve a defect notice on the Customer advising its nature and the steps to be taken within a specified period, to remedy it. If after the specified period has expired and the Customer has not remedied the breach, the WWA may charge a re-inspection fee and may also carry out any remedial work required to remedy the breach and recover from the person committing the breach all reasonable costs incurred in connection with the remedial work.
- 14.2. If a defect is such that delay would create unacceptable risks to public health, or safety considerations, or risk of consequential damage to WWA assets would create unacceptable results, the WWA may take immediate action to rectify the defect, and recover all reasonable costs.

Offences and Penalties

- 14.3. Any Person who breaches this part of the bylaw commits an offence and upon conviction, may be liable to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2025: Part One – Introductory (section 15.2) for details of what broadly constitutes a breach of this Part.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Ten is liable to a fine not exceeding \$20,000 in accordance with section 242 of the Local Government Act 2002.

A person who is convicted of an offence against a bylaw relating to Trade Waste (Part Eleven) is liable to a fine to exceeding \$200,000.

Ngā Ture ā-Rohe Tōpu o Wairarapa

Wairarapa Consolidated Bylaw

Wāhanga Tekau mā Tahī: Para
Ringarehe

Part Eleven: Trade Waste

Timatanga | Commencement

The Wairarapa Consolidated Bylaw came into force throughout the Masterton, Carterton and South Wairarapa Districts on 1 September 2025.

Whāngai | Adoption

Date	Summary of Amendments	Adopted By
14 August 2013	Consolidated Bylaw 2012: Parts One to Eighteen	Masterton District Council
31 July 2013	Consolidated Bylaw 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	South Wairarapa District Council
26 June 2019	Wairarapa Consolidated Bylaw 2019: Part Nine – Trade Waste	Masterton District Council Carterton District Council South Wairarapa District Council
6 August 2025 (TBC)	Wairarapa Consolidated Bylaw: Part Eleven – Trade Waste	Masterton District Council Carterton District Council South Wairarapa District Council

Arotakenga | Review

The Wairarapa Consolidated Bylaw is due for review by September 2030. If not reviewed by this date, the bylaw will revoke in September 2032 in accordance with section 160A of the Local Government Act 2002.

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Tuhinga Hāngai | Related Documents

The following legislation is related to Part Nine:

- Building Act 2004
- Hazardous Substances and New Organisms Act 1996 and associated Regulations
- Health Act 1956
- Health and Safety at Work Act 2015
- Local Government Act 2002
- Resource Management Act 1991 and associated Regulations.

The following standards and guidelines are related to Part Nine:

- NZS 4304:2002: Management of Healthcare Waste.
- Agricultural and Resource Management Council of Australia and New Zealand and Australia New Zealand Environment and Conservation Council Guidelines for Sewerage Systems: Acceptance of Trade Wastes (Industrial Waste) (1994) – referred to throughout this Part as the ARMCANZ/ANZECC Guidelines for Sewerage Systems.
- Office of Radiation Safety Code of Practice for Unsealed Radioactive Material.

Part Eleven is made under section 145 and section 146(a)(iii) of the Local Government Act 2002.

If any provision of this part is inconsistent with Part One – Introductory, then the provisions of this part prevail.

1. Aronga me te Pūtake | Scope and Purpose

- 1.1. Part Eleven regulates the discharge of Trade Waste to a Wastewater Drainage Network operated by a Wastewater Authority (WWA).
- 1.2. Part Eleven provides for the:
 - a) protection, promotion and maintenance of public health and safety and protection of the environment;
 - b) protection of the Wastewater Drainage Network against damage, misuse, or loss and protection of the environment;
 - c) acceptance of long-term, intermittent, or temporary discharge of Trade Waste to the Wastewater Drainage Network;
 - d) establishment of three grades of Trade Waste (Controlled Trade Waste, Conditional Trade Waste and Prohibited Trade Waste);
 - e) evaluation of individual Trade Waste discharges against specified criteria;
 - f) correct storage of materials to protect the Wastewater Drainage Network from spillage;
 - g) installation of Flow Meters, samplers or other devices to measure the flow and quality of Trade Waste discharge;
 - h) pre-treatment of Trade Waste before it is accepted for discharge to the Wastewater Drainage Network;
 - i) sampling and monitoring of Trade Waste discharges to ensure compliance with the bylaw and resource consent conditions related to the Wastewater Drainage Network;
 - j) WWA to accept or refuse a Trade Waste discharge;
 - k) charges to be set by the WWA to cover the cost of conveying, treating and disposing of, or reusing, Trade Waste and the associated costs of administration and monitoring;
 - l) administrative mechanisms for the operation of the bylaw; and
 - m) establishment of waste minimisation and Waste Management Plans (including sludges) for Trade Waste producers.

Compliance with other Acts and Regulations

- 1.3. The discharge of Trade Waste is also regulated and controlled by other acts and regulations, and relevant codes and standards. Compliance with this bylaw does not remove the need to comply with the requirements of any other Act, regulation or bylaw. In the event of any inconsistency between this part and the requirements of any Act or regulation, the Act and regulation prevails.

Trade Premises and other users to which the bylaw applies

- 1.4. This bylaw applies to all Trade Premises within the Masterton, Carterton and South Wairarapa districts where Trade Waste is discharged or sought or likely to be discharged to the Wastewater Drainage Network operated by the WWA. The bylaw also applies to Tankered Waste collected for the purpose of discharge to the Wastewater Drainage Network operated by the WWA.
- 1.5. Under section 196 of the Local Government Act 2002, an Occupier of a Trade Premises may discharge Trade Waste into the Wastewater Drainage Network with consent of the WWA, or without consent if the discharge is permitted by this part of the bylaw. If the Trade Waste doesn't meet the standards outlined in this bylaw, the WWA may refuse to accept it.
- 1.6. This part of the bylaw does not preclude any agreement with a neighbouring authority for a licensed Trade Waste agreement.

2. Kuputaka | Definitions

Refer to the Wairarapa Consolidated Bylaw: Part One - Introductory for any definitions not included in this part.

- 2.1. The following definitions are applicable to Part Eleven:

Analyst: means a testing laboratory approved in writing by an Authorised Officer on behalf of the WWA.

Batch Discharge: means any discharge of accumulated Trade Waste over a short duration that has not been approved for discharge under any existing permit and can include the discharge of Tankered Waste to designated points into the Wastewater Drainage Network.

Biosolid: means Wastewater sludge derived from a Wastewater 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 is used generically throughout this document to include products containing biosolids (e.g. composts).

Characteristic: means the physical or chemical features of a Trade

Waste.

Cleaner Production: 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:

- using energy and resources efficiently, avoiding or reducing the amount of wastes produced;
- producing environmentally sound products and services;
- achieving less waste, fewer costs and higher profits.

Condensing Water or Cooling Water: means any 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.

Conditional Trade Waste: means a Trade Waste that does not comply with the conditions in Schedule 1C of this part of the bylaw but which is not a Prohibited Trade Waste.

Contaminant: has the meaning given to it in section 2 of the Resource Management Act 1991.

Contingency Management Procedures: means procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects of these activities on the environment from an unexpected or unscheduled event resulting in discharge, or potential discharge of Contaminants of concern into the Wastewater Drainage Network.

Controlled Trade Waste: means a Trade Waste discharge that has been approved by, or is acceptable to, the WWA and as long as it has the physical and chemical characteristics which comply with the requirements of the WWA standard as defined in Schedule 1C of this part of the bylaw and which has conditions placed upon the permit holder by the WWA.

Disconnection: means the physical cutting and sealing of the Private Drain from the WWA's Wastewater Drainage Network and "Disconnect" has a corresponding meaning.

Domestic Wastewater: means either Wastewater which is discharged from Premises used solely for Residential Activities or wastes of the same character discharged from other Premises, provided that the characteristics of the Wastewater are an acceptable discharge which comply with the requirements in this part of the bylaw.

Flow Meter: means a device or apparatus used to measure flow.

Hazardous Substance: means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials, or any materials which when mixed with wastewater, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any Person or harmful to the Wastewater Drainage Network, and includes hazardous substances as defined by section 2 of the Hazardous Substances and New Organisms Act 1996.

Impact Investigation Report: means a report on the effects of any trade discharges specified characteristics, and more particularly Prohibited Trade waste on the Wastewater Drainage Network's operation, treatment process biosolids, and the quality of the dewatered and/or composted biosolids.

Industrial Use: means the use of land and buildings for Industrial Activities as that term is used in the Wairarapa Combined District Plan.

Management Plan: means a plan for the management of operations on the Premises from which Trade Wastes come, and may include provision for flow and quality monitoring, sampling and testing, cleaner production, waste minimisation, discharge, contingency management procedures, and any relevant industry code of practice.

Manhole: means a vertical access point or chamber, typically used for maintenance or inspection purposes in utilities such as Wastewater Drainage Networks and Stormwater drains.

Mass Limit: means the total mass of any characteristic that may be discharged to the Wastewater Drainage Network over any stated period from any single point of discharge or collectively from several points of discharge.

Maximum Concentration: means the peak concentration that may be discharged at any instant in time.

Point of Discharge: means the boundary between the public Wastewater Drainage Network and a Private Drain where a Trade Waste discharge enters the Wastewater Drainage Network, but for the purposes of monitoring, sampling and testing, must be as designated in the Trade Waste Permit.

Premises: means the physical location to which a Wastewater service is provided and includes:

- a Property;
- a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a Record of Title is available;

- land held in public ownership (e.g. reserve) for a particular purpose; or
- individual units in buildings which are separately leased or separately occupied.

Pre-Treatment: means any processing of Trade Waste to reduce or vary any characteristic in a waste before discharge to the Wastewater Drainage Network.

Private Drain: means the section of drain located within the Customer's Property that runs from the building to the Point of Discharge (at the Property boundary) through which Trade Waste is carried

Prohibited Trade Waste: means a Trade Waste that has or is likely to have any prohibited characteristics or substances as defined in Schedule 1D and does not meet the conditions of Schedule 1C.

Property: means a property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued and is a separate Rating Unit and showing on the Rating Information Database.

Rating Information Database: means a databased required to be kept by a local authority under section 27 of the Local Government (Rating) Act 2002.

Rating Unit has the meaning given to it under section 5 of the Local Government (Rating) Act 2002.

Residential Activities: has the meaning given to it in Section 27 (Definitions) of the Wairarapa Combined District Plan.

Significant Industry: indicates the relative size of a given industry compared to the capacity of the Wastewater Drainage Network (including Wastewater Treatment Plants) which services that industry. Industry size relates to volume and/or loads discharging into the Wastewater Drainage Network. Loads can be the conventional loadings of BOD5 and SS or some other particular contaminant (e.g. boron, chromium) which will have an effect or the propensity to have an effect on the sizing of the Wastewater Drainage Network, the on-going system operation and/or the quality of the treated effluent that is discharged.

Spill Management Plan: means a plan to mitigate against accidental spillage of prohibited materials, or Prohibited Trade Wastes entering drains.

Stormwater: means all surface water run-off resulting from precipitation.

Tankered Waste: means water or other liquid, that has waste matter in solution or suspension, and which is conveyed by vehicle for disposal,

excluding Domestic Wastewater discharged directly from house buses, caravans, buses and similar vehicles.

Temporary Discharge: means any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from Premises subject to an existing permit and the discharge of Tankered Waste.

Trade Premises: means either:

- any Premises used or intended to be used for any Industrial Use or trade purpose; or
- any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- any other Premises from which a contaminant is discharged in connection with any Industrial Use or trade process;
- any other Premises discharging anything other than Domestic Wastewater; and
- includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste: means any liquid, with or without matter in solution or suspension that is, or may be, discharged from:

- Trade Premises to the WWA's Wastewater Drainage Network from Batch Discharge; or
- Trade Premises, in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature;

and may include Condensing or Cooling Waters, and Stormwater which cannot be practically separated from Wastewater, or Domestic Wastewater.

Trade Waste Permit: means written authorisation given by the WWA under this bylaw to discharge Trade Waste into the Wastewater Drainage Network and includes any variation of that permit.

Treatment Plant: means a facility designed to clean Wastewater, by removing contaminants and purifying organic matter.

Wastewater: means any water discharge with matter in solution or suspension, including Domestic Wastewater and liquid Trade Waste discharged from a Premises to the Wastewater Drainage Network.

Wastewater Authority (WWA): means the operational unit of the Masterton District Council, Carterton District Council or South Wairarapa District Council, including their Authorised Agents, responsible for the collection, treatment and disposal of Wastewater.

Wastewater Sludge: means the material settled out and removed from Wastewater during the treatment process.

Wastewater Drainage Network: : means a set of facilities and devices owned by or under the control of the WWA which are used to receive, transport, treat, and dispose of Wastewater to a Treatment Plant. 'Facilities' and 'devices' in this definition, includes but is not limited to drains, pipes and other conduits, Manholes, chambers, traps, pumping stations, storage tanks, outfalls, Treatment Plants, and other related structures or access points

3. Te Whakahaeretia o te Ruke Para | Control of Discharge

3.1. A Person must not:

- a. discharge, or allow to be discharged, any Trade Waste to the Wastewater Drainage Network except in accordance with the provisions of this bylaw;
- b. discharge, or allow to be discharged, any Controlled Trade Waste or Conditional Trade Waste to the Wastewater Drainage Network except in accordance with a Trade Waste Permit or in accordance with the provisions of a Trade Waste Agreement (see section 6 for information on applying for a Trade Waste Permit);
- c. discharge, or allow to be discharged, a Prohibited Trade Waste into the Wastewater Drainage Network;
- d. add or permit the addition of Condensing Water or Cooling Water to any Trade Waste which discharges into the Wastewater Drainage Network unless specific approval is given in the form of a Trade Waste Permit; or
- e. add or permit the addition of Stormwater to any Trade Waste which discharges into the Wastewater Drainage Network unless specific approval is given in the form of a Trade Waste Permit.

3.2. If a Person fails to comply with section 3.1 a) to e), the WWA may, after serving notice, carry out works to physically prevent discharge to the Wastewater Drainage Network.

Hazardous Substances

- 3.3. All persons on Trade Premises including Persons on Trade Premises making a Batch Discharge must take all reasonable steps to prevent the entry of a Hazardous Substance, whether from leakage, spillage or other mishap, into the Wastewater Drainage Network and must produce and maintain a Spill Management Plan as part of the Trade Waste Permit conditions.
- 3.4. No Person may use, store, transport, handle or otherwise deal with, or cause to be used, stored, transported, handled or otherwise deal with any Hazardous Substance on a Premise in a way that may cause it to enter the Wastewater Drainage Network.
- 3.5. If the Hazardous Substance does leak, spill or otherwise enter into Wastewater Drainage Network, the Occupier of that Premises must immediately notify the WWA. This obligation is in addition to any other requirement either under statute or otherwise in relation to a leak, spill or otherwise of Hazardous Substances. This doesn't include discharges which are permitted or provided for under a Trade Waste Permit.
- 3.6. Any Person discharging Trade Waste to the WWA's Wastewater Drainage Network must comply with requirements of the Hazardous Substances and New Organisms Act 1996 (HSNO) and the Resource Management Act 1991 (RMA) and all associated regulations relating to both pieces of legislation, as they apply to that discharge.

4. Te Whakarōpu Ruke Para Ringarehe | Classification of Trade Waste Discharge

- 4.1. Trade Waste discharges will be classified as either Controlled Trade Waste, Conditional Trade Waste or Prohibited Trade Waste and each classification will be subject to the following action:
- a. **Controlled Trade Waste** – the WWA will grant a permit (Controlled Trade Waste Permit) to discharge subject to the general conditions contained in Schedule 1C. It may also contain specific conditions in addition to the general conditions.
 - b. **Conditional Trade Waste** – the WWA may decide to grant a permit (Conditional Trade Waste Permit) to discharge subject to specific conditions additional to the general conditions.
 - c. **Prohibited** - not permissible – no Trade Waste Permit can be sought to discharge a Prohibited Trade Waste.
- 4.2. The WWA is not obliged to accept any Trade Waste.

5. Ngā Para e Kohi ana ā-Waka | Tankered Wastes

- 5.1. Any Person wishing to operate a Tankered Waste trucking system and wishing to discharge into the Wastewater Drainage Network must:
- a. be certified by New Zealand Trade and Industrial Waters Forum as complying with the Liquid and Hazardous Wastes Code of Practice; and
 - b. either hold a Certificate of Registration for Offensive Trade issued by the WWA and comply with the conditions of that Certificate or hold a resource consent under the Resource Management Act 1991 for the Tankered Waste collection service; and
 - c. hold a consent to discharge Trade Waste under this bylaw.
- 5.2. Tankered Waste must not be discharged into the Wastewater Drainage Network except at a location approved by the WWA and subject to the Permit Holder:
- a. collecting, transporting and discharging the Tankered Waste in a manner compliant with the Liquid and Hazardous Wastes Code of Practice (or any subsequent Code of Practice that amends or replaces it);
 - b. that is transporting the Tankered Waste having a Trade Waste Permit to discharge domestic septic tank or industrial wastes;
 - c. supplying the WWA with material safety data sheets (MSDS) detailing the contents of the waste;
 - d. testing the Tankered Waste to determine its character (if the contents of the waste are not known). The WWA may require the Permit Holder to obtain specialist advice on pre-treatment or acceptance. The cost of all testing and advice is at the expense of the Permit Holder;
 - e. not picking up and transporting the Tankered Waste to the disposal site until appropriate arrangements and methods for disposal have been determined by the WWA;
 - f. thoroughly washing the tanker prior to collecting a load for disposal into the Wastewater Drainage Network (to prevent cross contamination between tanker loads); and
 - g. giving 24 hours' notice for the disposal of wastes other than those sourced from domestic septic tanks.
- 5.3. Waste collected for disposal must be treated in accordance with the conditions of the Trade Waste Permit before disposal.
- 5.4. Any person illegally disposing of, or causing to be disposed, Tankered Waste either by incorrect disclosure of contents (characteristics and/or amount) or

dumping into the Wastewater Drainage Network other than the prescribed location will be in breach of the bylaw.

6. Te Tono Whakaaetanga Para Ringarehe | Application for a Trade Waste Permit

- 6.1. Every Person who does, or proposes, or is likely to:
- a. discharge any Trade Waste (either continuously, intermittently or temporarily) into the Wastewater Drainage Network;
 - b. vary the characteristics of a Trade Waste Permit that has previously been granted;
 - c. vary the conditions of a Trade Waste Permit that has previously been granted; or
 - d. significantly change the method or means of pre-treatment for discharge under an existing Trade Waste Permit;

shall, complete an application for a Trade Waste Permit on the prescribed WWA form. Every application must be accompanied by the applicable Trade Waste Permit application fee payable in accordance with Council's Schedule of Fees and Charges. The application will not be processed until the fee is paid.

- 6.2. The WWA reserves the right to deal with the Owner of the Premises as well as the Occupier of any Trade Premises.
- 6.3. Where the Trade Premises produces Trade Waste from more than one area of the Trade Premises a separate description of each area of Trade Waste shall be included in any application for a Trade Waste Permit. This applies whether or not the separate areas are part of a single or separate trade process.
- 6.4. The application and every document conveying required information must contain all the required information and be properly executed. Any action taken or anything left undone, by someone on behalf of the Permit Holder during the application process is considered as if the Permit Holder did it themselves.

Processing of an Application and Information and Analysis

- 6.5. Within 10 Working Days of receipt of an application for a Trade Waste Permit under section 6.1 (a) to (d), the WWA will acknowledge receipt of the application.
- 6.6. Upon receipt of an application, the WWA may notify the applicant that it requires it to undertake one or more of the following:

- a. submit any additional information, at the applicant's cost, which it considers necessary to reach an informed decision;
- b. require an application to be supported by an independent report/statement completed by a suitably experienced and external auditor to verify any or all information supplied by the applicant;
- c. submit either:
 - i. a Management Plan to the satisfaction of the WWA; or
 - ii. Wastewater Drainage Network Impact Investigation Report, at the applicant's cost, subject to the following:
 - an independent qualified person, as approved by the WWA, must carry out the investigation and produce the report;
 - the scope of the investigation must establish:
 - the existing background level of the specified characteristics already contained in the influent into the Wastewater Treatment Plant, and in the process treatment biosolids and in the dewatered and composted biosolids; the impact and effect of receiving the specified characteristics on the background levels and the effect of this potential discharge on the function of the Wastewater Treatment Plant and the quality of the composted biosolids;
 - the impact and effect of receiving the applicant's Trade Waste discharge on the ability of future applicants to discharge to the Wastewater Drainage Network.
- d. whenever appropriate have the proposed discharge investigated and analysed, at the applicant's cost, as provided for in section 12.

Consideration Criteria

- 6.7. In considering any application for a Trade Waste Permit to discharge from any Trade Premises or Tankered Waste into the Wastewater Drainage Network and in imposing any conditions, the WWA will take into consideration the quality, volume, and rate of discharge of the Trade Waste in relation to:
- a. the health and safety of WWA staff, Council's officers and the public;
 - b. the limits and/or maximum values for characteristics of Trade Waste as specified in Schedule 1C;

- c. the extent to which the Trade Waste may react with other Trade Waste or Wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Wastewater Drainage Network;
- d. the flows and velocities in the sewer, or sewers and the material or construction of the sewer or sewers;
- e. the capacity of Wastewater Drainage Network;
- f. the capacity of any Wastewater treatment works, and other facilities;
- g. the nature of any Wastewater treatment process and the degree to which the Trade Waste is capable of being treated in the relevant Wastewater Drainage Network;
- h. the timing and balancing of flows into the Wastewater Drainage Network;
- i. any statutory requirements relating to the discharge of raw or treated Wastewater to Receiving Waters, the disposal of Wastewater Sludges, beneficial use of Biosolids, and any discharge to air. This includes compliance with any resource consent, discharge permit or water classification;
- j. the possibility of unscheduled, unexpected or accidental events and the degree or risk to humans, the Wastewater Drainage Network and the environment;
- k. consideration of 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 Minimisation practices;
- o. requirements and limitations related to Wastewater Sludge disposal and reuse;
- p. control of Stormwater;
- q. any Management Plan;
- r. Tankered Waste being discharged at an approved location(s);

Decision on an Application

6.8. On the 15th Working Day after:

- a. the date of receipt of an application complying with this bylaw; and
- b. when the applicant has completed all necessary requirements that it is instructed by the WWA to undertake under section 6.6;

the WWA will, after considering the criteria in section 6.7 and the conditions that may be appropriate (including but not limited to those set out in section 7), do any one or more of the following:

- a. grant a Controlled Trade Waste Permit and inform the applicant in writing of the decision;
- b. grant a Conditional Trade Waste Permit and inform the applicant of the decision in writing and the conditions imposed on the discharge;
- c. decline the application and notify the applicant of the decision in writing giving a statement of the reasons for refusal.
- d. reject the application on the basis that the proposed discharge is a Prohibited Trade Waste and notify the applicant in writing of the rejection.

6.9. The WWA may extend the timeframe in section 6.8, as it deems necessary, by notice in writing to the applicant.

7. Ngā Herenga o ngā Whakaaetanga Para Ringarehe | Conditions of a Trade Waste Permit

7.1. Any Trade Waste Permit may be granted subject to such conditions that the WWA may impose, including but not limited to:

- a. the public sewer or sewers to which the discharge will be made;
- b. the maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- c. the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits;
- d. the times during which the discharge, or a particular concentration, or volume of discharge may be made;
- e. the degree of acidity, or alkalinity of the discharge at the time of discharge;
- f. the temperature of the Trade Waste at the time of discharge;

- g. the method or methods to be used for the measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any Trade Waste charges applicable to that discharge;
- h. the provision and maintenance by the Permit Holder, at the Permit Holder's expense, of:
 - i. screens, grease traps, silt traps or other pre-treatment works to control Trade Waste discharge characteristics to the permitted levels of solids or grease;
 - ii. partial or preliminary treatment processes, equipment or storage facilities, to regulate the quality, quantity and rate of discharge or other characteristics prior to the Point of Discharge;
 - iii. inspection chambers, Manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
 - iv. a sampling, analysis and testing programme and flow measurement requirements;
 - v. meters or devices as may be required to measure the volume, strength, discharge characteristics, or flow rate of any Trade Waste being discharged from the Trade Premises, and for the testing of such meters;
 - vi. services, (whether electricity, water or compressed air or otherwise), which may be required, in order to operate meters and similar devices;
- i. at the specified times, the Permit Holder providing the WWA with all flow and/or volume records and results of analyses (including pre-treatment by-products e.g. wastewater sludge disposal) in a format approved by the WWA;
- j. the Permit Holder providing and implementing a Management Plan and or "Cleaner Production Programme" to reduce and improve the Trade Waste quality or quantity; and
- k. the Permit Holder providing a risk assessment of damage to the environment due to an accidental discharge of a chemical;
- l. Waste Minimisation and management;
- m. Cleaner Production techniques;
- n. remote control and monitoring of discharges of Trade Waste from a Trade Premises;

- o. third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including Wastewater sludge disposal);
 - p. requirement for the Permit Holder to provide a bond or insurance in favour of the WWA where failure to comply with the Trade Waste Permit could result in damage to the Wastewater Drainage Network, its Treatment Plants, or could result in the WWA being in breach of any statutory obligation; and
 - q. treatment and disposal of Trade Waste charges as described in clause 15.1.
- 7.2. The WWA reserves the right to make the final decision on the imposed conditions.

Duration, Variation and Review

Controlled Trade Waste Permit

- 7.3. A Controlled Trade Waste Permit granted under this bylaw shall remain in force until either:
- a. it is cancelled under sections 1.5, 3.2, 8 or 13;
 - b. it is varied under sections 7.9 or 7.10;
 - c. the quantity and nature of the discharge changes significantly;
 - d. if in the opinion of the WWA the discharge changes or is likely to change to such an extent that it becomes a Conditional Trade Waste or a Prohibited Trade Waste;
 - e. the WWA changes the Trade Waste management procedures by implementation of changed Trade Waste bylaw conditions or any amendment to, or replacement of, its Trade Waste bylaw; or
 - f. the conditions on resource consents for the Wastewater Drainage Network and the residuals from it change.
- 7.4. In all of the situations set out in 7.3 (a) to (f), the Permit Holder must apply within 10 Working Days of a change occurring for a Conditional Trade Waste Permit (see section 6). No new discharge of Trade Waste may occur until such time as the application has been approved and the Conditional Trade Waste Permit issued.

Conditional Trade Waste Permit

- 7.5. Subject to sections 1.5, 8 and 13, a Conditional Trade Waste Permit remains in force until it expires at the end of the term prescribed in the Trade Waste Permit, being a term of 12 months.
- 7.6. Prior to the expiry of the term of the Trade Waste Permit, the Permit Holder must apply to the WWA to renew the Trade Waste Permit. The WWA may renew a Conditional Trade Waste Permit provided that at the time of application the WWA is satisfied that:
- a. the nature of the trade activity, or the process design and/or management of the Premises are such that the Permit Holder has a demonstrated ability to meet the conditions of the Conditional Trade Waste Permit during its term; and/or
 - b. Cleaner Production techniques are successfully being used, or that a responsible investment in cleaner production equipment or techniques is being made; and/or
 - c. significant investment in Pre-treatment facilities has been made, such that a longer period of certainty for the amortising of this investment is considered reasonable; and/or
 - d. the reissuing of a Conditional Trade Waste Permit cannot be unreasonably withheld.
 - e. the conditions on resource consents for the Wastewater Drainage Network and the residuals from it have not changed.
- 7.7. In all cases where either the Permit Holder or the Owner of the Trade Premises changes, or there is a change of use, a new application for a Conditional Trade Waste permit must be made to the WWA. It is the responsibility of the Permit Holder to make the new application.

Technical Review and Variation

- 7.8. The WWA may at any time during the term of a Trade Waste Permit, by written notice to the Permit Holder, initiate a technical review of a Trade Waste Permit or any condition that may apply to a Trade Waste Permit. The reasons for a review may include:
- a. the level of Permit Holder compliance, including any accidents including spills or process mishaps relating to the discharge of Trade Waste;
 - b. matters pertaining to the WWA's Resource Consent for discharge from the WWA's Treatment Plant into the Wastewater Drainage Network;
 - c. matters pertaining to the WWA's environmental policies and outcomes;

- d. new control and treatment technologies and processes;
 - e. any of the matters relating to the treatment of Trade Waste; and
 - f. matters pertaining to the WWA's legal obligations.
- 7.9. The WWA may at any time during the term of a Trade Waste Permit, reclassify the discharge and/or vary any condition the WWA considers necessary to address any issues arising from a technical review.
- 7.10. A Permit Holder may seek to vary any condition of its Trade Waste Permit at any time during the term of a Trade Waste Permit by written application to the WWA, as provided for in section 7.

8. Whakatārewa, whakakore rānei i te mana Ruke Para | Suspension or Cancellation of the Right to Discharge

Suspension or Cancellation on Notice

- 8.1. The WWA may suspend or cancel any Trade Waste Permit at any time by giving 20 Working Days' written notice to the Permit Holder or Person discharging any Trade Waste for:
- a. failure to comply with any condition of the Trade Waste Permit;
 - b. failure to maintain effective control over the discharge of the Trade Waste;
 - c. failure to limit the volume, nature, or composition of Trade Waste being discharged into the Wastewater Drainage Network in accordance with the requirements of a Trade Waste Permit;
 - d. any negligence which, in the opinion of the WWA, threatens the safety of, or threatens to cause damage to any part of the Wastewater Drainage Network or the WWA's Treatment Plant or threatens the health or safety of any person;
 - e. any occurrence that, in the opinion of the WWA, poses a serious threat to the environment;
 - f. any occurrence that may, in the opinion of the WWA, result in breach of a resource consent held by the WWA;
 - g. failure to provide, and when appropriate update, a Management Plan as required for a Conditional Trade Waste Permit;
 - h. failure to follow the provisions Management Plan at the time of an unexpected, unscheduled or accidental occurrence relating to discharge or a Trade Waste;

- i. failure to pay any charges rates or fees for Wastewater services under this bylaw; or
 - j. any other circumstances that arise which, in the opinion of the WWA, render it necessary in the public interest to suspend or cancel the right to discharge.
- 8.2. The written notice will include the reason for the suspension or cancellation and what is required to remedy the situation before the suspension can be lifted.
- 8.3. The suspension or cancellation will start the day after the 20th Working Day from the date of the suspension or cancellation notice. If the Permit Holder needs to make changes to their processes because of the suspension or cancellation, and it will take more than 20 Working Days to complete, the Permit Holder may request that WWA grant an extension of time and the WWA may consider this.

Immediate Cancellation

- 8.4. Notwithstanding sections 8.1, 8.2 and 8.3, the WWA may cancel any Trade Waste Permit and stop any discharge with immediate effect by giving written notice to the Permit Holder or person discharging, if any of the following occur:
- a. the discharge contains any prohibited substance or is a Prohibited Trade Waste;
 - b. the WWA is lawfully directed to withdraw or otherwise to terminate the Trade Waste Permit;
 - c. the Permit Holder discharges any Trade Waste unlawfully;
 - d. the continuance of discharge is, in the opinion of the WWA, a threat to the environment or public health;
 - e. the continuance of discharge may, in the opinion of the WWA, results in a breach of a resource consent held by the WWA; or
 - f. in the opinion of the WWA the continuance of the discharge puts at risk the ability of the WWA to comply with conditions of a resource consent and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent.

9. Te Kōunga o te Waipara | Wastewater Quality

Pre-treatment

- 9.1. The WWA may approve a Trade Waste Permit subject to a condition of appropriate Pre-Treatment systems to enable the Person discharging to comply with the bylaw (see section 7.1).
- 9.2. Such Pre-Treatment systems must be provided, operated and maintained by the Person discharging at their expense.
- 9.3. Refuse or garbage grinders, and macerators must not be used to dispose of solid waste from Trade Premises to the Wastewater Drainage Network unless approved by the WWA.

Dilution

- 9.4. The Permit Holder must not, unless approved by the WWA, add or permit the addition of any Potable Water, Condensing or Cooling Water or Stormwater to any Trade Waste stream in order to vary the level of any Characteristics of the waste.

Explanatory Note: Condensing or Cooling Water must not be discharged as of right to a Stormwater drain or natural waterway without permission of the appropriate authority.

Mass Limits

- 9.5. A Conditional Trade Waste Permit may impose conditions on a Trade Waste discharge by specifying mass limits for any Characteristic (refer section 7.1).
- 9.6. Mass limits may be imposed by the WWA for any Characteristic in a Trade Waste. Any Characteristic permitted by Mass Limit must also have its maximum concentration limited to the value scheduled unless approved by the WWA in writing.
- 9.7. When setting Mass Limit allocations for a particular Characteristic the WWA will consider:
 - a. the operational requirements of and risk to the Wastewater Drainage Network, and risks to occupational health and safety, public health, and the ultimate receiving environment;
 - b. whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or Wastewater sludge;
 - c. conditions in the Wastewater Drainage Network near the Trade Waste Point of Discharge and elsewhere in the Wastewater Drainage Network;
 - d. the extent to which the available industrial capacity of Trade Waste was used in the last financial period and is expected to be used in the forthcoming period;
 - e. whether or not the applicant uses Cleaner Production techniques within a period satisfactory to the WWA;
 - f. whether or not there is any net benefit to be gained by the increase of one Characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
 - g. any requirements of the WWA to reduce the pollutant discharge of the Wastewater Drainage Network;
 - h. how great a proportion the mass flow of a Characteristic of the discharge will be of the total mass flow of that Characteristic in the Wastewater Drainage Network;
 - i. the total mass of the Characteristic allowable in the Wastewater Drainage Network, and the proportion (if any) to be reserved for future allocations; and
 - j. whether or not there is an interaction with other Characteristics which increases or decreases the effect of either Characteristic on the sewer reticulation, treatment process, or receiving water (or land).

Disinfected/Super Chlorinated Water

- 9.8. Any water used during the repair and construction of water mains must be de-chlorinated prior to the discharge into the Wastewater Drainage Network. Any person wanting to discharge this water into the Wastewater Drainage Network must apply for a Trade Waste Permit under section 6. Such water must not be disposed of to Stormwater or adjacent water courses without approval from the WWA.

10. Ine-Rere | Flow Metering

- 10.1. The WWA may require a Flow Meter to be installed in certain situations to help the WWA monitor and measure the discharge of Trade Waste more accurately, such as:
- a. when there is not a consistent, clear and reliable link between the metered water supply to the Premises, and amount of Trade Waste being discharged;
 - b. when the WWA does not approve a method of flow estimation; or
 - c. when the discharge of Trade Waste represents a significant proportion of the total flow/load received by the WWA.
- 10.2. Where the WWA require the installation of a Flow Meter under section 10.1, the following provisions apply:
- a. the Permit Holder will, at its cost, supply, install, read and maintain the Flow Meter required by the WWA for the measurement of the rate or quantity of discharge of Trade Waste. The Flow Meter must be approved by the WWA prior to installation. The Flow Meter belongs to the Permit Holder;
 - b. records of flow and/or volume produced by the Flow Meter must be available for viewing at any time by the WWA, and must be submitted to the WWA at prescribed intervals by the Permit Holder in a format approved by the WWA;
 - c. Flow Meters must be located in a position on the Property (to be pre-approved by the WWA) that provides the required degree of accuracy and should be readily accessible by WWA. The Flow Meter must be installed in the location specified in the manufacturer's installation instructions (to ensure it works properly and accurately measures the flow, as it is designed to function best when placed in the right spot).
 - d. the Permit Holder, at its own cost, must arrange for in situ calibration of the Flow Meter equipment and instrumentation by a person and method approved by the WWA upon installation and at least once a year

thereafter to ensure its performance. The Flow Meter accuracy should be $\pm 10\%$ but with no greater a deviation from the previous meter calibration of $\pm 5\%$. A copy of independent certification of each calibration result must be submitted to the WWA as soon as possible upon completion.

- 10.3. Should any Flow Meter be found to have an error greater than that specified in clause 10.2(d) as a repeatable measurement, the WWA may make an adjustment in accordance with the results shown by such tests. The adjustments may be back-dated for a period at the discretion of the WWA but not exceeding 12 months. The Permit Holder must pay or be credited a greater or lesser amount according to such adjustment.
- 10.4. Where, in the opinion of the WWA, a Flow Meter has been tampered with, the WWA (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided in section 11 of this bylaw.

11. Tātai Ruke Para | Estimating Discharge

- 11.1. Where no Flow Meter or similar device is required, the WWA may require that a percentage of the water supplied to the Premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of flow for the purposes of charging.
- 11.2. Should any Flow Meter be out of repair or cease to register, or be removed, the WWA may estimate the discharge for the period since the previous reading of such meter on the basis of the average of discharges during the previous 12 months (four billing periods) and determine the charges payable according to that estimate.
- 11.3. Notwithstanding section 11.2 when, by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months (four billing periods) would be an unreasonable estimate of the discharge, then the WWA may take into consideration other evidence for the purpose of estimation and determine the charges according to such an estimate.

12. Te Tipako, te Tātari, me te Aroturuki | Sampling, Analysis and Monitoring

- 12.1. The WWA may sample, test and monitor the Trade Waste discharge, and/or may require the Permit Holder to sample, test and monitor the Trade Waste discharge to determine if:
 - a. a discharge complies with the provisions of this bylaw;

- b. a discharge is to be classified as a Controlled Trade Waste, Conditional Trade Waste, or Prohibited Trade Waste (refer to definitions in section 2 and information in section 4);
 - c. a discharge complies with the provisions of Schedule 1C for a Controlled Trade Waste discharge and any Trade Waste Permit; and
 - d. Trade Waste Permit charges are applicable to that Trade Waste discharge.
- 12.2. The WWA may enter any Premises believed to be discharging Trade Waste, at any reasonable time, to determine any characteristics of any actual or potential Trade Waste discharge by:
 - a. taking readings and measurements;
 - b. carrying out an inspection; and/or
 - c. taking samples for testing of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged.
- 12.3. The taking, preservation, transportation and analysis of the sample must be undertaken in accordance with accepted industry standard methods, or by a method approved by the WWA. The person discharging will be responsible for all reasonable costs. 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.
- 12.4. The WWA has the powers of entry as prescribed by sections 171-174 of the LGA and entry will be in compliance with the health and safety policies of that particular site.

Monitoring for Compliance

- 12.5. The WWA is entitled to monitor and audit any Trade Waste discharge for compliance. Whether for a Controlled Trade Waste Permit or a Conditional Trade Waste Permit, discharge monitoring may be carried out as follows:
 - a. the WWA will take the sample and arrange for this sample to be analysed in an approved laboratory by agreed/approved analytical methods;
 - b. the sampling procedure will be appropriate to the Trade Waste and the analysis;
 - c. the WWA will audit the sampling and analysis carried out by a self-monitoring Trade Waste Permit Holder. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;

- d. the WWA will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
 - e. the WWA will audit the conditions of the Trade Waste Permit, including any Management Plan.
- 12.6. All monitoring costs must be met by the Permit Holder, either via direct payment by the Permit Holder to the laboratory or by the Permit Holder to the WWA (as directed by WWA at its discretion).

Sampling Methodology

- 12.7. Normally a single grab or composite sample is sufficient. If required, the grab or composite sample can be split equally into three as follows:
- a. one portion of the sample goes to the Permit Holder for appropriate analysis and/or storage;
 - b. a second portion of the sample will be analysed at a laboratory approved by the WWA;
 - c. a third portion of the sample is retained by the WWA for 20 Working Days, for additional analysis if required.
- 12.8. Due consideration will be applied to any changes that could occur in retained Trade Waste samples and provisions to mitigate against changes will be adopted where practicable.
- 12.9. Samples must be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.
- 12.10. Samples must be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

13. Aitua me te Kore Whai Ture | Accidents and Non-Compliance

- 13.1. A Person discharging Trade Waste must notify the WWA immediately on discovery of any accident (including spills, leakage, or other process mishap) that could result in the unauthorized discharge or contamination of the Wastewater Drainage Network which may cause a breach of this bylaw.
- 13.2. If a Person holds a Conditional Trade Waste Permit has an accident (including a spill, leak, or other process mishap) on the Premises, the WWA may undertake a technical review of the Trade Waste Permit or any of the conditions relating to it in accordance with sections 7.8 to 7.10. Following this review, the WWA may require the Permit Holder to update their contingency

management procedures and re-submit the Management Plan to the WWA for approval within 20 Working Days of being notified by the WWA that it is going to undertake a technical review.

- 13.3. In a Person holds a Controlled Trade Waster Permit has an accident (including a spill, leak, or other process mishap) on the Premises, the WWA may require the person discharging to apply for a Conditional Trade Waste Permit.

14. Ngā Utu | Fees and Charges

- 14.1. The Council may, by resolution publicly notified, prescribe or vary fees in respect of any matter provided for in this part of the bylaw. This includes, but is not limited to, fees and charges for the application process, administration, inspections and monitoring or Trade Waste Permits and for the conveyance, treatment and disposal of Trade Waste.
- 14.2. All fees and charges will be invoiced in accordance with Council's standard practice and are payable by the due date specified. The invoice will provide Permit Holder with a copy of the information and calculations used to determine the extent of any charges and fees due, in regard to a Trade Waste discharge.
- 14.3. A Permit Holder will be deemed to be continuing the discharge of Trade Waste and will be liable for all charges incurred, until they provide the WWA with a notice of disconnection in accordance with section 15.3 of this part of the bylaw.
- 14.4. All fees and charges payable under this part of the bylaw will be recoverable as a debt. If the person discharging fails to pay any fees and charges under this bylaw the WWA may suspend or cancel the right to discharge in accordance with section 8.

15. Te Whakawhiti te Whakakore hoki i ngā Mana me ngā Haepapa | Transfer or Termination of Rights and Responsibilities

- 15.1. A Trade Waste Permit must be issued in the name of the person who applies for the permit. The Permit Holder must not, unless written approval is obtained from the WWA:
- a. transfer to any other party the rights and responsibilities provided for under this part of the bylaw, and under the Trade Waste Permit;
 - b. allow a Point of Discharge to serve another Premises, or the Private drain to that Point of Discharge to extend by pipe or any other means to serve another Premises; or

- c. allow Wastewater from any other party to be discharged at their Point of Discharge.
- 15.2. Renewal of a trade Waste Permit on change of ownership of a Premises must not be unreasonably withheld by the WWA if the Characteristics of the Wastewater remain unchanged.
 - 15.3. If a Permit Holder wishes to disconnect the discharge connection and/or terminate its Trade Waste Permit, it must give 48 hours' prior written notice to the WWA, except where demolition or relaying of the discharge drain is required, in which case the notice must be given to the WWA at least seven Working Days in advance of the proposed demolition or relaying date. The Permit Holder must notify the WWA of the new address details for final invoicing.
 - 15.4. On permanent disconnection and/or termination of the Trade Waste Permit, the Permit Holder may be liable for Trade Waste charges to the end of the current charging period – this shall be at the WWA's absolute discretion.
 - 15.5. If a Permit Holder ceases to occupy the Premises from which Trade Waste is being discharged into the Wastewater Drainage System, that Trade Waste Permit will terminate on the date the that occupation ceased. The Permit Holder will remain liable for any and all obligations under that Trade Waste Permit up to the date of termination and may also be charged to the end of the current charging period (at WWA's discretion).

16. Ngā Hara me ngā Hāmene | Offences and Penalties

- 16.1. Any Person who breaches this part of the bylaw commits an offence and upon conviction, may be liable to a penalty under section 242 of the LGA. Refer to Wairarapa Consolidated Bylaw 2025: Part One – Introductory (section 15.2) for details of what broadly constitutes a breach of this Part.
- 16.2. To avoid any doubt, a Person breaches this bylaw and commits an offence who:
 - a. breaches the conditions of any Trade Waste Permit to discharge granted under this part of the bylaw; or
 - b. fails to comply with a notice served under this part of the bylaw.
- 16.3. If a Person wilfully or negligently destroys, damages, stops, obstructs, or otherwise interferes with the Wastewater Drainage Network is liable for the amount of the destruction or damage, or the costs incurred by the WWA in removing the stoppage or obstruction or any loss or expenditure incurred by the WWA by the stoppage or obstruction or interference.

- 16.4. A Person who is convicted of an offence against this part of the bylaw must pay the WWA the costs of remedying any damage caused by committing the offence. These costs will be recoverable as if they were a fine and are in addition to any penalty the person who committed the offence is liable to pay.

Explanatory Note:

As at the date the Bylaw comes into force, a Person who is convicted of an offence against Part Eleven is liable to a fine not exceeding \$200,000 in accordance with section 242 of the Local Government Act 2002.

Kupu Āpiti 1A: Ngā Whakapotonga | Schedule 1A: Abbreviations

°C	degrees celsius	MBAS	methylene blue active substances
B	boron	mg/L	milligram per litre
BOD5	Biochemical Oxygen Demand	mL/L	millilitre per litre
Br	bromine	mm	millimetres
CN	cyanide	MSDS	material safety data sheets
COD	Chemical Oxygen Demand	N	nitrogen
DP	deposited plan	NH3	ammonia
DS	dry solids	NH3N	ammoniacal nitrogen
F	fluoride	P	phosphorus
g/m³	grams per cubic metre	PAHs	polycyclic (or polynuclear) aromatic hydrocarbons
GST	goods and services tax	PBBs	polybrominated biphenyls
H2S	hydrogen sulphide	PCBs	polychlorinated biphenyls
HAHs	halogenated aromatic hydrocarbons	pH	measure of acidity/alkalinity
HCHO	formaldehyde	sec	second
HCN	hydrogen cyanide	s	section
hr	hour	ss	sections
kg/day	kilogram per day	SO4	sulphate
L	litre	SS	suspended solids concentration
L/s	litre per second	UV	ultra violet
m³	cubic metre	UVT	ultra violet transmission
max	maximum	WC	water closet

**CONDITIONS SPECIFIC TO TRADE WASTE PERMIT NUMBER TO DISCHARGE
CONTROLLED OR CONDITIONALTRADE WASTE TO THE WASTEWATER DRAINAGE
NETWORK**

1. Point of Discharge

This Trade Waste Permit is for the discharge of Trade Waste into the Wastewater Drainage Network.

2. Flow

- a. Less than.....m³ of Trade Waste is to be discharged in any 24-hour period.
- b. The instantaneous flow rate of the Trade Waste discharge must not exceed L/s at any time.

3. Temperature

The temperature of Trade Waste must not exceed °C.

4. Discharge characteristics

Limits specific to this Trade Waste Permit are:

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5. Pre-treatment

The Permit Holder must provide the following Pre-Treatment works:

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.....

6. Monitoring

The following Trade Waste Monitoring Programme must be implemented by the Permit Holder:

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.....
.....

7. Charges

Wairarapa Consolidated Bylaw: Part Eleven – Trade Waste
Bylaw came into force: 1 October 2025

The Permit Holder must pay the required annual fee to renew the Trade Waste Permit.

Kupu Āpiti 1C: Ngā Āhuatanga Whakahaere Ruke Para | Schedule 1C: Controlled Discharge Characteristics

- 1C.1.1 The nature and levels of the Characteristics of any Trade Waste discharged to the Wastewater Drainage Network must comply at all times with the requirements of Table 1C, except where the nature and levels of such Characteristics are varied by the WWA as part of an approval to discharge a Trade Waste under a Trade Waste Permit.
- 1C.1.2 The WWA will take into consideration the combined effects of Trade Waste discharges and may make any modifications to the following acceptable characteristics for individual discharges the WWA believes are appropriate.
- 1C.1.3 Mass Limits for Characteristics in Schedule 1F 1G, 1H may be applied by the WWA as required, refer section 9.5-9.7 of the bylaw.
- 1C.1.4 The nature and levels of any characteristic may be varied to meet any new resource consents or other legal requirements imposed on the WWA, refer to section 7.7 of the bylaw.

Table 1C: Controlled Discharge Characteristics Requirements

Characteristic	Limit or requirement	Reason for limits
Physical Characteristics		
Flow	a) The 24-hour flow volume must be less than 5m ³ . b) The maximum instantaneous flow rate must be less than 2.0L/s.	Flows larger than the guideline values should be a Conditional Trade Waste permit. Conditional Trade Waste permits will be dependent on contaminant concentration/mass load.

Table 1C: Controlled Discharge Characteristics Requirements

Characteristic	Limit or requirement	Reason for limits
Temperature	The temperature must not exceed 40°	Higher temperatures: • cause increased damage to sewer structures • increase the potential for anaerobic conditions to form in the wastewater • promote the release of gases such as H₂S and NH₃ • can adversely affect the safety of operations and maintenance personnel • reflect poor energy efficiency. A lower maximum temperature may be required for large volume discharges.

Table 1C: Controlled Discharge Characteristics Requirements

Characteristic	Limit or requirement	Reason for limits
Solids	a) Non-faecal gross solids must have a maximum dimension which must not exceed 15mm, and gross solids must have an acquiescent settling velocity, which must not exceed 50mm/minute. b) The suspended solids content of any wastewater must have a maximum concentration which must not exceed 2000g/m³. For significant industry this may be reduced to 600g/m³ or such other concentration as may be determined. c) The settleable solids content of any wastewater must not exceed 50mL/L. d) The total dissolved solids concentration in any wastewater must be subject to the approval of the WWA having regard to the volume of the waste to be discharged, and the suitability of the drainage system and the treatment plant to accept such waste. e) Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant must not be present.	Gross solids can cause sewer blockages. In case of conditional permits fine screening may be appropriate. High suspended solids can cause sewer blockages and overload the treatment processes. Where potential for such problems is confirmed, a lower limit appropriate to the risk may be set. A lower limit may be set between 2000g/m³ and 600g/m³. The ARMCANZ/ANZECC Guidelines for Sewerage Systems recommend a limit of 600g/m³. High total dissolved solids reduce effluent disposal options and may contribute to soil salinity. Where potential for such problems exists, a limit of 10,000g/m³ may be used as a guideline.

Table 1C: Controlled Discharge Characteristics Requirements

Characteristic	Limit or requirement	Reason for limits
Oil and grease	a) There must be no free or floating layer. b) A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the WWA is not biodegradable must not exceed 200g/m³ as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater, throughout the range pH 6.0 to pH 10.0. c) A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the WWA is biodegradable must not exceed 500 g/m³ when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with, and diluted by, a factor of 10 by raw wastewater throughout the range pH 4.5 to pH 10.0. d) Emulsified oil, fat or grease must not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with, and diluted by, a factor of 10 by raw	Oils and greases can cause sewer blockages, may adversely affect the treatment process, and may impair the aesthetics of the receiving water. Where the treatment plant discharges to a sensitive receiving water, lower values should be considered. If the WWA only has screening and/or primary treatment prior to discharge, it is recommended that oil and grease be reduced to 100g/m³. In terms of oil and greases, biodegradable refers to the bio-availability of the oil and greases and the biochemicals thereby produced, and means the oil and grease content of the waste decreases by 90% or more when the wastewater is subjected to a simulated wastewater treatment process which matches the WWA treatment system. If quick break detergents are being used, it should be ensured that proper separation systems are being used by the permit holder. If not, oil will reappear in drainage systems as a free layer.

Table 1C: Controlled Discharge Characteristics Requirements

Characteristic	Limit or requirement	Reason for limits
	wastewater throughout the range pH 4.5 to pH 10.0.	
Solvents and other organic liquids	There must be no free layer (whether floating or settled) of solvents or organic liquids.	Some organic liquids are denser than water and will settle in sewers and traps.
Emulsions of paint, latex, adhesive, rubber, plastic or similar material	a) Where such emulsions are not treatable, they may be discharged into the sewer subject to the total suspended solids not exceeding 1000g/m³ or the concentration agreed with the WWA. b) The WWA may determine that the need exists for pre-treatment of such emulsions if they consider that the Trade Waste containing emulsion unreasonably interferes with the operation of the WWA treatment plant e.g. reduces % UVT (Ultraviolet Transmission). c) Such emulsions, of both treatable and non- treatable types, must be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public sewer.	'Treatable' in relation to emulsion wastewater, means the total organic carbon content of the waste decreases by 90% or more when the wastewater is subjected to a simulated wastewater treatment process which matches the WWA treatment system. Emulsions vary considerably in their properties and local treatment works may need additional restrictions depending on the experience of the specific treatment plant and the quantity of emulsion to be treated. Emulsion may colour the WWA treatment plant influent such that % UVT is unacceptably reduced. Emulsions will coagulate when unstable and can sometimes cause sewer blockage. Emulsions are stable when dilute or in the correct pH range.
Radioactivity	Radioactivity levels must not exceed the Office of Radiation Safety Guidelines	Refer latest edition, complete with any amendments of NRL C1:1996 Code of safe practice for the use of unsealed radioactive materials.

Table 1C: Controlled Discharge Characteristics Requirements

Characteristic	Limit or requirement		Reason for limits	
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 compromises the treated wastewater discharge permit.		Colour may cause aesthetic impairment of receiving waters, and adverse effects on lagoon treatment processes and ultra-violet disinfection. Where potential for such problems exists, a level of colour which is rendered not noticeable after 100 dilutions may be used as a guideline. Where UV disinfection is used special conditions may apply.	
Liquid Pharmaceutical Waste		Volume Limit	Active Concentration	
		10 litres	125mg/5ml	
		5 litres	250mg/5ml	
		3 litres	Above 250mg/5ml	
Inhibitory substances	Should any characteristic of a discharge be found to inhibit the performance of the wastewater treatment process, such that the WWA is significantly at risk or prevented from achieving its environmental statutory requirements, then the WWA reserves the right to amend the corresponding permit summarily.			
Chemical Characteristics				

pH Value	The pH must be between 6.0 and 10.0 at all times.	In the setting of restrictions for chemical characteristics the WWA will be mindful of the production of harmful or noxious waste streams from some tests, such as chemical oxygen demand and total kjeldahl nitrogen. The need to set such restrictions and therefore the requirement to undertake the associated testing will be determined by the WWA. Extremes of pH: • can adversely affect biological treatment processes • can adversely affect the safety of operations and/or maintenance personnel • cause corrosion of sewer structures • increase the potential for the release of toxic gases such as H₂S and HCN. Relaxation of these limits to 5.5 and 11.0 is acceptable for low volume premises which discharge into a large flow. Significant industries may need to be restricted to limits between 6.0 and 9.0.
Organic Strength	The Biochemical Oxygen Demand (BOD₅) of any waste may require to be restricted where the capacity for receiving and treating BOD₅ is limited. A BOD₅ restriction may be related to mass limits. Where there is no WWA treatment system for organic removal the BOD₅ must not exceed 1000g/m³. For significant industry this may be reduced to 600g/m³ or such other concentration as may be determined. NOTE: For biological process inhibiting compounds see Table 5 in	The loading on a treatment plant is affected by Biochemical Oxygen Demand (BOD₅) rather than Chemical Oxygen Demand (COD). For any particular waste type there is a fixed ratio between COD and BOD₅. For domestic wastewater it is about 2.5:1 (COD: BOD₅), but can range from 1:1 to 100:1 for Trade Waste. Therefore BOD₅ is important for the treatment process and charging, but because of the time taken for testing, it is often preferable to use COD for monitoring. However, the use of COD testing must be balanced by the possible environmental effects of undertaking such tests due to the

	the ARMCANZ/ANZECC Guidelines for Sewerage Systems.	production of chromium and mercury wastes. Where a consistent relationship between BOD5 and COD can be established the discharge may be monitored using the COD test. If the treatment plant BOD5 capacity is not limited, and sulphides are unlikely to cause problems, there may be no need to limit BOD5. High COD may increase the potential for the generation of sulphides in the wastewater. A BOD5 limit which is too stringent may require the installation of pre-treatment systems by some permit holders, imposing unnecessary costs because the most cost effective treatment method may be the WWA treatment plant. The concentration and mass loads of BOD5 may be set to reflect WWA treatment plant capacity; e.g. ARMCANZ/ANZECC Guidelines for Sewerage Systems use a concentration of 600g/m³.
Maximum Concentrations	The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in tables in the following schedules: – Schedule 1F General chemical characteristics – Schedule 1G Heavy metals – Schedule 1H Organic compounds and pesticides	Where appropriate, maximum daily limits (kg/day) for mass limit-controlled discharges may also be given. The WWA has discretion to choose whether or not to incorporate mass limits (refer clause 9.5 – 9.7 of the Bylaw). Mass limits should be calculated and applied where the WWA considers that it gives: a) The permit holder more flexibility to adopt cleaner production techniques which may produce an effluent which allows the WWA to consider permitting to a higher level than the maximum concentration permissible,

		but for a lower total mass (without any adverse effects on the WWA system or discharge permits); or b) The ability to allocate a fixed quantity of a particular characteristic amongst various trade premises, e.g. a heavy metal. The quantity may be fixed by reason of a discharge permit or some other constraint. The maximum concentration permissible should not exceed that achievable from the appropriate best available technology. Concentration limits should also be set to ensure the health and safety of the WWA personnel, the integrity of the collection systems and the treatment process. Mass limits are more complex to administer and enforce and should only be applied where the WWA has sufficient expertise and resources.
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Kupu Āpiti 1D: Ngā Āhuatanga whakahaere Ruke Para Ringarehe Kāore e Whakaaetia ana | Schedule 1D: Prohibited Trade Waste Discharge Characteristics

Prohibited Characteristics

1D.2.1 A 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:

- a. interfere with the free flow of Wastewater in the Wastewater Drainage Network;
- b. damage any part of the Wastewater Drainage Network;
- c. in any way, directly or indirectly, cause the quality of the treated wastewater or residual biosolids and other solids from any Wastewater Treatment Plant in the catchment to which the waste was discharged to breach the conditions of a permit issued under the Resource Management Act 1991, or water right, permit or other governing legislation;
- d. prejudice the occupational health and safety risks faced by Wastewater workers;
- 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 Nuisance; or
- g. have a colour or colouring substance that causes the discharge from any Wastewater Treatment Plant to receiving waters to be coloured.

Further Prohibited Characteristics

1D.2.2 A discharge has prohibited characteristics if it has any characteristic which exceeds the concentration or other limits specified in Schedule 1C unless specifically approved for that particular permit.

Specific Prohibitions

1D.2.3 A discharge has a prohibited characteristic if it has any amount of:

- a. harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;

- b. liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1C), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with wastewater;
- c. asbestos;
- d. the following organo-metal compounds:
 - i. tin (as tributyl and other organotin compounds);
- e. any organochlorine pesticides;
- f. genetic wastes, as follows:
 - ii. all wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the Hazardous Substances and New Organisms Act. The material concerned may be from premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
- g. any health care waste prohibited for discharge to a Wastewater Drainage Network by NZS 4304; or
- h. radioactivity levels in excess of the Office of Radiation Safety Guidelines.

Kupu Āpiti 1E: He Tohutohu ki ngā Momo Mahi Ringarehe me ngā Tukanga e Hāngai ana ki te Tūhanga Waikeri Waipara me mau ai ki tētahi Whakaaetanga Para Ringarehe | Schedule 1E: Guide to Types of Trade Activities and Processes Connected to the Wastewater Drainage Network that Require a Trade Waste Permit

Table 1E: Examples activities that require Trade Waste Permit			
A	Approved Stormwater discharged to sewer Automotive Servicing Facilities Automotive/whiteware - small plant services	M	Manufacturing of chemicals, and of chemical, petroleum, coal, rubber and plastic products Manufacturing of clay, glass, plaster, masonry, asbestos, and related mineral products Manufacturing of fabricated metal products, machinery and equipment Manufacturing of fertiliser Manufacturing of paper and paper products Marae Meat, fish, and shellfish processing Mechanical workshops/service stations Medical laboratories Metal finishers Mortuaries
B	Bakeries Beverage manufactures (including wineries) Building services	N-Q	Paint and Panel Beaters Paint formulation/manufacture Photo and medical laboratories Photo processors Premises with commercial macerators Printers
C	Cafe/takeaway food vendor Car wash/valet Chemists/pharmaceutical waste including cytotoxic ingredients Churches (with catering facilities) Clothing manufacture Concrete batching plants		
D	Dairy products processing Dentists Doctors' surgeries Dry Cleaners		
E	Electroplaters Engineering Workshops	R	Research Institutes Residential Care Facilities Restaurants Retail butchers and fishmongers
F	Fellmongers Food premises licensed as food premises under the Food Act 2014 Food processors including canneries Footwear manufacture Foundries Fruit and vegetable processors including canneries	S	Service Stations Schools, polytechnics, universities (with laboratories) Scientific and other laboratories Spray painting facilities Stockyards Swimming pools/spa facilities
G-L	Garages Galvanisers Hospitals Hotels and motels (with catering facilities) Kitchens/Dining halls Landfills (leachate discharge) Laundries	T	Takeaway premises Tankered Wastes Tanneries and leather finishing Textile fibre and textile processing Timber processing Truck wash facilities

		U- V	Vaccine manufacturers Vehicle wash facilities Veterinary surgeries
		W -Z	Waste management processors Wholesalers/retailers including butchers, green grocers and fishmongers Woolscourers

Kupu Āpiti 1F: Ngā Momo Āhuatanga Matū | Schedule 1F: General Chemical Characteristics

Table 1F: General Chemic Characteristics		
Characteristic	Maximum Concentration (g /m ³)	Reason for limits
MBAS (Methylene Blue Active Substances)	500	MBAS is a measure of anionic surfactants. High MBAS can: - adversely affect the efficiency of activated wastewater sludge plants - impair the aesthetics of receiving waters. For treatment plants which suffer from the effects of surfactants the maximum concentration could be reduced significantly; e.g. Sydney Water utilise a level of 100g/m ³ .
Ammonia (measured as N) - free ammonia - ammonium salts	50 200	High ammonia: - may adversely affect the safety of operations and maintenance personnel - may significantly contribute to the nutrient load to the receiving environment
Kjeldahl nitrogen	150	High kjeldahl nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 50g/m ³ should be used as a guideline for sensitive receiving waters.
Total phosphorus (as P)	50	High phosphorus may significantly contribute to the nutrient loading of the receiving environment. A value of 10g/m ³ should be used as a guideline for sensitive receiving waters.
Sulphate (measured as SO ₄)	500 1500 (with good mixing)	Sulphate: - may adversely affect sewer structures. - may increase the potential for the generation of sulphides in the wastewater if the sewer is prone to become anaerobic.

Sulphite (measured as SO ₂)	15	Sulphite has potential to release SO₂ gas and as SO₂) thus adversely affect the safety of operations and maintenance personnel. It is a strong reducing agent and removes dissolved oxygen thereby increasing the potential for anaerobic conditions to form in the wastewater.
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Table 1F: General Chemic Characteristics

Characteristic	Maximum Concentration (g/m ³)	Reason for limits
Sulphide – as H ₂ S on acidification	5	Sulphides in wastewater may: • cause corrosion of Sewer structures, particularly the top non-wetted part of a sewer • generate odours in sewers which could cause public nuisance • release the toxic H₂S gas which could adversely affect the safety of operations and maintenance personnel. Under some of the conditions above sulphide should be <2.0g/m³.
Chlorine (measured as Cl ₂) – free chlorine – hypochlorite	3 30	Chlorine: • can adversely affect the safety of operations and maintenance personnel • can cause corrosion of sewer structures ARMCANZ/ANZECC Guidelines for Sewerage Systems utilise a figure of 10g/m³.
Dissolved aluminium	100	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate on a scale which may cause a sewer blockage.
Dissolved iron	100	Iron salts may precipitate and cause a sewer blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Boron (as B)	25	Boron is not removed by conventional treatment. High concentrations in effluent may restrict irrigation applications. Final effluent use and limits should be taken into account.
Bromine (as Br ₂)	5	High concentrations of bromine may adversely affect the safety of operations & maintenance personnel.
Fluoride (as F)	30	Fluoride is not removed by conventional wastewater treatment, however pre-treatment can easily and economically reduce concentrations to below 20g/m ³ .

Cyanide – weak acid dissociable (as CN)	5	Cyanide may produce toxic atmospheres in the sewer and adversely affect the safety of operations and maintenance personnel.
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Kupu Āpiti 1G: Ngā Konganuku Taumaha | Schedule 1G: Heavy Metals

Table 1G: Heavy Metals	
Metal	Maximum concentration (g/m ³)
Antimony	10
Arsenic	5*
Barium	10
Beryllium	0.005
Cadmium	0.5*
Chromium ¹	5
Cobalt	10
Copper	10*
Lead	10*
Manganese	20
Mercury	0.05
Molybdenum	10*
Nickel	10*
Selenium	10
Silver	2
Thallium	10
Tin	20
Zinc	10*

Notes:

1. Heavy metals have the potential to impair the treatment process; impact on the receiving environment; and limit the reuse of wastewater sludge and effluent.
2. Where any of these factors are critical it is important that local acceptance limits should be developed.

¹ The concentration for chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than chromium (III), and for a discharge where chromium (III) makes up a large proportion of the characteristic, higher concentration limits may be acceptable. Specialist advice should be sought.

3. Metals will be tested as total, not dissolved. If sludge is used as a biosolid then metal concentration/mass are important such that the biosolids guidelines are met.
4. For recommended mass loads of metals refer to the ARMCANZ/ANZECC Guidelines for Sewerage Systems.

**Kupu Āpiti 1H: Ngā Pūhui Whaiwaro me ngā Paturiha | Schedule 1H:
Organic Compounds and Pesticides**

Table 1H: Organic Compounds and Pesticides

Compound	Maximum concentration (g/m³)	Reason for limits
Formaldehyde (as HCHO)	50	Formaldehyde in the sewer atmosphere can adversely affect the safety of operations and maintenance personnel.
Phenolic compounds (as phenols) – excluding chlorinated phenols	50	Phenols may adversely affect biological treatment processes. They may not be completely removed by conventional treatment and subsequently impact on the environment.
Chlorinated phenols	0.02	Chlorinated phenols can adversely affect biological treatment process and may impair the quality of the receiving environment.
Petroleum hydrocarbons	30	Petroleum hydrocarbons may adversely affect the safety of operations and maintenance personnel.
Halogenated aliphatic compounds	1	Because of their stability and chemical properties these compounds may: • adversely affect the treatment processes • impair the quality of the receiving environment • adversely affect the safety of operations and maintenance personnel.
Monocyclic aromatic hydrocarbons	5	These compounds (also known as benzene series) are relatively insoluble in water and are normally not a problem in Trade Waste. They may be carcinogenic and may adversely affect the safety of operations maintenance personnel.
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05	Many of these substances have been demonstrated to have an adverse effect on the health of animals. Some are also persistent and are not degraded by conventional treatment processes.
Halogenated aromatic hydrocarbons (HAHs) Polychlorinated biphenyls (PCBs) Polybrominated biphenyls (PBBs)	0.002 each	Because of their stability, persistence and ability to bioaccumulate in animal tissue these compounds have been severely restricted by health and environmental regulators.

Table 1H: Organic Compounds and Pesticides

Compound	Maximum concentration (g/m ³)	Reason for limits
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any use in New Zealand) pesticides not registered for use in New Zealand	0.2 in total	Pesticides: • may adversely affect the treatment processes • may impair the quality of the receiving environment • may adversely affect the safety of operations and maintenance personnel.
Organophosphate pesticides	0.1	