

Bylaw Hearings Panel MINUTES ATTACHMENTS

Date: Friday 25 March 2022
Time: 11.30am
Venue: Water Supply, Wastewater and Stormwater Bylaw
Review, via audio visual link

TABLE OF CONTENTS	PAGE
4. Submissions on the Proposed Replacement Bylaws for the Council's Three Waters Services	
A. Additional Staff Comments and Recommendations on Replacement Bylaws for the Council's Three Water Services	3
B. Summary of submissions who wish to be heard	5
6. Hearing of Submission / Ngā Tāpaetanga	
A. Ōpāwaho Heathcote River Network - Additional Document	15
B. 4Sight Consulting- Additional Document.....	31
7. Consideration and Deliberation / Ngā Whaiwhakaaro me Ngā Taukume o Ngā Kōrero	
A. Oderings Garden Centres - Additional Documents	47
8. Hearings Panel Recommendation to Council/Committee	
A. Christchurch City Council Water Supply and Wastewater Bylaw 2022	62
B. Christchurch City Council Stormwater and Land Drainage Bylaw 2022	86
C. Register of Industrial and Trade Activities	108

Supplementary to Attachment A – Additional Staff Comments and Recommendations

Three staff recommendations on possible changes to the bylaws were marked as “to be drafted” in Attachment A to the Bylaw Hearings Panel report (see item 4 of the bylaw hearings panel [agenda](#), attachment A, pages 17, 23 and 27.) Staff have now drafted potential changes for the Hearings Panel to consider during deliberations. These are outlined below.

	Issue / Submission Point	Related submission	Staff Response	Proposed solution	Which bylaw?	Draft
1.	The inclusion of waterways in the definition of the stormwater network. (considered out of scope) (see page 17 of attachment A)	44793 (ECan)	The Council has a role in management of waterways. Interference with these may impact on the function of the stormwater network, so the bylaw contains some protections. If not included in the definitions of the network or land drainage, we lose the ability to regulate for waterways under the LGA bylaw.	Explanatory content (preamble or elsewhere) covering the Council’s role with waterways, how this links with the bylaw, ECan’s role and te mana o te wai. <i>Update: seems to be a better fit with the existing explanatory note on the “objectives” clause.</i>	Stormwater and Land Drainage	Add to explanatory note in cl.3: Objectives <i>Explanatory note:</i> This bylaw is to help manage stormwater within the district so as to protect people, property and the environment by minimising the impact of flooding, erosion and contamination of stormwater. It is in addition to controls on stormwater imposed by the Canterbury Regional Council and Christchurch City Council under the Resource Management Act 1991, the Building Act 2004, or any other act, regulation or bylaw. <i>The Council holds a Comprehensive Stormwater Network Discharge Consent from Environment Canterbury for the discharge of stormwater. This places obligations on the Council to improve the quality of stormwater that enters the network and is discharged to the environment. Waterways are part of the receiving environment for stormwater and form part of the network that carries stormwater to the sea. Council has a stewardship role in the protection, restoration and management of waterways and their margins. Land associated with waterways also forms part of our flood protection infrastructure e.g stopbanks. The Local Government Act 2002 enables the Council to regulate to protect land and infrastructure associated with land drainage (section 146). The bylaw is part of how the Council can give effect to Te Mana o te Wai.</i> <i>Objectives, policies and standards relevant to this bylaw can be found in the Council’s Te Wai Ora o Tāne Integrated Water Strategy, the Waterways and Wetlands Natural Asset Management Strategy, the Infrastructure Design Standards and in the consent that the Council holds for the discharge of stormwater from its network (CSNDC).</i>
2.	Lack of links/reference to the Trade Waste Bylaw. (see page 23 of Attachment A)	44743 (individual)	The Trade Waste Bylaw is currently referenced only in clause 31 of the draft bylaw (discharges into the wastewater system), as there is some cross over in this provision between this bylaw and the trade waste bylaw. All trade waste to be discharged to the wastewater system is regulated under the Trade Waste Bylaw 2015. This is referenced in the wastewater bylaw in relation to discharges into the wastewater system.	Explanatory content on links with the trade waste bylaw in the preamble.	Water Supply and Wastewater Bylaw	Add to Preamble : <i>This preamble is explanatory and is not part of the bylaw:</i> This bylaw replaced the water supply, and wastewater parts of the Water Supply, Wastewater and Stormwater Bylaw 2014 as part of a bylaw review process, and was adopted in 2022 as a standalone bylaw. <i>Trade waste is covered by a separate bylaw, the Trade Waste Bylaw 2015, which regulates the discharge of trade waste and tankered waste to the wastewater system.</i>

	Issue / Submission Point	Related submission	Staff Response	Proposed solution	Which bylaw?	Draft
3.	<p>Submitter request for specific reference in the bylaw to engagement with mana whenua and consideration of the hierarchy of obligations under Te Mana o te Wai.</p> <p>(see page 27 of Attachment A)</p>	44793 (ECan)	We include information on mana whenua engagement in the Committee and Hearings Panel reports.	<p>Include reference to Te Mana o Te Wai in preamble to bylaw.</p> <p><i>Update: on further thought, the “objectives” clause seems to be a better fit with the existing explanatory notes</i></p>	Both bylaws.	<p>See above for Stormwater and Land Drainage Bylaw.</p> <p>In the Water Supply and Wastewater Bylaw:</p> <ol style="list-style-type: none">1. Add to explanatory note in Water supply part - cl.4 (1) Objectives - <p>Explanatory note: Objectives, policies and standards relevant to this part of the bylaw can be found in the Council’s Te Wai Ora o Tāne Integrated Water Strategy, the Infrastructure Design Standards and in the consents that the Council holds for water takes for the public water supplies.</p> <p><i>The bylaw is part of how the Council can give effect to Te Mana o te Wai.</i></p> <ol style="list-style-type: none">2. Add to explanatory note in wastewater part of the bylaw – cl.26 (1) Objectives <p>Explanatory note: Objectives, policies and standards relevant to this part of the bylaw can be found in the Council’s Te Wai Ora o Tāne Integrated Water Strategy, the Infrastructure Design Standards and in the resource consents that the Council holds for the public wastewater system.</p> <p><i>The bylaw is part of how the Council can give effect to Te Mana o te Wai.</i></p>

22/336961

Submissions on the draft Water Supply and Wastewater Bylaw and/or the draft Stormwater and Land
Drainage Bylaw

SUBMITTERS TO BE HEARD

Friday 25 March 2022

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
<p>Waitai Coastal-Burwood Community Board <i>Bebe Frayle</i></p> <p>(44691)</p> <p>11.55am</p>	<p><i>Water Supply and Wastewater Bylaw</i></p> <p>Water wastage (cl.16(3)):</p> <ul style="list-style-type: none"> considers “excessive” open to interpretation by Council staff assessing situation and could lead to inequity for property owners. <p>Tree roots – damage to network infrastructure (cl.9(7) and 9(8)):</p> <ul style="list-style-type: none"> considers provision difficult for property owners to comply with. suggests a shared-cost approach be explored as it isn’t reasonable for property owners to cover the full cost of mitigation if tree removal is required. notes there are issues with trees on Council land causing damage to property owner’s land and this should be addressed in the bylaw. <p>Requirement to maintain and repair private wastewater laterals (cl.32):</p> <ul style="list-style-type: none"> property owners may be unaware of damage. Request the Council provides support and advice regarding EQC and earthquake claims. <p>General comments:</p> <ul style="list-style-type: none"> agrees with the proposal for two separate bylaws. overall agrees with the intent of the updates to the bylaws. notes importance of adequate staffing to oversee and enforce the bylaws. recommends educating property owners of their responsibilities under the bylaw, including more detailed information available via pamphlets. notes retention basin drains in Waitai Coastal-Burwood ward are regularly clogged with weeds. Request Council ensures stormwater infrastructure on public land is also regularly checked and maintained.
<p>Waikura Linwood Central Heathcote Community Board <i>Alexandra Davids</i></p> <p>(44448)</p> <p>12.05pm</p>	<p><i>Stormwater and Land Drainage Bylaw</i></p> <p>Drainage from springs and artesian wells (cl.11):</p> <ul style="list-style-type: none"> supports proposal. <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> supports proposal for increase setback distance for building and earthworks activities. <p><i>Water Supply and Wastewater Bylaw</i></p> <p>Submitter <u>supports</u> the following bylaw proposals:</p> <ul style="list-style-type: none"> Backflow prevention (cl.18) Prohibition of certain equipment that may cause pressure surges (cl.9(4)) Notification of chemical spills near community drinking water zones (cl.9(5)) <p>Aerial applications (cl.9(6)):</p> <ul style="list-style-type: none"> supports notification and suggests the Papatipu runanga are also notified as many small settlements rely on open waterways for their drinking water and mahinga kai.

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
	<p>Water wastage (cl.16(3)):</p> <ul style="list-style-type: none"> • supports proposal, however notes the Council needs to lead by example by promptly addressing network leaks. <p>Prohibited waste (wastewater) (cl.31):</p> <ul style="list-style-type: none"> • supports proposal, but would like no approvals for exception to be given. <p><i>General / Applicable to Both Bylaws</i></p> <p>Requirement to maintain and repair private wastewater laterals (cl.32) and stormwater laterals (cl.25):</p> <ul style="list-style-type: none"> • supports proposal and recommends community education programme to raise awareness of the issues associated with broken pipes <p>General comments:</p> <ul style="list-style-type: none"> • supports aims of the both bylaws. • agrees with the proposal for two separate bylaws. • opposed to volumetric charging. Requests the Council install water meters at Council-owned properties for consistency and to monitor Council's own use of water.
12.25pm: Gap	
<p>Waipuna Halswell Hornby Riccarton Community Board <i>Mike Mora</i></p> <p>(44735)</p> <p>12.30pm</p>	<p><i>Stormwater and Land Drainage Bylaw</i></p> <p>Submitter <u>supports</u> the following bylaw proposals:</p> <ul style="list-style-type: none"> • Stormwater quality standards (cl.9) • Prohibited substances must not enter the network (cl.19(1)) • Maintenance of private stormwater devices (cl.26) • Drainage from springs and artesian wells (cl.11): <p>Industrial Stormwater Discharge Licence (cl. 27-35):</p> <ul style="list-style-type: none"> • supports proposal. Considers more monitoring of discharges from industrial sites is needed. <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> • supports proposal. Submitter has concerns about sediment from development and considers this bylaw proposal will go some way to addressing this. <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> • supports proposal – considers current 1m setback does not provide sufficient protection. <p><i>Water Supply and Wastewater Bylaw</i></p> <p>Submitter <u>supports</u> the following bylaw proposals:</p> <ul style="list-style-type: none"> • Backflow prevention (cl.18) • Prohibition of certain equipment that may cause pressure surges (cl.9(4)) • Aerial applications (cl.9(6)) • Notification of chemical spills near community drinking water zones (cl.9(5)) • Supplementary water storage tanks for Banks Peninsula (cl.17) • Tree roots – damage to network infrastructure (cl.9(7) and 9(8)) • Water meter accessibility (cl.19(5)) • Prohibited waste (wastewater) (cl.31)

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
	<ul style="list-style-type: none"> • New application and approval clauses for wastewater (cl.27) <p>Water wastage (cl.16(3)):</p> <ul style="list-style-type: none"> • supports proposal, but notes Council needs to lead by example by promptly addressing instances of network leakage (eg: Goulding Avenue). <p><i>General / Applicable to Both Bylaws</i></p> <p>Requirement to maintain and repair private wastewater laterals (cl.32) and stormwater laterals (cl.25):</p> <ul style="list-style-type: none"> • supports proposal. <p>Maintenance access corridors (WSWW: cl.7-8, 29-30; and SWLD cl.17-18):</p> <ul style="list-style-type: none"> • supports proposal. <p>General comments:</p> <ul style="list-style-type: none"> • supports the aims of the both bylaws. • agrees with the proposal for two separate bylaws. • opposed to volumetric charging, but supports the use of meters to monitor consumption and detect leaks.
<p><i>Fendalton Waimari Harewood Community Board Bridget Williams</i></p> <p>(44731)</p> <p>12.40pm</p>	<p><i>Water Supply and Wastewater Bylaw</i></p> <p>Backflow prevention (cl.18):</p> <ul style="list-style-type: none"> • supports proposal. <p>Prohibition of certain equipment that may cause pressure surges (cl.9(4)):</p> <ul style="list-style-type: none"> • seeks additional information on this issue and whether historical problems have been due to a lack of appropriate technology. <p>Aerial applications (cl.9(6)):</p> <ul style="list-style-type: none"> • queries application of these provisions i.e: whether every farmer needs to notify the Council prior to spraying their crop and whether it includes spraying via drone technologies. • recommends clarifying the definition of “aerial application” to make the clause easier to interpret. <p>Water wastage (cl.16(3)):</p> <ul style="list-style-type: none"> • seeks clarity on how the Council will be aware of, and enforce, offences related to water wastage • considers the bylaw could be strengthened by adding examples of what is considered “wastage” to the clause itself rather than in the explanatory note. <p>Tree roots – damage to network infrastructure (cl.9(7) and 9(8)):</p> <ul style="list-style-type: none"> • supports new provisions to ensure appropriate species of trees are planted in appropriate areas. Notes important not to discourage developers from plantings trees and recommends clarifying whether this provision applies to new subdivisions. <p>General comments:</p> <ul style="list-style-type: none"> • agrees with the proposal for two separate bylaws. • recommends clear and increased education around the public’s obligations under the bylaw to prevent contaminants entering the wastewater and stormwater networks.

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
<p>Ōpāwaho Heathcote River Network <i>Malcolm Long</i></p> <p>(44751)</p> <p>12.50pm</p>	<p>Stormwater and Land Drainage Bylaw</p> <p>Industrial Stormwater Discharge Licence (cl. 27-35):</p> <ul style="list-style-type: none"> strongly supports the proposed ISDL, but is concerned that it does not address zinc from large buildings which have roofs and walls clad with zinc-plated steel. proposes the ISDL system is extended to require that every occupier of an industrial premises with a total combined roof area of more than 100m apply for an ISDL. notes the indicated fee for high risk premises is not high enough to encourage large operators to improve. <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> strongly supports this proposal, particularly the requirement for measures to be in place prior to earthworks commencing. suggests it is vital to ensure there are sufficient resources for monitoring and enforcement of these clauses <p>Prohibited substances must not enter the network (cl.19(1)):</p> <ul style="list-style-type: none"> supports provisions to prevent prohibited substances from entering the network, and contends that public awareness is particularly important <p>Drainage from springs and artesian wells (cl.11):</p> <ul style="list-style-type: none"> supports this proposal, but suggests there is an opportunity to also provide greater protection to artesian springs. They recommend this clause also: <ul style="list-style-type: none"> requires the incidence and location of artesian springs to be notified to the Council prevents capping, interfering with or diverting flow of natural springs without resource consent or written approval. <p>Repair of damaged private stormwater laterals (cl.25):</p> <ul style="list-style-type: none"> supports proposal, as well as maintenance requirements of clauses 24 and 26 as means of sediment control. Increased public awareness and enforcement where necessary is important to help reduce sediment entering the river. <p>Controlling other contaminants</p> <ul style="list-style-type: none"> urges the Council to implement source control measures to reduce zinc contamination. <p>Requirement for on-site stormwater management (cl.10):</p> <ul style="list-style-type: none"> supports clause 10 of the draft bylaw. <p>Water Supply and Wastewater Bylaw</p> <p>Prohibited waste (wastewater) (cl.31):</p> <ul style="list-style-type: none"> supports this proposal. Considers greater enforcement and greater public awareness should help to improve sewerage overflows and water quality in waterways. <p>Requirement to maintain and repair private wastewater laterals (cl.32):</p> <ul style="list-style-type: none"> supports this proposal, but notes that the public awareness component is key, and staff resources must be made available to ensure assessment of wastewater laterals take place on a schedule.

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
	<p>General comments</p> <ul style="list-style-type: none"> • supports the Council's decision to proceed with the bylaw review at this time, despite the proposed nationwide changes. • agrees with the proposal for two separate bylaws. • strongly supports all clauses in the draft Water Supply and Wastewater bylaw • notes the general principles and actions required of residents need publicising clearly once the bylaws are adopted, and submitter is willing to assist to disseminate these messages.
1.00pm – 2.00pm: Break	
<p><i>The Fuel Companies represented by 4Sight Consulting Trent Sunich</i></p> <p>(44770)</p> <p>2.00pm</p>	<p>Stormwater and Land Drainage Bylaw</p> <p>Industrial Stormwater Discharge Licence (cl. 27-35):</p> <p>Primary concerns with this proposal are:</p> <ul style="list-style-type: none"> • service stations and truck stops do not present a high risk to stormwater discharge. • the annual cost across all sites is significant, and not commensurate to the level of risk. • the site area contained within the Register of Industrial and Trade Activities should only focus on the particular area that may generate stormwater contaminants. Contends that there is no justification for how these thresholds have been set. • the consultation on the bylaw is occurring concurrently with the development of the risk matrix required by the CSNDC. Requests that the review of the bylaw is put on hold until the risk matrix required under the CSNDC is finalised and that this forms the mechanism for ISDL risk classification assessment. • suggests an amendment to clause 32 so that stormwater management plans and other documents are provided to Council on request. <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> • contends clause 22 enables construction phase discharges to the network subject to the implementation of erosion and sediment control plans. Seeks confirmation that the Council will provide permission for these discharges, and to amend clause 22 to reflect that. <p>Prohibited substances must not enter the network (cl.19(1)):</p> <ul style="list-style-type: none"> • suggests amendment to clause - contends that the explanatory note to this clause seems absolute in its application – stormwater run-off would not be able to comply. <p>Stormwater quality standards (cl.9):</p> <ul style="list-style-type: none"> • concerned there are no terms of reference regarding what quality standards would apply. Suggests specification of the ANZ guidelines (or other recognised guidelines) would assist in providing certainty. • questions whether this provision is within the remit of the LGA. <p>Requirement for on-site stormwater management (cl.10):</p> <ul style="list-style-type: none"> • requests this is amended to reference application of the best practicable option when referring to the requirement for stormwater devices.
<p><i>The Avon Heathcote Estuary Ihutai Trust</i></p>	<p>Stormwater and Land Drainage Bylaw</p> <p>Industrial Stormwater Discharge Licence (cl. 27-35):</p>

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
<p><i>Kit Doudney</i></p> <p>(44849)</p> <p>2.10pm</p>	<ul style="list-style-type: none"> encourages the Council to monitor all industrial discharges to ensure compliance. <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> supports the proposal, and notes that all site workers must know the Plan and have the equipment immediately available. agrees with clause 23 in part, but contends that all ESC controls must be inspected by the Council prior to the commencement of works. <p>Stormwater quality standards (cl.9):</p> <ul style="list-style-type: none"> Council must specify specific standard for specific situations; and general standards for entire catchments. <p>Maintenance of private stormwater devices (cl.26):</p> <ul style="list-style-type: none"> agrees with this proposal and recommends the Council requests maintenance records at regular intervals. <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> recommends the setback is increased to 5-6 metres. <p>Repair of damaged private stormwater laterals (cl.25):</p> <ul style="list-style-type: none"> agrees with this proposal in part, but suggests the Council must inspect private drains at regular intervals. Also suggests wording change in cl.25(2) from “the Council may require...” to “the Council <u>must</u> require”. <p>Stormwater connection and discharge approvals (cl.6-7):</p> <ul style="list-style-type: none"> urges that conditions placed on approvals must include water quality discharge standards. considers that all discharges must be monitored. <p>General comments:</p> <ul style="list-style-type: none"> supports the purpose and objectives of the bylaw.
<p>New Zealand Association of Metal Recyclers <i>Suzanne Billborough and Korina Kirk</i></p> <p>(44768)</p> <p>2.20pm</p>	<p>Stormwater and Land Drainage Bylaw</p> <p>Industrial Stormwater Discharge Licence (cl. 27-35):</p> <ul style="list-style-type: none"> seeks more information in the bylaw on how each industry is assessed for its risk classification. considers the proposed fee structure is a “polluter pays” approach, but without a fair and reasonable approach of how the polluter is determined. Concerned that a high risk industry may not necessarily be a high-risk operator, but will potentially be treated as such until they prove otherwise. has a number of concerns regarding the proposed fees for the ISDL system, particularly justification and spread of the costs, and resourcing to attend to all premises under the system. disagrees with the proposal for an additional monitoring fee – believes this should reasonably be covered by the annual licence fee. considers it unreasonable to give the Council to power to review a licence at any time without justifiable reason to do so. Suggests the words “at any time” are removed, and that the reasons a review may be triggered are included in the bylaw clause.

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
	<ul style="list-style-type: none"> recommends the monitoring and inspection clause (33(2)) is amended to acknowledge that entering premises should be done after giving notice, given that many sites will have health and safety requirements to meet. <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> concerned that the definition of “earthworks” is too broad and may create unnecessary burden. They recommend revising the definition to better-reflect the intention of what will be required. <p>Requirement for on-site stormwater management (cl.10):</p> <ul style="list-style-type: none"> concerned the requirement for on-site stormwater management may be onerous and impractical for the occupier. Urges consultation with the property owner needs to occur and should be included in this clause. <p>Stormwater quality standards (cl.9):</p> <ul style="list-style-type: none"> concerned there appears to be no consultation requirement for setting standards under this clause. <p>Prohibited substances must not enter the network (cl.19(1)):</p> <ul style="list-style-type: none"> considers a detailed list of prohibited substances should be included in the bylaw to help occupiers to understand their obligations. <p>Repair of damaged private stormwater laterals (cl.25):</p> <ul style="list-style-type: none"> considers the proposal unreasonable because it does not require the council to provide evidence of their concern for the state of the pipes . contends that costs of investigation should be borne by the Council if inspection if required, but identifies no issue. <p>Stormwater connection and discharge approvals (cl.6-7):</p> <ul style="list-style-type: none"> considers it unreasonable to give the Council to power to review a licence at any time without justifiable reason to do so. <p><i>General / Applicable to Both Bylaws</i></p> <p>Maintenance access corridors (WSWW: cl.7-8, 29-30; and SWLD cl.17-18):</p> <ul style="list-style-type: none"> recognises the need for the Council to access the network, but had concerns that the clause was overly restrictive of the occupier’s use of the land. The submitter suggests there should be no restriction on placing or storing items on their land (eg containers, storage tanks), as long as structures can be readily moved. requests that the bylaw state the Council will reinstate the areas utilised to the same or equivalent condition.
<p>Christchurch International Airport Ltd. <i>Felicity Blackmore</i></p> <p>(44761)</p> <p>2.35pm</p>	<p>2.30pm: Gap</p> <p><i>Stormwater and Land Drainage Bylaw</i></p> <p>Industrial Stormwater Discharge Licence (cl. 27-35):</p> <ul style="list-style-type: none"> supports the proposed approach to exclude sites with individual resource consent from ECAN from the requirement to obtain an ISDL. <p>Stormwater connection and discharge approvals (cl.6-7):</p> <ul style="list-style-type: none"> Seeks clarification on whether residual discharge at the boundary of a site that has a privately managed stormwater system would require additional approval under the Bylaw. Notes the cost of regulating this (in terms of enforceability,

22/336961

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
	<p>additional burden on Council processes and landowners, and risk of overlapping regulation) outweigh any marginal benefit that may accrue.</p> <p>Water Supply and Wastewater Bylaw</p> <p>Definitions (wastewater) (cl.3):</p> <ul style="list-style-type: none"> suggests the definition of “private drainage system” is clarified and used consistently throughout the bylaw to make clear clauses within the bylaw that apply to private systems. <p>General comments:</p> <ul style="list-style-type: none"> agrees with the proposal for two separate bylaws. generally supportive of clauses that will protect Council wastewater infrastructure and address capacity issues due to resulting constraints this puts on their own network.
<p>The Summit Road Society Marie Gray</p> <p>(44788)</p> <p>2.45pm</p>	<p>Stormwater and Land Drainage Bylaw</p> <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> supports the requirements for earthworks. <p>Prohibited substances must not enter the network (cl.19(1)):</p> <ul style="list-style-type: none"> supports this clause and advocates for increased education to raised awareness of the issue. <p>General comments:</p> <ul style="list-style-type: none"> strongly supports the objectives of the stormwater bylaw and urges for appropriate resourcing, including public education
3.05pm: Gap	
<p>Federated Farmers Pam Richardson</p> <p>(44772)</p> <p>3.10pm</p>	<p>Stormwater and Land Drainage Bylaw</p> <p>Drainage from springs and artesian wells (cl.11):</p> <ul style="list-style-type: none"> seeks clarification on alignment with management under the Land and Water Regional Plan, and whether this is intended to apply to rural properties and properties on a slope. <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> regarding the three meter setback distance for structures near waterways, query whether “any structure” includes farm fences for keeping stock, or temporary fences like electric fences. <p>Water Supply and Wastewater Bylaw</p> <p>Aerial applications (cl.9(6)):</p> <ul style="list-style-type: none"> considers that information/education will be necessary to ensure landowners understand what is required. Clarity is required on the process a landowner must follow to notify the Council, as these activities are weather dependent and timing is critical. also suggests that a check is put in place that ensures the Council is informed sooner to minimise the risk of contamination from firefighting chemicals. <p>Supplementary water storage tanks for Banks Peninsula (cl.17):</p> <ul style="list-style-type: none"> seeks clarity on what a community water supply is as there are a lot of variable community water systems on the Peninsula.

22/336961

Submitters No Longer Wishing to be Heard

SUBMITTER DETAILS	SUMMARY OF KEY SUBMISSION POINTS
Frank Visser (44743)	<p>Stormwater and Land Drainage Bylaw</p> <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> opposes the proposed increased setback distance and objects to removal of any existing structures around or over waterways. <p>Water Supply and Wastewater Bylaw</p> <p>Prohibited waste (wastewater) (cl.31):</p> <ul style="list-style-type: none"> supports reference to approval under this clause including approvals under the trade waste bylaw. <p>New application and approval clauses for wastewater (cl.27):</p> <ul style="list-style-type: none"> notes relationship with trade waste bylaw is not clear. Suggests cl.27(1)(e) clarifies that a trade waste permit is a means of approval. <p>Restrictions on access to the wastewater system (cl.28):</p> <ul style="list-style-type: none"> suggests “discharge into” is removed from clause 28(1)(c), as is covered by clause 31. <p>Links to Trade Waste Bylaw:</p> <ul style="list-style-type: none"> notes lack of cross-reference to the trade waste bylaw. Suggests an explanatory note would be useful. <p>General / Applicable to Both Bylaws</p> <p>Maintenance access corridors (WSWW: cl.7-8, 29-30; and SWLD cl.17-18)</p> <ul style="list-style-type: none"> notes references to the incorrect network in the maintenance access corridor clauses (cl. 7 and 29).
Gavin Treadgold (43769)	<p>Stormwater and Land Drainage Bylaw</p> <p>Requirements for Earthworks / Erosion and Sediment Control (cl.22-23):</p> <ul style="list-style-type: none"> supports increased requirements to manage sediment run off from developments. <p>Drainage from springs and artesian wells (cl.11):</p> <ul style="list-style-type: none"> supports measures that require property owners to take more responsibility for water run off and erosion – not just from springs/wells, but rainfall runoff. <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> considers this bylaw provision will prevent property owners from doing landscaping or preserving structures and protecting banks where they have a waterway through their property.
Waihoru Spreydon-Cashmere Community Board Karolin Potter (44774)	<p>Stormwater and Land Drainage Bylaw</p> <p>Requirements for earthworks / erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> strongly supports the proposal to require an ESC Plan where not otherwise required through building or resource consent. Notes sediment is an ongoing issues that negatively impacts waterways in the hilly Board area. <p>General / Applicable to Both Bylaws</p>

22/336961

	<p>General comments:</p> <ul style="list-style-type: none"> strongly supports the bylaws aims to provide clean drinking water and avoid contaminants that harm the environment.
<p>Oderings <i>Julian Odering</i> (44784)</p>	<p>Stormwater and Land Drainage Bylaw Industrial Stormwater Discharge Licence (cl. 27-35):</p> <ul style="list-style-type: none"> considers proposal unwarranted and unfair to pick on business as old and established as theirs. Notes their site has been excluded from the CSNDC and is applying to ECan for a resource consent to discharge stormwater. comments that decisions like this are forcing them out of Christchurch. Queries whether the stormwater quality would be worse if site was infilled with 50 houses. criticises the Council for incidences of contamination and taking a hypocritical approach.
<p>Styx Living Laboratory Trust <i>Bethany Baker</i> (44790) 2.55pm</p>	<p>Stormwater and Land Drainage Bylaw Requirements for earthworks / Erosion and sediment control (cl.22-23):</p> <ul style="list-style-type: none"> supports the requirement for ESC Plans, but notes there must be Council resources available to monitor and enforce compliance. They also seek clarification on the definition of “suitably qualified person”. <p>Requirement for on-site stormwater management (cl.10):</p> <ul style="list-style-type: none"> strongly supports the ability for the Council to require on-site stormwater management as it has the potential to improve the quality of stormwater being discharged into the system. <p>Drainage from springs and artesian wells (cl.11):</p> <ul style="list-style-type: none"> strongly supports the proposal, but recommends the clause also requires the incidence and location of springs be notified to the Council; and also prohibits capping, diverting or interfering with the natural flow of an artesian spring unless approved by the Council. <p>Setback for activities near waterways (cl.15):</p> <ul style="list-style-type: none"> strongly support the increased setback distances for structures and earthworks near waterways. <p>General comments:</p> <ul style="list-style-type: none"> supports general intent of both bylaws and all clauses. agrees with the proposal for two separate bylaws. strongly supports initiatives which reduce contaminants, pollution, sediment and assist with establishing the Pūharakekenui as a viable spring-fed river ecosystem.

ŌPĀWAHO HEATHCOTE RIVER NETWORK



Annabelle Hasselman - Chair

Malcolm Long - Secretary, Communications, Operations

25 March, 2022

**Draft 2022 Water Supply, Wastewater and
Stormwater Bylaws**

Who is the OHRN

The Ōpāwaho Heathcote River Network (OHRN) is a community-based catchment group.

The OHRN is a voice for the river.

We advocate for and promote the regeneration of the health and mauri of the river. We connect with, and support, the communities within the river catchment.

Comment on both Bylaws

- **Support** the splitting into two Bylaws
- **Support** the timing of implementation despite possibility of Three Waters reform
- The content of these bylaws needs to be frequently publicised to the community

Comment on Draft Water Supply and Wastewater Bylaw 2022

- **Public knowledge of the list of prohibited items is vital for wide “buy in”.**
 - **stormwater**
 - **cooking fats & oils**
 - **“flushable” wipes**
- **Integrity of private sewer laterals**
 - **greater public awareness**
 - **increased inspection & enforcement**

Comment on Draft Stormwater and Land Drainage Bylaw 2022

- **Generally support this Bylaw**
- **Does not go far enough in two areas...**
 - **Artesian springs protection**
 - **Stormwater discharge from industrial premises**

Clause 11: Artesian springs

- **Ōpāwaho Heathcote River is fed by artesian springs**
- **Base flow is compromised by interference with artesian springs**
- **Capping of springs that appear in inconvenient places during land development should be tightly monitored and controlled. Currently, the rules are too loose.**



Clause 11: Artesian springs

CCC should include under this clause appropriate powers to:

- **Require the incidence and location of artesian springs to be notified to the CCC**
- **Prevent action not directly approved by a resource consent or by CCC in writing to cap, interfere with or divert the natural flow of an artesian spring**



Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

Strongly support the purpose, processes and most of the detail in these clauses.

- **This management strategy is timely. Little real progress has been made despite efforts of both Environment Canterbury and CCC over many years to encourage voluntary improvement**
- **Supportive of a significantly higher fee for High Risk sites to encourage action by owners**

Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

**Significant and obvious gap in criteria for Register of
Industrial and Trade Activities**

**Stormwater contamination from dissolved zinc from
industrial building roofs and walls**

CCC Surface Water Quality Annual Report 2020

**“32 of the 51 sites monitored did not meet the CSNDC
Attribute Target Levels in 2020”**

“Dissolved metals are a concern in all catchments”

Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES



Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

Issue is

- the absence of an agreed national position on acceptable zinc & copper levels in freshwater
- science not yet settled on toxicity levels of heavy metals in urban streams

The temptation is to do nothing while we wait

**This would be a complete waste of an opportunity
for gathering data on the extent of the issue for
future action**

Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

CCC does not know...

- **where in the city, proximity to waterways**
- **the area of roofing, walls involved**
- **the mix of ...**
 - **unpainted 100% zinc plating**
 - **zincalume**
 - **paint or textured surface over zinc tiles**
 - **deteriorated painted zincalume**

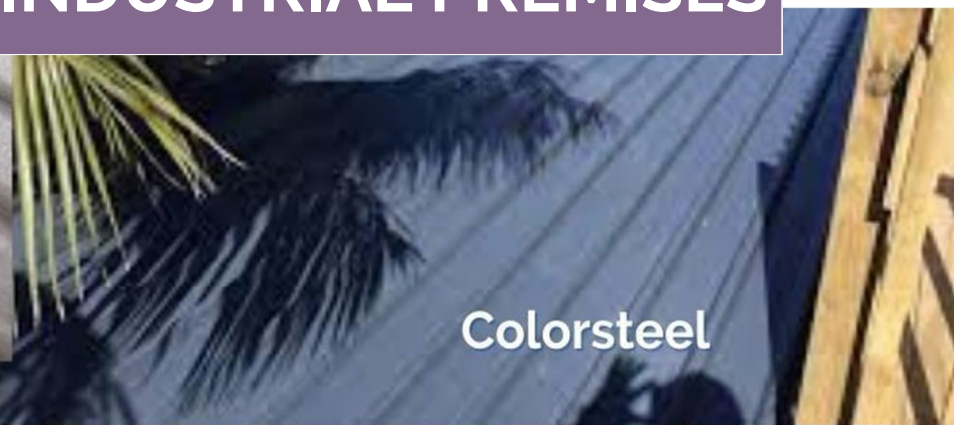
**This information could all be ascertained during
the licencing process**

Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

Zincalume



Colorsteel



Zinc galvanised
steel



Painted zinc tiles



Clauses 27 - 39: MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

CCC should...

Amend Clause 28 (1) to insert a second additional criterion which requires that *the occupier of every industrial premise with a total combined roof area of more than 100m² to apply for an Industrial Stormwater Discharge Licence.*

By this means, the Council would be able to gather data on the extent of the issue in preparation for future action on zinc contamination of stormwater.



ŌPĀWAHO HEATHCOTE RIVER NETWORK



Thank you for the opportunity to
advocate on behalf of the river.





Presentation format

- Introduce Fuel Companies and relevant operations
- Discuss environmental goals and MfE Guideline implementation
- Discuss typical site stormwater management and spill containment
- CSNDC Risk Matrix
- Summary of key submission points

4SIGHT
CONSULTING

2

Fuel Companies



Fuel Companies Goals (as per Oil Industry Environmental Working Group)

- Continuous improvement of industry best practice to ensure it is protective of environmental and human health
- Promote necessary and appropriate regulation and a fair and consistent approach to environmental regulation across the industry
- Provide a clear and consistent industry voice to raise the awareness of industry environmental issues with key and relevant stakeholders



Fuel Companies' Activities

- Retail fuel stations and truck stops
- Commercial facilities
- Airport facilities
- Marine facilities
- Bulk terminals
- Wharf lines and pipelines



Stormwater and spill management

- Focus today on petroleum products at retail fuel stations, ~70 sites in Christchurch City
- Significant measures in place to mitigate risk to stormwater quality
- Accidents do happen, established emergency and spill preparedness



Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand

Prepared by a Joint Working Group
of the Ministry for the Environment,
local authorities and petroleum
marketing companies

4SIGHT
CONSULTING

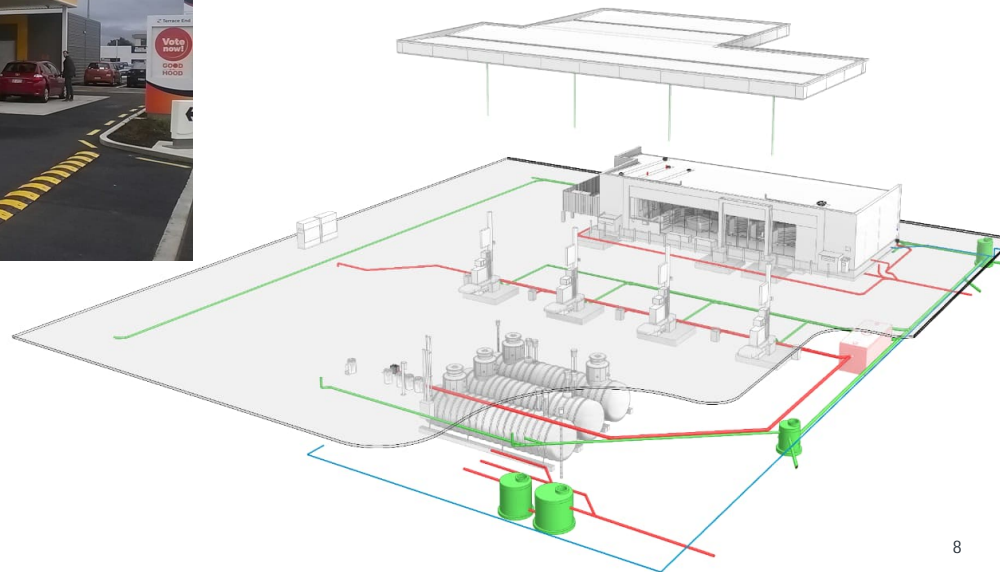


Key Guideline Principles

- Separation of risk generating activities
- Spill containment, including sizing for max credible spill
- Separator stormwater treatment - Achieve average of 100mg/l of Total Suspended Solids and 15mg/l Total Petroleum Hydrocarbons during design storm event
- Established maintenance protocols
- Standardised Spill/Emergency response

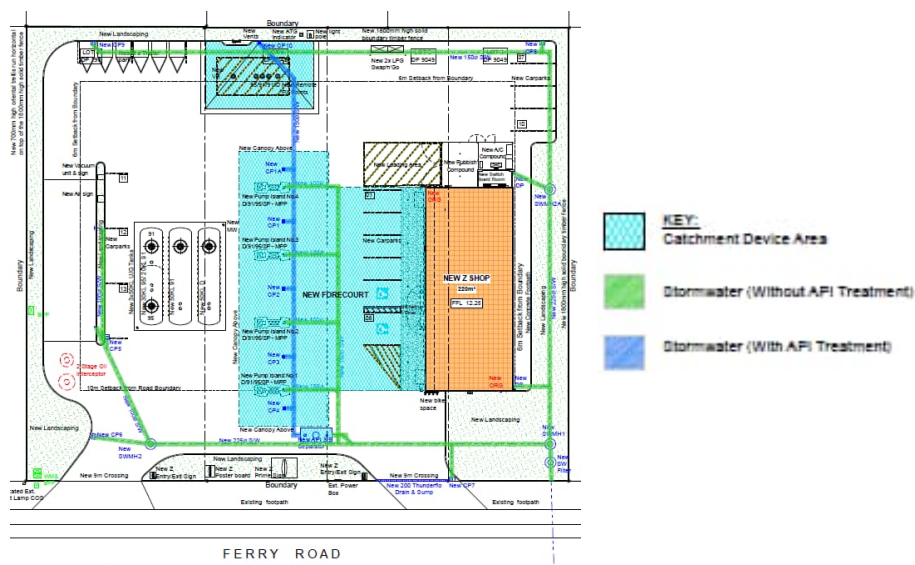
7

Typical stormwater drainage configuration



8

Stormwater – Key Principles

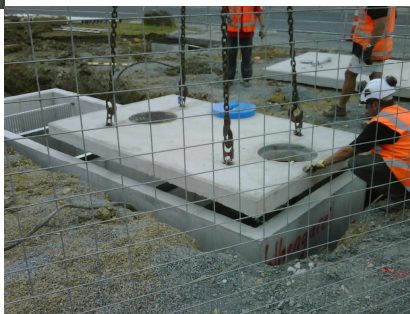


Turquoise hatching – 'At risk' areas where hazardous substances are stored and used. Drain via blue line to separator.

Balance areas drain via green lines and are discharged without treatment via the separator.



Oil-water separators



- Treat stormwater runoff from at risk areas to meet guideline requirements for total suspended solids and total petroleum hydrocarbons
- Capture and contain spills of petrol and diesel of up to 2,500L



Emergency Response and Management Plans

- Key information displayed on site
- Detail and training sits in emergency response and management plan for staff training and implementation
- Spill response, clean up and fire service, regulator notification protocols
- Nationally consistent

4SIGHT
CONSULTING

11

CSNDC Risk Matrix

- CCC is currently drafting the risk matrix to profile various industrial and trade activities
- Consultation through CSNDC consent conditions and the Industrial Liaison Group (including Fuel Company participation)
- Current risk profile of 'high risk', disproportionate to risk to stormwater presented by guideline complaint service station sites
- Discussion ongoing with CCC to complete risk matrix, timing important in finalising Risk Matrix and Bylaw

4SIGHT
CONSULTING

12

Summary of Fuel Companies' Submission

Bylaw industrial trade activity risk assessment and CSNDC Risk Matrix:

- Fuel Companies do not agree that CSNDC Risk Matrix is transitional
- Should be permanent and embedded into the Bylaw and included in the risk classification definition
- Without reference to the Risk Matrix there is limited transparency as to how risk will be defined through the Bylaw and associated uncertainty regarding licencing fees and proposed site by site assessment for the industry is inefficient
- If high risk, proposed annual licencing fee is significant across 70 sites and disproportionate to stormwater risk presented by Fuel Companies' retail sites
- As proposed, there appears to be two risk assessment pathways (Risk Matrix and Bylaw) seeking to achieve similar outcomes
- As submitted, the Industrial and Trade Activity Register should focus on site areas where the industrial activity is taking place and inclusion of a suitable risk definition

4SIGHT
CONSULTING

13

Summary of Fuel Company Submission

Erosion and Sediment Control Plans:

- Fuel Companies submit Section 22 should be a pathway for ESCP approvals (and construction phase discharges)
- Clarify via explanatory note that approval is a means to comply with ECan permitted activity earthworks rule
- Avoid unnecessary ECan earthworks consent for minor maintenance works, trenching, tank removals, pipe upgrades typically contributing to environmental good
- Agenda Report indicates Section 6 is a pathway for approval of construction phase discharges but appears to relate to new connections and discharges
- Would support addition to Section 6 for clarification

Questions

4SIGHT
CONSULTING

15



Submission to the Water Supply, Wastewater, and Stormwater Bylaw Hearings Panel

Photo One

Thank you for hearing and allowing my late submission.

My name is Julian Odering, a 4th generation business owner with my two siblings and our children. This company was incorporated in 1929 – then a block of land at [REDACTED] on the outskirts of Christchurch, known as Oderings Barrington and now fully developed. My submission relates to this property.

As a child growing up in the 1960's my relations, who lived along the Heathcote River off Hoon Hay Road, invited me to stay. On many occasions I would find dead eels and fish floating down the river and it left a lasting impression on me.

Nowadays the waterways are visibly clearer with aquatic life in abundance. I refer to the Heathcote River on our boundary at [REDACTED]

Oderings [REDACTED] land mass is 7 acres with 4.5 acres dedicated to wholesale growing, 2.5 acres dedicated to a retail operation, the rest is car park and driveways.

The whole site is of permanent concrete floors and polythene rooves for greenhouses with little room or scope to treat or store excess stormwater, less so truck it off-site.

Photo Two

This latest greenhouse, constructed in 2008, was fully consented to be built including the stormwater sumps.

So, if the Nursery was fully consented for so many years why are businesses like ours only now being audited? Why was it alright before and not now?

Around the 15th September 2020 Ms Julia Valigore from Council Stormwater Audits approached me wanting to visit our premises.

That Spring (our busiest time of year) was like a perfect storm, with over \$90,000 of herbs, perennials and bedding plants discarded because of the COVID lockdown and cancelled Easter Sales, while trying to produce plants for Spring. The nursery was unusually messy and possibly contributed to the poor water test results.

Photos Three and Four

She pointed out mitigation measures we had to implement, including bunds and covers around the coal bunkers and spray sheds, filters for particulate matter and cleaning of sumps. All these steps were implemented by Christmas.

Photos Five, Six, Seven, Eight

Around this time we had a Dalton's representative advise us on implementing witches hats and chemicals to neutralise NPK leachates. We placed filter socks around sumps and in drains. The cost was in excess of \$10,000.

Phones Nine and Ten

The stormwater was tested again around the 27th July and to my surprise higher levels of metals and elements were detected (see Result Paper).

Then on the 18th August COVID lockdown hit the country, and again we dumped another \$100,000 of stock from lost sales. These plants were dumped on pallets and left outside through lack of covered room, this was against our proposed mitigation measures of keeping soils under cover.

On 18th October Ms Valigore sent written notice that by the 14th January we had to fully mitigate discharges or we could no longer use the Council drains. That we would have to apply to ECan for a resource consent.

See CCC written notice letter.

These measures forced on this business given the circumstances and lack of time to comply in just over one year were unjust and unachievable. Although I tried to do what was expected and informed Ms Valigore of our progress or delays I felt our business was singled out for special attention and victimised.

The Audit testing process always followed after a long dry spell, then heavy rain, to accentuate the problem with a heavy flush of stormwater.

The Barrington nursery produces over 3 million plants, manufactures over 3000m³ of soil annually, employing 64 full time employees and 170 full time people nationwide, not counting seasonal employees.

I have engaged Lowes Environmental Services to help with further mitigation and ECan consenting at a projected cost of \$110,000 not counting discontinuing bagging of our soil mixes sold in our retails of a projected loss to the company in excess of \$105,000.

We have cut back the amount of fertilisers used in our mixes and greatly reduced the amount of liquid feeding of stock in the nursery, and cut out spraying copper for diseases.

These measures still don't remedy excess zinc and aluminium showing up in our stormwater.

When I got our stormwater independently tested through Hills Laboratory I was told that although our stormwater meets drinking water standards, it didn't meet aquatic life standards, albeit when we last cleaned out one main sump two native eels were found living in it.

I feel the hasty decision to fail us made by Stormwater Audits without enough time for us to implement recommendations properly, given the circumstances of COVID and scope and age of Oderings Barrington, was in poor taste. Not enough leniency was given.

If we were a new business conservation and treatment of all water would be implemented, such as saving water off all glasshouse rooves, storage ponds and water treatment for any disease before reusing it in the nursery.

To that end in November 2021 Oderings purchased 20 hectares of land at Lincoln because, to be brutally honest, central and local government compliance is killing our ability to function as a viable business in the centre of town.

Somebody I know at ECan said they were astounded by the amount of stormwater resource consents being requested because of this audit process from other businesses in Christchurch and why is it only businesses being audited?

So I ask, consider 7 acres of our nursery land transformed into 50 plus sections of residential properties, each with lawns to be sprayed for weeds, rooves moss killed, plant food leached into drains, galvanised or copper gutters, oil and pollution from cars – which is worse for the environment?

Finally, people generally want to work close to their homes, even more so in hard financial times. Oderings has employed hundreds of people over the years that we still have contact with and enjoy the services we offer. Oderings has always given freely to the community for school fairs, the Salvation Army, Methodist Central Mission, church groups and Womens Refuge.

I am passionate about our business and our legacy and ask you to seriously consider this submission and thank you for hearing me.

Regards

Julian Odering



The Barrington Retail & Wholesale



The Harford House – The biggest on site

Used for dispatch, bedding plants, freesias and other plants



Coal Bunker



Coal roof and
drain cover



Bunded Spray Shed



Screen over the
sump



Screen over the
drain



Screen over the
drain



Witches hat
in the sump



Witches hat
in the sump

	Unit	Stormwater Trigger Value	30/11/20 Barrington St	27/07/21 Barrington St
Duration since last rain event (>3mm)	day	-	3	5
pH	SU	6.5-8.5	7.4	7.1
Chemical oxygen demand	mg/L	120	39	66
Solids-Total Suspended	mg/L	50	21	38
Dissolved Inorganic Nitrogen (as N)	mg/L	1.5	1.3	3.2
Ammonia (as N)	mg/L	0.9	0.2	0.75
Nitrate + Nitrite (as N)	mg/L	0.6	1.1	2.4
Phosphorus	mg/L	2	0.5	0.78
Dissolved Reactive Phosphorus	mg/L	0.016	0.5	0.66
Total hardness (as CaCO ₃)	mg/L		38	53
Aluminium acid extractable	mg/L	0.08	0.33	1.2
Cadmium acid extractable	mg/L	0.0004	<0.0010	<0.0010
Chromium acid extractable	mg/L	0.006	0.0042	0.0071
Copper acid extractable	mg/L	0.0018	0.012	0.011
Lead acid extractable	mg/L	0.0056	0.0025	0.0037
Zinc acid extractable	mg/L	0.015	0.25	0.42

Julia Valigore

Specialist Advisor – Quality & Compliance
Three Waters Unit

Test Results
Paper

StormwaterAudits@ccc.govt.nz

Civic Offices, 53 Hereford Street, Christchurch 8013

PO Box 73014, Christchurch 8154

ccc.govt.nz/industrial-stormwater

Christchurch
City Council

"Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity ..." (RMA, S17)

This electronic email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

The views expressed in this message are those of the individual sender and may not necessarily reflect the views of the Christchurch City Council. If you are not the correct recipient of this email please advise the



18 October 2021

Oderings Nurseries
[REDACTED]

Spreydon, Christchurch 8024

Attn: Julian Odering

Written Notice for Stormwater Discharge Consent Exclusion under the Comprehensive Network Consent (CRC214226)

Dear Julian,

As explained previously, the Christchurch City Council (Council) holds a consent from Environment Canterbury (ECan) that authorises the Council to discharge stormwater from its network into waterways when it rains. This consent requires the Council to audit industrial sites that generate stormwater and to submit the audit reports to ECan. The objective of the audits is to identify sites that pose an unacceptable risk to the receiving environment and require appropriate mitigation by those sites to reduce their risk.

In our stormwater audit report dated 15 September 2020, the Council informed Oderings Nurseries that it presents a high and unacceptable risk to the receiving environment, and the Council provided an action list of items that Oderings Nurseries could complete for it to be able to reduce its risk. While most of the action list has been implemented, Oderings Nurseries still continues to present an unacceptable and high risk to the receiving environment.

The Council is not satisfied that Oderings Nurseries has continued to make sufficient progress on reducing its risk. Oderings Nurseries must do one of the following three options in order to continue to operate under Council's consent:

1. Complete the action list including stormwater treatment/mitigation to the Council's satisfaction.
2. Cease discharging into the Council's stormwater network.
3. Cease the outdoor storage, transfer, and processing of landscaping materials.

The Council will exclude Oderings Nurseries as of 14 January 2022 [REDACTED]

unless it has implemented one of the three options above by that date. If the Council excludes the property from its resource consent, then Oderings Nurseries will be in breach of the RMA unless it obtains its own resource consent from ECan.

Please contact me if you have any queries or would like to discuss this further.

Regards,



Julia Valigore
Quality & Compliance, Three Waters and Waste

cc: Zone Delivery Lead, Environment Canterbury
Property Owner

Civic Offices, 53 Hereford Street, Christchurch, 8011
PO Box 73014, Christchurch, 8154
Phone: 03 941 8999
StormwaterAudits@ccc.govt.nz
www.ccc.govt.nz

21/1654214

~~DRAFT~~ Water Supply and Wastewater Bylaw 2022

The Christchurch City Council makes this bylaw under sections 145 and 146 of the Local Government Act 2002.

Preamble

This preamble is explanatory and is not part of the bylaw: This bylaw replaced the water supply and wastewater parts of the Water Supply, Wastewater and Stormwater Bylaw 2014 as part of a bylaw review process, and was adopted in 2022 as a standalone bylaw.

[Trade waste is covered by a separate bylaw, the Trade Waste Bylaw 2015, which regulates the discharge of trade waste and tankered waste to the wastewater system.](#)

1 SHORT TITLE AND COMMENCEMENT

- (1) This bylaw is the Christchurch City Council Water Supply and Wastewater Bylaw 2022.
- (2) This bylaw comes into force on 1 July 2022.

2 PURPOSE

- (1) The purpose of this bylaw is to:
 - (a) manage, regulate and protect from misuse or damage the Council's water supply and wastewater systems; and
 - (b) protect the public from nuisance, and protect, promote and maintain public health and safety.

3 INTERPRETATION

- (1) In this bylaw, unless the context otherwise requires:

Approval means any licence, permit or consent issued under this bylaw or any relevant legislation.

Backflow means the unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.

Boundary means any boundary which is shown on a survey plan approved by the Chief Surveyor and which is deposited with Land Information New Zealand, whether or not a Record of Title has been issued.

Chief Executive means the Chief Executive of the Christchurch City Council.

Commercial supply means a metered water supply for all purposes other than domestic use and which may be subject to specific conditions, limitations, fees and charges. Commercial supply includes, but is not limited to, the supply of water to Trade Premises and educational and health services.

21/1654214

Condensing water means any water used in any trade, industry, or commercial process or operation in such a manner that it does not materially change its chemical or physical state.

Connection box or 'meter box' means the service valve, meter (where fitted), and associated fittings installed and maintained by the Council at a location convenient to the Council on the service pipe or at the supply pipe or at the point of supply.

Council means the Christchurch City Council, or any person authorised to act on its behalf.

[Council water supply means a public water supply system owned and managed by the Christchurch City Council.](#)

Customer means the person, or the authorised agent, who uses, or has approval to use, the water supply or wastewater system supplied by the Council.

District means the territorial authority area of Christchurch City Council.

District Plan means any relevant operative or proposed district plan prepared by the Christchurch City Council under the Resource Management Act 1991.

Drain means a pipe intended to convey wastewater to the public wastewater system, and drainage has a corresponding meaning.

Environment has the same meaning as defined in section 2 of the Resource Management Act 1991.

Fire protection system means a fixed system of sprinklers, pipes, tanks, control valves, outlets and related fixed components used to control or extinguish fires but does not include fire hose reels.

Fire connection means a connection for the supply of water to a property solely for the purpose of being used in the event of fire.

Fitting means any apparatus or appliance, together with the necessary accessories and connection, which;

- (a) may be attached to, or associated with, the plumbing or private drainage system of any premises; or
- (b) is intended for the collection or retention of any waste materials or liquid wastes for ultimate discharge to a drain.

Groundwater means the water found underground within aquifers to emerge as springs or to be abstracted via wells as part of the Council's water supply system.

Infiltration means stormwater or groundwater that seeps into the public wastewater system or a private wastewater system through broken pipes or joints.

Inflow means stormwater or surface water that enters the public wastewater system, or a private wastewater system, through unauthorised connections (e.g. stormwater downpipes connected to a wastewater pipe) or ponding that overflows directly into gully traps.

21/1654214

Maintenance Access Corridor means the land required to access any part of the water supply system or the wastewater system for maintenance purposes.

Meter means a Council-owned device to measure the volume of water supplied.

On demand supply means a water supply which is available 'on demand' directly from the point of supply subject to the agreed level of service.

Point of discharge means the point where responsibility for ownership and maintenance of the wastewater pipe passes from the customer to the Council. The point of discharge is where the pipe crosses the boundary, unless the property is serviced by a Council-owned pressure system, in which case the point of discharge is where the drain feeds into the tank.

Point of supply means the point where the responsibility for ownership and maintenance of the water pipe passes from the Council to the customer. The point of supply is where the supply pipe or service pipe crosses the property boundary.

Private ~~wastewater drains drainage system~~ means the system of pipes and fittings installed on the ~~customer's side of the point of discharge property~~ to convey wastewater off the property to the public wastewater system ~~and, where a public system is not available, includes any approved disposal systems within or outside the confines of the property.~~

Private property means any property or land held in private ownership and includes any private road, right of way or easement relating to a property.

Prohibited waste means anything not normally or intended to be disposed of through the wastewater system. The wastewater system is designed and intended to dispose of wastewater from domestic activities and discharges from authorised trade waste.

Prohibited ~~substances wastes~~ in the wastewater system include, but are not limited to:

- (a) hazardous substances other than household cleaning products (such as oil and automotive liquids; paint and solvents; pesticides and herbicides);
- (b) personal care items (such as wet wipes, condoms, sanitary products or nappies);
- (c) gravel-like substances (such as cat litter or stones from an aquarium);
- (d) things that will not breakdown and may cause pipe or equipment blockages or damage (such as fabric or plastics);
- (e) stormwater and groundwater; and
- (f) unauthorised trade wastes (trade and industrial waste are managed under the Trade Waste Bylaw).

Property means:

- (a) a parcel of land shown as an allotment on a survey plan deposited with or approved by Land Information New Zealand, and for which a Record of Title is available; or
- (b) land or a building or part of a building for which a unit title under the Unit Titles Act 2010, or a cross-lease title, and for which a Record of Title or a company share title is available; or
- (c) land held in public ownership (e.g. reserve) for a particular purpose.

21/1654214

Residential supply means a category of metered water supply to a residential building which is available on demand directly from the point of supply, subject to an agreed level of service and any rates, or fees and charges as set out in the Council's Long Term and/or Annual Plans.

Regional Plan means any relevant operative or proposed regional plan prepared by the Canterbury Regional Council (Environment Canterbury) under the Resource Management Act 1991 e.g. the Canterbury Land and Water Regional Plan.

Restricted supply means a category of water supply connection where a small flow is supplied through a flow control device (restrictor) at a regulated flow rate, as determined by the Council and charged on a per unit basis.

Restrictor means a device installed within the connection to control the flow of water to a property.

Secondary meter means a privately owned and maintained device on the customer's side of the connection box that measures the water consumption (for billing purposes) of each occupier when a single property has multiple occupiers.

Service pipe means the section of pipe between the water main or sub-main and the point of supply.

Service valve means the Council's valve in the connection box or on the Council's side of the point of supply. (Also known as a toby or shut off valve).

Site works means any substantial earthworks, including excavation, grading, significant landscaping, installation of septic tanks, trenches, construction of pavement and driveways, and any works associated with the construction, alteration, demolition or removal of a building.

Sub-main means an underground pipe of less than 100mm diameter in a system of pipes for supplying potable water to properties.

Supply pipe means the privately-owned pipe on the customer's property from the point of supply.

Surface water means water in rivers, watercourses and artificial waterbodies, lakes, wetlands, springs or coastal waters; and rainwater that collects on the surface of the ground but excludes groundwater.

Temporary supply means a water supply which is for an event or fixed length of time.

Trade premises means any property used or intended to be used for carrying on any trade or industry; and includes any land or property wholly or mainly used (whether for profit or not) for agricultural or horticultural purposes.

Waste disposal unit means a device designed to disintegrate organic waste material to a state suitable for disposal to a wastewater drain.

Wastewater pipe means a pipe primarily for the reception and discharge of wastewater and includes any fittings owned by the Council whether on private or public land, such as the fittings associated with a pressure wastewater system.

21/1654214

Wastewater system means all pipes, pump stations, storage tanks, wastewater treatment plants, manholes, outfalls and other related structures or access points owned by or under the control of the Council and used for receiving, transporting, treating or disposing of wastewater.

Water main means the principal underground pipe in a system of pipes for supplying potable water to properties.

Water supply system means all those components of the public water supply network between the point of abstraction from the natural environment to the point of supply. It does not include privately-owned components such as pipes, tanks, or other devices.

- (2) This bylaw contains explanatory notes, which are not part of the bylaw. The Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.

PART 1: WATER SUPPLY

4 OBJECTIVES

- (1) The objectives of this part of the bylaw are to:
- (a) promote the efficient use of water, manage demand for water and protect against waste or misuse of water;
 - (b) protect the water supply from contamination;
 - (c) regulate the use of land, structures and infrastructure associated with the water supply system to protect these assets from damage, misuse, or loss;
 - (d) prevent unauthorised connection to the water supply system;
 - (e) define the obligations of the Council, installers, owners and the public in matters related to the water supply system; and
 - (f) determine the volumes of water consumed on any property for charging purposes or to locate any water leaks at the property.

Explanatory note: Objectives, policies and standards relevant to this part of the bylaw can be found in the Council's Te Wai Ora o Tāne Integrated Water Strategy, the Infrastructure Design Standards and in the consents that the Council holds for water takes for the public water supplies. [The bylaw is part of how the Council can give effect to Te Mana o te Wai.](#)

21/1654214

5 APPROVAL REQUIRED FOR CONNECTION, SUPPLY, DISCONNECTION AND OTHER WORKS

- (1) No person may, without the Council's written approval -
 - (a) connect, or allow the connection of any fittings to the water supply system;
 - (b) disconnect from the water supply system;
 - (c) change the location of the point of supply;
 - (d) install an additional point of supply or supply of water;
 - (e) install cross-boundary connections;
 - (f) provide water from the Council supply to any other party or property;
 - (g) obtain a temporary water supply;
 - (h) install a connection and supply for a fire protection system; or
 - (i) install a privately-owned supply pipe on Council-owned property.
- (2) A written application for approval of any matter in subclause (1) must be made in the form required, must contain all information requested and must be accompanied by the relevant fee (if any).
- (3) An authorised officer considering an application may require the applicant to provide further information, at the applicant's cost, in order to process an approval.
- (4) The Council may impose conditions as part of an approval. Any conditions must be complied with in the exercise of the approval.
- (5) Any approval will state:
 - (a) the type of supply (on-demand or restricted supply, and either residential, commercial or temporary supply);
 - (b) whether or not the applicant must pay for and install a backflow prevention device approved by the Council; and
 - (c) any other conditions related to the supply.
- (6) Where a single point of supply serves more than one property, and the water supply needs to be separated, the property owner is (or property owners are) responsible for all costs associated with separating the supply, unless otherwise agreed by the Council.

Explanatory note: The requirement to separate private supplies may be triggered by subdivision, an upgrade to water supply infrastructure, or changing regulatory requirements.
- (7) Without limitation, the Council may decline approval to connect to the water supply system where, in the Council's reasonable opinion:
 - (a) there is insufficient capacity in the network to accommodate the connection;
 - (b) the design of the proposed connection does not meet Council standards or requirements;
 - (c) the connection is outside the area currently served by the water supply system, regardless of its proximity to any specific component of the water supply system; or
 - (d) refusal is necessary to protect the water supply system, the health and safety of any person, or the environment.
- (8) Where the Council declines an application it will notify the applicant of the decision, giving reasons.

21/1654214

- (9) If a connection to the water supply system is not physically made within twelve months of an approval being granted, the approval will be deemed to have lapsed and a new application will be required.

- (10) Where the Council approves a disconnection:

- (a) the point of disconnection will be determined by the Council on a case by case basis; and
- (b) the works must be undertaken by an authorised agent of the Council; and
- (c) the person who has been granted approval for the disconnection is responsible for all costs of this work, including the removal of any Council-owned pipes.

Explanatory note: The point of disconnection is generally at the sub-main or water main, rather than the point of supply. This is to prevent 'dead ends' in the network and water stagnating at these points, which could result in bacteria growth that compromises the safety of the drinking water supply.

- (11) A customer with a current connection may request that the Council change:

- (a) the type of supply (e.g. from restricted to on demand);
- (b) the classification of the supply (e.g. from residential to commercial supply); or
- (c) the terms and conditions of supply.

- (12) The Council may require a new application for any request under subclause (11).

- (13) The Council may, at any time, review a connection approval and any conditions.

- (14) Following the review, and after obtaining and considering the written views of the customer, the Council may;

- (a) vary or add any conditions that the Council considers necessary; or
- (b) require a new application for connection to be submitted within the timeframe specified.

6 TEMPORARY CONNECTIONS

- (1) The Council may assess and recover the value of any water drawn and any other associated costs incurred by the Council for any temporary connections to the water supply system.

- (2) No person may access, or take any water from a standpipe or hydrant unless that person is -

- (a) an authorised agent of the Council; or
- (b) authorised by the Council to take water from a hydrant under clause 05; or
- (c) approved by the Council to make a temporary connection to the water supply system; or
- (d) operating on behalf of Fire and Emergency New Zealand, for the purpose of fighting fires, emergency management, training and testing.

- (3) Any person accessing water from a standpipe must use a Council-supplied standpipe fitted with a backflow prevention device and a water meter, and pay the Council for the cost of the water supplied.

Explanatory note: Approved standpipes can be hired from Council authorised agents.

21/1654214

7 RESTRICTED ACTIVITIES WITHIN MAINTENANCE ACCESS CORRIDORS

- (1) This clause applies to parts of the water supply system that are located underground and within non-Council land. The Council requires that these parts of the water supply system are accessible in order to repair, replace, or otherwise maintain these parts of the water supply system.
- (2) This clause does not apply where there is an easement in favour of the Council registered against a Record of Title for a property that enables adequate maintenance access for the water supply system, irrespective of the width of the easement strip created by that easement.
- (3) No person may, without the Council's written approval under this bylaw, carry out the following restricted activities:
 - (a) build, place or install, or allow to be built, placed or installed, any building or structure (other than a boundary fence), over or within a Maintenance Access Corridor;
 - (b) lay or permit any utility service or private pipe across or along the line of an existing part of the water supply system within a Maintenance Access Corridor; or
 - (c) undertake site works within a Maintenance Access Corridor.

Explanatory note: Structures include temporary or relocatable buildings (such as sheds), shipping containers, storage tanks, decks, hard landscaping, etc. Each request will be considered on a case-by-case basis, taking into account the particular set of circumstances involved, and the likely access needs for maintenance. Reinstatement of areas after access for maintenance will be completed to a safe standard, and may not be to the exact prior condition (eg: it may not be possible to reinstate or match some features or finishes, such as coloured or textured concrete).

Written approval for a similar purpose under a revoked version of this bylaw is considered written approval under this bylaw, in accordance with the savings provisions in this bylaw (clause 41).

Any person who believes that compliance with the requirement in clause 7 would adversely affect them or their business, without a corresponding public benefit, can apply to the Council for a dispensation from compliance with this requirement under clause 13 of the General Bylaw 2008.

- (4) No person may plant any tree within a Maintenance Access Corridor that is likely to cause a nuisance or damage to any part of the ~~stormwater network~~ water supply system.
- (5) Where the Council's infrastructure or asset is a pipe, the Maintenance Access Corridor width is calculated by the Council as the greater of either:
 - (a) twice the buried depth of the pipe (surface to trench base), plus the outside diameter of the pipe; or
 - (b) 1.5 metres from either side of the centre of the pipe.
- (6) Where the infrastructure or asset is not a pipe, the Maintenance Access Corridor is one metre of the asset's border in all directions (eg a manhole).

Explanatory note: The details of each specific site and the width and location of the Maintenance Access Corridor will be determined by the Council. Deeper, and usually larger, pipes require a greater area for maintenance access.

21/1654214

8 APPLICATIONS AND APPROVALS FOR RESTRICTED ACTIVITIES WITHIN A MAINTENANCE ACCESS CORRIDOR

- (1) A written application for approval of a restricted activity within a maintenance access corridor must be made in the form required, must contain all information requested, and must be accompanied by the relevant fee (if any).
- (2) An authorised officer considering an application may require the applicant to provide further information, at the applicant's cost, in order to process an approval.
- (3) The Council may impose conditions as part of an approval. Any conditions must be complied with in the exercise of the approval.
- (4) Where the Council declines an application it will notify the applicant of the decision, giving reasons.

9 PROTECTION OF SOURCE WATER AND THE WATER SUPPLY SYSTEM

- (1) No person, other than the Council and its authorised agents, may enter any fenced area, building, or facility set aside by the Council for the protection of source water or as a public water supply facility, without prior written approval of the Council.
- (2) No person, other than the Council and its authorised agents, may access any part of the water supply system without prior written approval of the Council, except to operate the service valve.
- (3) No person may enter, make any connection with, discharge into, tamper or otherwise interfere with any part of the water supply system without prior written approval of the Council.
- (4) Unless approved by the Council, no person may install quick-closing valves, pumps or any other equipment on any piping on the customer's side of the point of supply which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its levels of service. If such unauthorised devices are found, the Council will require these are removed or replaced with an acceptable valve, at the owner's cost, to minimise potential damage to Council assets.

Explanatory note: Pressure surges, or changes in pressure, can cause contamination of the water supply and damage to the water supply system. [Examples of devices that may cause surges include, but are not limited to: actuators, solenoids, large irrigators, or any other equipment causing large draw from the network.](#)

- (5) Any person responsible for, or aware of, a chemical or hazardous substance spill within a community drinking water protection zone must immediately report the spill to the Council.

Explanatory note: Any spill within a community drinking water protection zone has the potential to contaminate source water. Examples of spills include (but are not limited to): diesel, fertilisers and pesticides. Environment Canterbury must also be notified of any such spill.

- (6) Any person intending to undertake the aerial application of any chemical in the vicinity of a community drinking water protection zone, including but not limited to, fertilisers, herbicides or pesticides, must notify the Council of the activity -
 - (a) as soon as practicable for application of any fire-fighting chemical; or
 - (b) at least two working days prior to application for any other chemical [or agricultural application.](#)

21/1654214

Explanatory note: Notifying the Council of intended aerial spraying applications in [the vicinity of Council intakes](#) (water catchment areas) helps the Council to better mitigate any contamination risk to drinking water supplies. Environment Canterbury's Land and Water Regional Plan controls aerial application activities, and provides setback distances for protection of community drinking water supplies. The drinking water protection zones can be viewed on Canterbury Maps.

- (7) No person may:
- (a) plant any tree in a position that is likely to cause a nuisance or damage to any part of the water supply system; or
 - (b) allow the roots of any tree on their property to cause damage, interference, or blockage to any part of the water supply system, or to otherwise restrict access to any part of the water supply system.
- (8) Where, in the Council's opinion, tree roots from a tree located on private property are causing damage, interference or blockage to any part of the water supply system, or are otherwise restricting access:
- (a) the Council may require the property owner to remove the tree or trim the roots; or
 - (b) the Council may remove the tree or trim the roots, and may seek to recover costs from the property owner.

Explanatory note: Where tree roots from a tree on private property are found to be preventing access or causing damage to the water supply system, the Council will, where possible, prune the roots in such a way that the health or stability of the tree is not compromised.

10 CONTINUITY OF SUPPLY

- (1) The Council does not guarantee a constant flow of water or any maximum or minimum pressure.
- (2) Nothing in this bylaw should be construed as obliging the Council to provide or continue to provide a supply of water to any property. No allowance or compensation will be made or allowed by the Council if the water supply is restricted or interrupted, or if there is any change of pressure in the supply.
- (3) If a customer has a particular requirement for an uninterrupted flow, pressure or quality of water supply, it is the responsibility of that customer to provide any necessary storage, back up facilities or equipment necessary to meet that level of service.

Explanatory note: The Council as water supplier has certain obligations under Section 69S of the Health Act 1956 for the supply of drinking water. The Council must ensure that an adequate supply of drinking water is provided to each point of supply except for necessary interruptions e.g. due to an emergency or during planned work on the water supply system. Interruptions to supply may exceed eight hours if the Council gets the approval of the Medical Officer of Health and takes all practicable steps to inform affected customers.

11 POINT OF SUPPLY AND SUPPLY PIPES

- (1) There will only be one point of supply for each property, except where specifically approved (e.g. for a fire protection system).
- (2) A supply pipe must serve only one property and the customer must not extend the supply pipe, by hose or any other pipe, to any other property.

21/1654214

- (3) The Council will own and maintain any pipe up to the point of supply and the connection box, including the service valve, meter (where fitted), any restrictor (where fitted) isolation valve, and unions either side of the meter.
- (4) Water mains installed in residential private property (or residential right of way), fitted with one or more fire hydrants and for the benefit of more than one landowner, are maintained by the Council, up to and including, the hydrant(s).
- (5) Any pipe installed within an easement, and utilised by the person with the benefit of the easement or the landowner is owned and maintained by the named parties at their expense. Water mains protected by an easement in favour of the Council are owned and maintained by the Council.
- (6) While the customer may access and use the service valve to isolate the supply to the customer's property, the Council does not guarantee the serviceability of the service valve.
- (7) Where the connection box is located on private property, the customer must maintain the area in and around the connection box by keeping it free of vegetation, or other matter or any obstruction which prevents, or is likely to prevent convenient access. Where the customer fails to keep access to the connection box free of growth or other obstructions, the Council may carry out any work necessary to remove any obstruction and may charge the customer for the cost of such work.
- (8) The customer will own and maintain the service pipe where it is located on private property and the supply pipe and any fittings on the customer's side of the point of supply (e.g. backflow prevention device).
- (9) Where in the opinion of the Council, any pipe or fitting on the customer's side of the point of supply has been damaged or is of inferior quality or workmanship, or is causing or is likely to cause water to be wasted or is insufficient for the proper supply of water, the Council may give the customer notice in writing requiring any work specified in the notice to be carried out in within the timeframe specified in the notice.
- (10) Where the customer fails to carry out any required work within the time period specified in the notice under subclause (9), in addition to any other remedies, the Council may charge the customer for the excess supply of water.

12 FIREFIGHTING SUPPLIES AND FIRE PROTECTION SYSTEMS

- (1) A fire protection system must be constructed, installed and operated so that water cannot be drawn from it for any purpose other than fire protection, and must be independent of any other water connection or supply on the property.
- (2) Where, in the opinion of the Council, an existing fire connection is constructed or located so water is, or is likely to be drawn from it or from any part of it by any person for purposes other than firefighting, the Council will require a meter to be installed on the fire connection.
- (3) The Council will not charge for water used for the purpose of extinguishing fires.
- (4) No person may install or connect a fire hose reel to a fire connection. A fire hose reel must be connected to a mains water supply.

Explanatory note: The water supplied to fire protection systems is from a fire connection, which can only be used for fire protection (for example, a fire protection sprinkler system). Fire hose reels must be connected to the mains water supply, as a fire hose can be used at any time and may be used for purposes other than fire protection.

21/1654214

- (5) Where a private water supply pipe is connected to a fire hydrant and the supply is not a dedicated firefighting supply, the Council may require that:
- (a) the connection supplying the fire hydrant is converted into a dedicated firefighting supply; and
 - (b) all other water on the site is supplied by a separate new point of supply; and
 - (c) if required, the property owner(s) apply for a new water connection for the new point of supply; and
 - (d) all works and applications are paid for by the property owner(s).

13 LIABILITY

- (1) The Council is not liable for any damage to any private plumbing system or for any loss or inconvenience to any customer as a result of being connected to the water supply.

14 WATER SUPPLY NO LONGER REQUIRED DUE TO DEMOLITION, REMOVAL OR ABANDONMENT OF BUILDINGS

- (1) When any property supplied with water by the Council no longer requires a supply of water (for example, due to the removal, demolition or abandonment of buildings), the customer must give notice in writing to the Council within one month of the date from which the water supply is no longer required, and apply to disconnect the water supply under clause 5, if applicable.

Explanatory note: Clause 14(1) does not apply if the property is being renovated, repaired, or redeveloped immediately following demolition or removal of buildings.

- (2) Where the customer fails to contact the Council as required by subclause (1), the Council may disconnect the water supply to a property where the removal, demolition or abandonment of buildings has occurred, and where the water supply connection:
- (a) has not been used for a period of 12 months; or
 - (b) is left in a condition that could be detrimental to the water supply system.
- (3) If reconnection is required after such a disconnection, an application must be made in accordance with clause ~~05~~.

15 COUNCIL MAY IMPOSE WATER RESTRICTIONS

- (1) The Chief Executive may restrict or prohibit the use of water supplied to premises in the district where the Council's ability to maintain an adequate supply of drinking water is, or may be, at risk due to:
- (a) drought;
 - (b) emergency;
 - (c) maintenance;
 - (d) excessive demand; or
 - (e) ~~for~~ any other reason.
- (2) Any restriction under subclause (1) may:
- (a) specify types of use that are restricted (e.g. limiting outdoor water use);
 - (b) apply to the entire district or one or more parts of the district; and
 - (c) apply for any specified length of time.

21/1654214

Explanatory note: Types of restrictions may include (but are not limited to): volume restrictions per property, hand-held garden watering only, restrictions on the time of day, or day of garden watering (e.g. only after sunset or on specific days).

- (3) The Council will give notice of any restriction in any manner the Chief Executive considers is appropriate and reasonable in the circumstances of the restriction.
- (4) No person may use any water, or allow any water to be used in contravention of any restriction or prohibition made under this clause.

16 WATER EFFICIENCY AND PREVENTION OF WASTE

Explanatory note: The Council can restrict the water supply for any of the reasons set out in section 193 of the Local Government Act 2002, including for any breach of this bylaw. This includes failure to remedy a water leak. Any restricted supply must still provide an adequate supply of drinking water under Part 2A of the Health Act 1956.

- (1) Unless specifically approved by the Council, the customer must not use water for:
 - (a) a single pass heating or cooling system;
 - (b) the dilution of trade waste prior to disposal; or
 - (c) driving lifts, generators, condensers, machinery, or other similar devices.
- (2) The customer must have water conservation equipment as part of any system using water from a Council water supply for heating or cooling purposes (e.g. air conditioning, industrial plant) so that the consumption is limited to that required to make up reasonable losses due to evaporation, wind, flushing, and similar effects.

Explanatory note: Discharge of cooling water must comply with part 2 of this Bylaw and with the Council's Stormwater [and Land Drainage](#) Bylaw.

- (3) A customer must not waste water, or allow water to be wasted, from any pipe, tap, or other fitting on their property.

Explanatory note: Wasting water is an offence under sections 192 and 224 of the Local Government Act 2002 and may result in disconnection or restriction of the supply and/or prosecution. Examples of water being wasted include (but are not limited to): watering in areas where it is not required (e.g. driveways), excessive watering (including water flowing off the customer's property i.e. to the footpath, road or a neighbouring property [or causing flooding](#)), and unrepaired leaks. [Excessive water use will also be charged in accordance with the excess water supply targeted rates from 1 July 2022.](#)

17 SUPPLEMENTARY WATER STORAGE FOR BANKS PENINSULA WATER SUPPLY AREAS

- (1) For all new residential or commercial properties constructed within the Council water supply areas of Akaroa ([including Takamatua](#)), Duvauchelle, ~~Takamatua~~, Wainui, Pigeon Bay, Little River and Birdlings Flat, [and where connection to the Council water supply is sought](#), the customer must install a tank or facility with a minimum capacity of 5,000 litres for the purpose of collecting and storing rainwater for non-potable usage.

Explanatory note: Examples of non-potable water use include toilet flushing and watering the garden.

21/1654214

- (2) For the purposes of subclause (1), the construction of new properties means:
- (a) the construction of a residential or commercial building on an undeveloped site; or
 - (b) the construction of a replacement residential or commercial building that increases the footprint area of the pre-existing building on the site;
 - (c) but does not include:
 - i. the construction of a replacement building that has a footprint area that is the same or less than the pre-existing building;
 - ii. repairs or alterations to any existing building;
 - iii. the construction of a garage or outbuilding; or
 - iv. the construction of a temporary building that has an intended life of less than five years.

Explanatory note: This bylaw requires supplementary water storage for non-potable purposes in Banks Peninsula, but there are additional requirements for water storage tanks for other purposes and in other areas of the Christchurch district.

- (3) Where multiple tanks are required on a property for different purposes, the Council may give permission for a single tank to meet multiple requirements.

Explanatory note: Tanks may be required for the purposes of stormwater detention, fire-fighting, or other non-potable purposes. Tanks must meet all other regulatory requirements, including backflow prevention in order for the Council to consider granting approval.

Additionally, if any person believes that compliance with the requirement in clause 17 would adversely affect them or their business, without a corresponding public benefit, they can apply to the Council for a dispensation from compliance with this requirement under clause 13 of the General Bylaw 2008.

18 BACKFLOW PREVENTION

- (1) At the Council's request, the customer must provide any information about any use or activity at their property in relation to backflow risks, and take any action requested by the Council to ensure backflow prevention is achieved to the Council's satisfaction.
- (2) Where there is a change of use or activity carried out at their property that may alter the hazard rating or the risk of backflow occurring, the customer must:
- (a) notify the Council of any change of use or activity; and
 - (b) demonstrate how backflow prevention will be achieved in relation to the change, to the Council's satisfaction; and
 - (c) install a backflow prevention device if one is required, or comply with any requirement made by Council under section ~~69ZZZ of the Health Act 1956~~ 27 of the Water Services Act 2021.
- (3) A backflow prevention device must not be bypassed unless the bypass is also fitted with a backflow prevention device appropriate for the same hazard rating and approved by the Council.

21/1654214

- (4) The Council may charge for site audits and applications for changes in hazard rating, and may recover costs for installing, testing and maintaining backflow prevention devices.

Explanatory note: Backflow is a risk of contamination of our public water supply. Backflow prevention measures are intended to protect the quality and safety of our drinking water.

Property owners are required to install the appropriate level of backflow prevention in relation to the backflow risks arising from activities on their site. This may be either by ensuring an adequate air gap or by installing a Council-approved backflow prevention device.

It is the customer's responsibility under ~~the Health Act 1956~~ and legislation such as the Building Act 2004 to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from the Council water supply from returning to that supply (i.e. backflow prevention measures).

To change the hazard rating, the property owner can request the Council review the hazard rating on their property. The property owner must pay any relevant fee for inspection as outlined in the Council's Schedule of Fees and Charges. Alternatively, the customer may provide the Council with a report from a suitably qualified person advising of the risk category for the property.

Where a customer cannot demonstrate that the risk of backflow is adequately managed, in accordance with section ~~69ZZZ of the Health Act 1956~~ 27 of the Water Services Act 2021, the Council may fit a backflow prevention device on the public side of the point of supply, and recover the costs from the property owner for the design, installation, maintenance and testing of the device.

More information on the requirements for backflow prevention can be found on the Council's website – www.ccc.govt.nz.

19 INSTALLATION OF METERS

- (1) For any property there shall be only one metered supply, unless otherwise approved by the Council.
- (2) All new connections for fire protection systems must have a meter of a type that has minimal pressure loss characteristics as specified by the Council.
- (3) All meters (other than secondary meters referred to in subclause(6)) are supplied, installed and maintained by the Council, and remain the property of the Council.
- (4) All Council-owned water meters are to be located on Council property unless prior written approval is given otherwise.
- (5) If a meter becomes difficult to access due to changes made by the customer, the Council may relocate it to a more accessible location and recover the costs of relocation from the customer.
- (6) Where one or more secondary meters are fitted, whether as a result of a requirement of the Council or at the request of the customer(s), all such meters are the property of the customer(s) who must pay for all costs relating to these secondary meters including for the installation, maintenance, monitoring and reading of the meters.

Explanatory note: It is the Council's policy to install water meters on all supplies for the purposes of monitoring water consumption and detecting leaks, and for volumetric charging where applicable.

21/1654214

20 METERS ON PRIVATE PROPERTY

- (1) Where meters are to be installed on a property the customer must:
 - (a) provide a Council approved location within the property for the meter;
 - (b) take sufficient precautions to protect the meter from damage at all times;
 - (c) enclose the meter in a suitable box or other enclosure and, in cases where natural support is absent, provide suitable wall brackets or other support; and
 - (d) ensure that the meter is readily accessible for reading and servicing at all times.

21 READING OF METERS AND ACCOUNTS

- (1) Meters will be read, and where applicable, accounts rendered, at such intervals as the Chief Executive may determine.
- (2) Meter readings made at the request of the customer will be charged for as set out in the Council's schedule of fees and charges.
- (3) The customer must pay all charges for the supply of water as determined by the Council.
- (4) A customer must give the Council five working days' notice to arrange a final water meter reading and pay any relevant fee for the final reading as set out in the Council's schedule of fees and charges.

22 ESTIMATED ACCOUNTS

- (1) If any meter ceases to register, is difficult to access or is unable to be read, the Council will estimate the consumption based on the average of the previous available consumption periods for that customer.
- (2) If the previous available consumption periods for that customer contain large variations for seasonal or other reasons, the Council will determine a reasonable estimate based on the available information.
- (3) Where a restrictor is damaged, without prejudice to other remedies available, the Council may assess and recover the value of water drawn over and above what would have been supplied if the restrictor was in working order.
- (4) The Council's decision under this clause is final, and the customer must pay the estimated account.

23 TESTING OF METERS

- (1) If a customer disputes the accuracy of a meter, the customer may request that the Council have it tested. The customer must pay the cost of having the meter tested.
- (2) If any tested meter is found to be reading inaccurately, the Council will adjust the customer's account accordingly, and either refund or charge the customer according to the adjusted account.

24 WORKS MUST COMPLY

- (1) Any person responsible for the construction of infrastructure which is to be vested in Council and become part of the water supply system, must comply with all relevant codes of practice, standards, specifications, approvals and conditions relating to such infrastructure.

21/1654214

- (2) Any person responsible for the construction or maintenance of infrastructure which is to connect to the water supply system must comply with all relevant codes of practice, standards, specifications, approvals and conditions relating to the connection.
- (3) The Council is not required to accept the vesting of infrastructure, or a connection to the system which does not comply with subclauses (1) and (2).

25 IDENTIFY UNDERGROUND SERVICES PRIOR TO SITE WORKS

- (1) Any person undertaking site works must view and verify the as-built plans held by the Council prior to the commencement of works to establish whether or not Council services are located in the vicinity of the proposed work.
- (2) If any pipe, drain or other asset is found not to be on as-built plans, or incorrectly shown on the as-built plans, the person must determine what the pipe, drain or other asset is, and supply that information to the Council.

Explanatory note: Any works to be undertaken within the road corridor (which includes the road, footpath and berm) is regulated under the Utilities Access Act 2010 and the Council's Traffic and Parking Bylaw, and requires the submission of a Corridor Access Request to the Council.

PART 2: WASTEWATER

26 OBJECTIVES

- (1) The objectives of this part of the bylaw are to:
 - (a) regulate the use of land, structures and infrastructure associated with the wastewater system to protect these assets from damage, misuse or loss;
 - (b) prevent unauthorised access and interference with a connection to the wastewater system;
 - (c) protect the wastewater system from stormwater inflow and groundwater infiltration; and
 - (d) define the obligations of the Council, installers, owners and the public in matters related to the wastewater system.

Explanatory note: Objectives, policies and standards relevant to this part of the bylaw can be found in the Council's Te Wai Ora o Tāne Integrated Water Strategy, the Infrastructure Design Standards and in the resource consents that the Council holds for the public wastewater system. [The bylaw is part of how the Council can give effect to Te Mana o te Wai.](#)

27 APPROVAL REQUIRED FOR CONNECTION, DISCHARGE AND DISCONNECTION

- (1) No person may, without the Council's written approval
 - (a) connect, or allow the connection of any fittings, to the wastewater system;
 - (b) disconnect from the wastewater system;
 - (c) change the location of the point of discharge;
 - (d) increase the number of residential units connected to an existing connection; or

21/1654214

- (e) increase the commercial discharge (flow or volume) through an existing connection.

[Explanatory note: Written approval may be under this bylaw, or under the Trade Waste Bylaw, where relevant.](#)

- (2) A written application for approval of any matter in subclause (1) must be made in the form required, must contain all information requested, and must be accompanied by the relevant fee (if any).
- (3) An authorised officer considering an application may require the applicant to provide further information, at the applicant's cost, in order to process an approval.
- (4) The Council may impose conditions as part of an approval. Any conditions must be complied with in the exercise of the approval.
- (5) Without limitation, the Council may decline approval to connect to the wastewater system where, in the Council's reasonable opinion:
 - (a) connection would or may give rise to wastewater overflows;
 - (b) there is insufficient capacity in the system to accommodate the connection;
 - (c) the connection could compromise the Council's ability to maintain levels of service;
 - (d) the connection is outside the area currently served by the wastewater system, regardless of its proximity to any specific component of the wastewater system; or
 - (e) refusal is necessary to protect the wastewater system, the health and safety of any person, or the environment.
- (6) Where the Council declines an application it will notify the applicant of the decision, giving reasons.
- (7) The Council may, at any time, review a connection approval and any conditions.
- (8) Following the review, the Council may, after obtaining and considering the written views of the customer;
 - (a) vary or add any conditions that the Council considers necessary; or
 - (b) require a new application for connection to be submitted within the timeframe specified.

28 RESTRICTIONS ON ACCESS TO THE WASTEWATER SYSTEM

- (1) No person may, without the Council's approval, carry out any of the following restricted activities:
 - (a) enter any fenced area, building, or facility that is part of the wastewater system;
 - (b) access, tamper with, or otherwise interfere with any part of the wastewater system;
 - (c) make any connection to or discharge into, any part of the wastewater system; or
 - (d) remove, cover, or otherwise interfere with any manhole cover, inlet or other equipment associated with the wastewater system.

29 RESTRICTED ACTIVITIES WITHIN MAINTENANCE ACCESS CORRIDORS

- (1) This clause applies to parts of the ~~water supply-wastewater~~ system that are located underground and within non-Council land. The Council requires that these parts of the ~~water supply-wastewater~~ system are accessible in order to repair, replace, or otherwise maintain these parts of the ~~water supply-wastewater~~ system.

21/1654214

- (2) This clause does not apply where there is an easement in favour of the Council registered against a Record of Title for a property that enables adequate maintenance access for the [water supply wastewater](#) system, irrespective of the width of the easement strip created by that easement.
- (3) No person may, without the Council's written approval under this bylaw, carry out the following restricted activities:
- (a) build, place or install, or allow to be built, placed or installed, any building or structure (other than a boundary fence), over or within a Maintenance Access Corridor;
 - (b) lay or permit any utility service or private pipe across or along the line of an existing part of the wastewater system within a Maintenance Access Corridor; or
 - (c) undertake site works within a Maintenance Access Corridor.

Explanatory note: Structures include temporary or relocatable buildings (such as sheds), shipping containers, storage tanks, decks, hard landscaping, etc. Each request will be considered on a case-by-case basis, taking into account the particular set of circumstances involved, and the likely access needs for maintenance. Reinstatement of areas after access for maintenance will be completed to a safe standard, and may not be to the exact prior condition (eg: it may not be possible to reinstate or match some features or finishes, such as coloured or textured concrete).

Written approval for a similar purpose provided under a revoked version of this bylaw is considered written approval under this bylaw, in accordance with the savings provisions in this bylaw (clause 39).

If any person believes that compliance with the requirement in clause 29 would adversely affect them or their business, without a corresponding public benefit, they can apply to the Council for a dispensation from compliance with this requirement under clause 13 of the General Bylaw 2008.

- (4) No person may plant any tree within a Maintenance Access Corridor that is likely to cause a nuisance or damage to any part of the [stormwater network wastewater system](#).
- (5) Where the Council's infrastructure or asset is a pipe, the Maintenance Access Corridor width is calculated by the Council as the greater of either:
- (a) twice the buried depth of the pipe (surface to trench base), plus the outside diameter of the pipe; or
 - (b) 1.5 metres from either side of the centre of the pipe.
- (6) Where the infrastructure or asset is not a pipe, the Maintenance Access Corridor is one metre of the asset's border in all directions (eg a manhole).

Explanatory note: The details of each specific site and the width and location of the Maintenance Access Corridor will be determined by the Council. Deeper, and usually larger, pipes require a greater area for maintenance access.

30 APPLICATIONS AND APPROVALS FOR RESTRICTED ACTIVITIES WITHIN A MAINTENANCE ACCESS CORRIDOR

- (1) A written application for approval of a restricted activity within a Maintenance Access Corridor must be made in the form required, must contain all information requested, and must be accompanied by the relevant fee (if any).

21/1654214

- (2) An authorised officer considering an application may require the applicant to provide further information, at the applicant's cost, in order to process an approval.
- (3) The Council may impose conditions as part of an approval. Any conditions must be complied with in the exercise of the approval.
- (4) Where the Council declines an application it will notify the applicant of the decision, giving reasons.

31 DISCHARGES INTO THE WASTEWATER SYSTEM

- (1) No person may cause or allow any of the following to enter a wastewater pipe or fitting, a drain connected with a wastewater pipe, or the wastewater system, without the Council's written approval under clause 27, or an approval or consent under the Council's Trade Waste Bylaw:
 - (a) stormwater or groundwater (including from a water pipe, an artesian well or spring, surface water, subsoil drainage or roof water);
 - (b) water from any hydraulic appliance, or de-watering or construction process;
 - (c) condensing or cooling water;
 - (d) fat, oil, food waste, sediment or other extraneous matter from a non-residential property where food is prepared, processed or served;
 - (e) food waste other than domestic household food waste from a waste disposal unit; or
 - (f) any steam, or any other matter (solid or liquid), at a temperature higher than 40°C.
- (2) No person may cause or allow any prohibited waste to enter any plumbing fixture or drain connected with a wastewater pipe, or the wastewater system.

Explanatory note: The wastewater system takes away the wastewater from toilets, and from basins, showers, baths, washing machines, sinks and dishwashers. The system is designed to handle wastewater produced during normal daily activities. This may contain soaps, household cleaners, detergents, cooking by-products, toilet paper and bodily fluids. To avoid blockages and damage to private pipes and the public wastewater system, do not dispose of substances or things down sinks, drains or toilets that the system is not designed to handle.

Things that ~~must~~^{should} not be disposed of down a toilet or sink are: wipes (wet wipes, baby wipes or any kind of "flushable" wipes), nappies, sanitary products or condoms; gravel-like substances, such as cat litter or fish tank gravel; hazardous substances, such as fuel or poisons (other than household cleaning products); fat or cooking oil (other than from washing dishes); clothing; or plastic. Many things people have attempted to inappropriately dispose of down their toilet or sink have blocked their own pipes, caused a blockage in the wastewater system, or damaged the equipment used to treat our wastewater.

- (3) Customers with a pressure wastewater system, or any other system that is connected to the public wastewater system, must use that system in accordance with any operating manual or guidelines for that system.

Explanatory note: The guidelines for pressure systems owned and/or installed by, or required by the Council are available on the Council's website under 'Wastewater'.

- (4) Where a blockage in the public wastewater system is caused by prohibited waste generated from within a private property, the Council will recover the costs of repairs to the network from the property owner.

21/1654214

32 MAINTENANCE OF PRIVATE WASTEWATER DRAINS

- (1) The customer owns the private wastewater drains within the customer's property and on the customer's side of the point of discharge, and is responsible for all repairs and associated costs.

Explanatory note: The Council owns and is responsible for maintenance of the public wastewater system including the pipe and the fittings from the point of discharge.

- (2) Private wastewater drains must be maintained in a state which is free from cracks and other defects which may allow infiltration, leakage, or cause blockages.
- (3) If the Council believes that wastewater drains on private property are deficient, damaged, blocked, receiving excessive inflow and infiltration, are leaking, or are otherwise not in a satisfactory operating state; the Council may require the property owner to investigate the drain and rectify any issues, at the owner's cost.

Explanatory note: Wastewater leaching from substandard drains can cause public health or environmental health issues (such as contaminating groundwater, producing a foul odour or attracting flies). Stormwater, groundwater, tree roots, sediment and other contaminants can enter the public wastewater system from cracks and damage in private wastewater drains, and overload or block the public wastewater system, or cause damage to the system or its machinery.

- (4) Where the Council requires a property owner to investigate and rectify any issues, a property owner must:
- (a) Engage a suitably qualified person to undertake a camera investigation (or other agreed method of investigation) of the drain, and prepare a report on the findings; and
 - (b) Submit the report to the Council on the condition of the drains, prepared by a registered drainlayer, that includes either an appropriate repair strategy, or confirmation that the drain is in a satisfactory operating state (ie: contains no cracks, substandard joins, tree roots or other signs of blockage); and
 - (c) If repairs or replacements are necessary to fulfil the repair strategy, the property owner must demonstrate, to the Council's satisfaction that the repairs or replacements have occurred.
- (5) Where the Council requires a property owner to investigate and rectify a drain under subclauses (3) and (4), the investigation and any repairs or replacements must be completed within timeframes as specified or agreed by the Council.

Explanatory note: The requirements of this bylaw do not limit the Council from taking action under section 459 of the Local Government Act 1974.

33 PROTECTION FROM DAMAGE CAUSED BY TREES

- (1) No person may plant any tree in a position that is likely to cause a nuisance or damage to any part of the wastewater system, or allow any tree or its roots to cause a nuisance or damage to any part of the wastewater system.

Explanatory note: Where the roots of any tree on private property are causing damage, interference or blockage of any part of the wastewater system, or otherwise restricting access to any part of the network, the Council may take action to remove the tree, or to trim the roots of the tree, under sections 355 or 468 of the Local Government Act 1974, as appropriate. Where tree roots from a tree located on private property are found to be preventing access or causing damage to the wastewater

21/1654214

network, the Council will, where possible, prune the roots in such a way that the health and stability of the tree are not compromised.

34 WORKS MUST COMPLY

- (1) Any person responsible for the construction of infrastructure which is to be vested in Council and become part of the wastewater system, must comply with all relevant codes of practice, standards, specifications, approvals and conditions relating to such infrastructure.
- (2) Any person responsible for the construction or maintenance of infrastructure which is to connect to the wastewater system must comply with all relevant codes of practice, standards, specifications, approvals and conditions relating to the connection.
- (3) The Council is not required to accept the vesting of infrastructure, or a connection to the system which does not comply with subclauses (1) and (2).

35 IDENTIFY UNDERGROUND SERVICES PRIOR TO SITE WORKS

- (1) Any person undertaking site works must view and verify the as-built plans held by the Council prior to the commencement of works to establish whether or not Council services are located in the vicinity of the proposed work.
- (2) If any pipe, drain or other asset is found not to be on as-built plans, or incorrectly shown on the as-built plans, the person must determine what the pipe, drain or other asset is, and supply that information to the Council.

Explanatory note: Any works to be undertaken within the road corridor (which includes the road, footpath and berm) is regulated under the Utilities Access Act 2010 and requires the submission of a Corridor Access Request to the Council.

PART 3: GENERAL AND ADMINISTRATIVE

36 MONITORING AND INSPECTIONS

- (1) The Council may carry out monitoring and inspections of any property for the purposes of determining compliance with approvals and this bylaw.
- (2) The occupier of any property must co-operate with any monitoring and inspections required at the discretion of an authorised officer, including, but not limited to:
 - (a) enabling access to enter the property; and
 - (b) providing documents, plans and other information.

Explanatory note: The Local Government Act 1974, the Local Government Act 2002, and the Christchurch District Drainage Act 1951 also contain various powers for entry and inspection of private property, and the Council may also rely on those powers from time to time.

37 OFFENCE AND PENALTY

- (1) Every person who breaches this bylaw commits an offence and is liable on conviction to a fine not exceeding \$20,000, as set out in the Local Government Act 2002.

21/1654214

Explanatory note: There are also offences and penalties provided for in the Local Government Act 2002 and the Health Act 1956 (and other Acts) concerning water related issues, or damage to Council property. For example, see sections 175-176, 224-228, 232, and 242 of the Local Government Act 2002, and sections 66(1) and 69ZZO of the Health Act 1956.

38 RECOVERY OF COSTS

- (1) Where any breach of this bylaw causes damage to the water supply system or wastewater system, the Council may recover the cost of repairing the damage and any associated losses or expenses incurred by the Council from the person responsible for the breach.

Explanatory note: Under section 175 of the Local Government Act 2002, the Council has a right to recover against any person who wilfully or negligently damages Council property.

39 FEES

- (1) Where this bylaw provides for the Council to issue an approval, or give any authority for any thing (for example, a change in hazard rating), or carry out an inspection, monitoring, review or audit, the Council may require the payment of a fee.
- (2) Where this bylaw provides for a connection to the water supply system or the wastewater system, or the provision of any good, service, or amenity the Council may require payment of a fee for that service.

Explanatory note: Any fees are set out in the Council's Annual Plan or Long Term Plan. The Council also charges targeted rates in relation to water supply and wastewater. The rates charged and how they are calculated is set out in the Funding Impact Statement of either the Council's Annual Plan or Long Term Plan, as applicable for the particular year. The purpose of these rates is to recover the operating costs of providing the water supply and wastewater systems, plus a significant share of the expected cost of asset renewal and replacement.

The Council can restrict the water supply for non-payment of any water-related charges. Any restricted supply must still provide an adequate supply of drinking water under Part 2A of the Health Act 1956.

40 CHRISTCHURCH CITY COUNCIL GENERAL BYLAW 2008

- (1) The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into, and form part of this bylaw.

41 REVOCATIONS AND SAVINGS

- (1) The Christchurch City Council Water Supply, Wastewater and Stormwater Bylaw 2014 is revoked.
- (2) Any permission, consent, agreement, approval or any other act of authority which originated under the Christchurch City Council Water Supply, Wastewater and Stormwater Bylaw 2014, or which was continued by that bylaw and which is still in force at the commencement of this bylaw continues to have full force and effect for the purpose of this bylaw.
- (3) This bylaw is implied into and forms part of any permission, consent, agreement, approval, or any other act of authority continued by this clause.

21/1654214

- (4) The revocation of the Christchurch City Council Water Supply, Wastewater and Stormwater Bylaw 2014 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

The initial resolution to make this bylaw was passed by a Committee of Council on 10 November 2021, and was confirmed, following consideration of submissions received during a special consultative procedure, at a subsequent meeting of the Council held on 9 June 2022.

~~DRAFT~~ Stormwater and Land Drainage Bylaw 2022

The Christchurch City Council makes this bylaw under sections 145 and 146 of the Local Government Act 2002.

Preamble

This preamble is explanatory and is not part of the bylaw: This bylaw replaced the stormwater parts of the Water Supply, Wastewater and Stormwater Bylaw 2014 as part of a bylaw review process, and was adopted in 2022 as a standalone bylaw.

1. SHORT TITLE AND COMMENCEMENT

- (1) This bylaw is the Christchurch City Council Stormwater and Land Drainage Bylaw 2022.
- (2) This bylaw comes into force on [1 July](#) 2022.

2. PURPOSE

- (1) The purpose of this bylaw is to:
 - (a) manage and regulate the land, structures, and infrastructure associated with land drainage and the stormwater network; and
 - (b) protect the Council's land drainage infrastructure and stormwater network from misuse or damage.
 - (c) protect the public from nuisance and maintain public health and safety.

3. OBJECTIVES

- (1) The objectives of this bylaw are to:
 - (a) prevent the unauthorised use of, or discharge into, the stormwater network;
 - (b) manage the volume of runoff and entry of contaminants into the stormwater network;
 - (c) enable the Council to meet relevant objectives, policies and standards for discharges from the stormwater network;
 - (d) define the obligations of the Council, installers, occupiers, and the public regarding the discharge of stormwater and management of the stormwater network; and
 - (e) manage the risk of flooding and protect land drainage infrastructure.

Explanatory note: This bylaw is to help manage stormwater within the district so as to protect people, property and the environment by minimising the impact of flooding, erosion and contamination of stormwater. It is in addition to controls on stormwater imposed by the Canterbury Regional Council and Christchurch City Council under the Resource Management Act 1991, the Building Act 2004, or any other act, regulation or bylaw.

[The Council holds a Comprehensive Stormwater Network Discharge Consent from Environment Canterbury for the discharge of stormwater. This places obligations on the Council to improve the quality of stormwater that enters the network and is discharged to the environment. Waterways are](#)

[part of the receiving environment for stormwater and form part of the network that carries stormwater to the sea. Council has a stewardship role in the protection, restoration and management of waterways and their margins. Land associated with waterways also forms part of our flood protection infrastructure e.g. stopbanks. The Local Government Act 2002 enables the Council to regulate to protect land and infrastructure associated with land drainage \(section 146\). The bylaw is part of how the Council can give effect to Te Mana o te Wai.](#)

Objectives, policies and standards relevant to this bylaw can be found in the Council's Te Wai Ora o Tāne Integrated Water Strategy, the Waterways and Wetlands Natural Asset Management Strategy, the Infrastructure Design Standards and in the consent that the Council holds for the discharge of stormwater from its network (CSNDC).

4. COVERAGE

- (1) This bylaw applies to the stormwater network owned and operated by the Christchurch City Council, and anything discharged into the stormwater network. It also controls activities that may affect the integrity or effective operation of the stormwater network, or the Council's land drainage infrastructure.

5. INTERPRETATION

- (1) In this bylaw, unless the context otherwise requires:

Approval means any approval, licence, permit or consent issued under this bylaw or any relevant legislation.

Boundary means any boundary which is shown on a survey plan approved by the Chief Surveyor and which is deposited with Land Information New Zealand, whether or not a new title has been issued.

Chief Executive means the Chief Executive of the Christchurch City Council.

Condensing water means any water used in any trade, industry, or commercial process or operation in such a manner that it does not materially change its chemical or physical state.

Contaminant has the same meaning as defined in section 2 of the Resource Management Act 1991.

Council means the Christchurch City Council, or any person authorised to act on its behalf.

CSNDC means the Comprehensive Stormwater Network Discharge Consent issued by Canterbury Regional Council (CRC214226), which enables the Council to discharge stormwater to land, water and coastal environments, in accordance with certain conditions, and includes any variations to the consent.

Customer means the person, or authorised agent, who uses, or has approval to use, the stormwater network supplied by the Council.

District means the territorial authority area of Christchurch City Council.

District Plan means any relevant operative or proposed district plan prepared by the Christchurch City Council under the Resource Management Act 1991.

Drain means an open channel or pipe for conveying stormwater; and drainage has a corresponding meaning.

Earthworks means any mechanical excavation, or substantial manual excavation, such as levelling, filling, retaining, contouring or landscaping a site; and includes moving, removing, placing or replacing earth, rock or soil.

Environment has the same meaning as defined in section 2 of the Resource Management Act 1991.

Erosion and Sediment Control Plan (ESCP) means a plan that identifies the environmental risks associated with erosion and sediment from a site and describes the methods and controls that will be used to mitigate and manage those risks.

Floodplain means an area of low-lying land adjacent to a waterway that is inundated by water during heavy rainfall or a flood event.

Flood protection infrastructure means any stopbank, bund, embankment or other structure associated with a waterway that helps to manage stormwater and reduce the risk of flooding, and which is owned or administered by the Council. It does not include protective works that do not have a land drainage function, such as sea walls.

Industrial premises means any site undertaking any business activity that is listed in the Register of Industrial and Trade Activities, as well as any site where the Register does not apply, but activities occur in an area or way that the Council considers may contaminate stormwater.

Industrial Stormwater Audit Programme means the Council's programme of work to monitor and improve the stormwater discharges from industrial premises.

Land drainage means the draining of surface and sub-surface water from the land by natural or constructed drainage channels.

Maintenance Access Corridor means the land required to access any part of the underground stormwater network for maintenance purposes.

Nuisance means:

- (a) something harmful, obnoxious, offensive or objectionable to members of the public; or
- (b) a private nuisance at law (the unreasonable interference with a person's right to the use or enjoyment of an interest in land); or
- (c) a public nuisance at law (an interference which materially affects the reasonable comfort and convenience of life of a class of the public).

Occupier means the owner, operator, or site manager of a premises or property, as is applicable.

Overland flow path means any flow path taken by stormwater on the surface of the land.

Private stormwater system means any stormwater system that serves one or more properties and is not owned, managed or maintained by the Council. It includes any component that drains water from a property up to the point of service connection with the stormwater network.

Prohibited substance means a contaminant in stormwater that has not been expressly authorised by the Council. Prohibited substances include, but are not limited to: sediment, cement, construction by-products, green waste, litter, detergents, soap, swimming/spa pool water, metal residues, leachate, petrochemicals, pesticide, solvents, substances labelled "biodegradable" or similar, and any other hazardous substance.

Property means the following:

- (a) a parcel of land shown as an allotment on a survey plan deposited with or approved by Land Information New Zealand, and for which a Record of Title is available; or
- (b) land or a building or part of a building for which a unit title under the Unit Titles Act 2010 or a cross-lease title, and for which a Record of Title or a company share title is available; or
- (c) land held in public ownership (e.g. reserve) for a particular purpose.

Regional Plan means any relevant operative or proposed regional plan prepared by Canterbury Regional Council (Environment Canterbury) under the Resource Management Act 1991, such as the Canterbury Land and Water Regional Plan (LWRP).

Register of Industrial and Trade Activities means the Register established under this bylaw, which sets out industrial and trade activities that may contaminate stormwater.

Restricted activity means an activity in relation to the stormwater network which is regulated in clauses 13-17 of this bylaw.

Risk classification means the level of risk for stormwater contamination, as assessed by the Council, based on the activities and practices of an industrial premises.

Site works means any substantial earthworks, including excavation, grading, significant landscaping, installation of septic tanks, trenches, construction of pavement and driveways, and any works associated with the construction, alteration, demolition or removal of a building.

Stabilised means an area of land sufficiently covered by erosion-resistant material (such as but not limited to; grass, mulch, weed matting, bark, aggregate, asphalt, concrete, or paver blocks), to prevent erosion of the underlying soil by water.

Stormwater means the water resulting from precipitation (e.g. rain or snow) that is:

- (a) collected, channelled, diverted, intensified or accelerated by modification of the land surface; or
- (b) runoff from the external surface of any building or structure.

Stormwater connection approval means an approval in writing given by an authorised officer of the Council, permitting a person to connect to the stormwater network.

Stormwater device means any system, facility or equipment designed or installed to receive stormwater and to store it, delay runoff, control flow, filter contaminants or sediment, monitor, or otherwise manage the quality or quantity of stormwater.

Stormwater discharge approval means an approval in writing given by an authorised officer of the Council, permitting a person to discharge stormwater to the stormwater network.

Stormwater network means any infrastructure, facilities and devices operated, owned or administered by the Council, for the management of stormwater or for the purpose of land drainage. This includes, but is not limited to: pipes, drains and waterways; kerbs and channels; swales and detention ponds; flood protection infrastructure, such as bunds or stopbanks; and treatment and measuring devices or facilities.

Surface water means water in rivers, watercourses and artificial waterbodies, lakes, wetlands, springs or coastal waters, but excludes groundwater (water below the surface).

Waterway includes a watercourse (as defined in section 2 of the Soil Conservation and Rivers Control Act 1941) and drainage channel (as defined in section 503 of the Local Government Act 1974), and any open drain or waterway as defined in the relevant district plan and the regional plans.

- (2) Explanatory notes are not part of the bylaw. The Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change.

CONNECTIONS AND DISCHARGE

6. APPROVAL REQUIRED FOR STORMWATER CONNECTIONS AND DISCHARGE

- (1) No person may, without the Council's written approval under this bylaw:

- (a) connect to, or alter an existing connection to, the stormwater network; or
- (b) discharge stormwater to the stormwater network.

Explanatory note: Generally, two approvals are required: one for connection to the stormwater network ('stormwater connection approval'), and one for discharge into the stormwater network ('stormwater discharge approval'). The applications for each approval may be combined into one application form, or may be granted in connection with another consent, such as a resource consent or building consent.

All existing connections, unless advised otherwise by the Council, are considered to have both connection and discharge approval; noting that a review of any approval can be undertaken under clause 7.

- (2) A written application for approval of any matter in subclause (1) must be made in the form required by the Council. The application must contain all information requested by the Council to consider issuing an approval, and be accompanied by the relevant fee (if any).
- (3) An authorised officer considering an application may require the applicant to provide further information at the applicant's cost in order to process an approval under this clause.

Explanatory note: The type of connection will determine the level of information required to process the application, (e.g. large connection pipes will require an engineering plan; or industrial premises will need to provide evidence of their contingency management procedures), as well as how the approval is granted (e.g. small connection pipes will typically be approved through the building consent process).

- (4) The Council may grant approval to an applicant, and may impose conditions as part of the approval. Any conditions must be complied with in the exercise of the approval.
- (5) Where the Council does not grant approval, it will notify the applicant of the decision and give reasons for the refusal.
- (6) Without limitation, the Council may refuse to grant a stormwater connection or stormwater discharge approval where:
 - (a) the proposed connection is outside an area currently serviced by the stormwater network; or
 - (b) in the Council's reasonable opinion, there is insufficient capacity within the stormwater network in that location; or
 - (c) the requirements of this bylaw, the conditions of any relevant resource consent, or the outcomes sought by the Council under the CSNDC are not demonstrated as fulfilled in the application.

Explanatory note: Requirements under this bylaw and any relevant resource consent include adequately meeting the Council's stormwater quality objectives, such as any standard set under clause 8 of this bylaw, or in any Stormwater Management Plan.

- (7) If there is insufficient capacity in the stormwater network in the location relating to the application, then despite clause 6(6)(b), a stormwater connection approval may be granted if, at the cost of the applicant:
 - (a) the stormwater network is upgraded; or
 - (b) the discharge of the stormwater will be adequately controlled within the applicant's property; or
 - (c) another solution that is acceptable to the Council can be agreed upon.

7. REVIEW OF CONNECTION AND DISCHARGE APPROVAL

- (1) The Council may, at any time, review a stormwater connection or stormwater discharge approval, and any associated conditions.

Explanatory note: By way of example, the Council may initiate a review and reassess if there is any increased discharge or risk of stormwater contamination if it has reason to believe:

- the nature, quality, or quantity of stormwater discharge has changed; or
- the customer has failed to comply with any condition of an approval, or any other part of this bylaw.

- (2) Following the review, and after obtaining and considering the written views of the customer, the Council may;
 - (a) vary or add conditions that the Council considers necessary;
 - (b) require a new application for a stormwater connection or discharge approval to be submitted; or
 - (c) suspend or cancel the stormwater discharge approval.

Explanatory note: Clause 38 applies where a stormwater discharge approval is suspended or cancelled.

[Conditions may include, but are not limited to: on-site stormwater management practices or the installation of a stormwater device to manage the quality or quantity of stormwater being discharged from a property.](#)

8. VARIATIONS TO CONNECTION AND DISCHARGE ACTIVITIES

- (1) The occupier must notify the Council in writing of any changes to the nature of activities, practices or developments on their property, or any other changes that may alter their stormwater discharge quality or quantity.

Explanatory note: The Council may need to reassess the conditions of a stormwater connection or stormwater discharge approval if there is an increased risk of stormwater contamination. Examples of changes include, but are not limited to:

- *the addition of new impervious surfaces, a net increase in hardstanding area, or cumulative increases exceeding 150 square metres, within the property;*
- *varying the type or concentration of potential stormwater contaminants, including any new spill risks;*
- *varying the method of treatment of stormwater under an existing stormwater discharge approval.*

- (2) The occupier must seek a new stormwater connection or stormwater discharge approval, or a variation to such an approval, if the Council advises it is required, and within the timeframe specified by the Council.
- (3) Any application to vary a stormwater connection or stormwater discharge approval must be accompanied by the relevant fee (if any).

9. STORMWATER QUALITY STANDARDS

- (1) The Council may, by resolution, specify standards for discharges to the stormwater network.

Explanatory note: For example, standards may be set for contaminants including, but not limited to: sediment and heavy metals.

- (2) A resolution under this clause may:
- (a) specify standards generally, or for specific situations, activities or industries, or for types of property;
 - (b) apply to all of the district, or to any specified part or parts of the district, i.e. a stormwater catchment; and
 - (c) apply immediately or come into force at a specified time.
- (3) Once a standard comes into force, the occupier of any property or premises to which the standard applies, must comply with the standard.
- (4) The Council may require the occupier of any property or premises to reduce or prevent contaminants from entering the stormwater network in quantities or concentrations that exceed a standard. This may include, but is not limited to:
- (a) changing on-site practices; or
 - (b) installing a stormwater device or treatment process.

Explanatory note: Before making any resolution under this clause, the Council will consider the views and preferences of persons affected by the decision, applying the principles in section 82 of the Local Government Act 2002 and the Council's Significance and Engagement Policy. All resolutions made under this clause will be recorded in a register available on the Council's website.

10. REQUIREMENT FOR ON-SITE STORMWATER MANAGEMENT

- ~~(1) The Council may require a stormwater device to be retrofitted to manage the stormwater quality or quantity being discharged from a property.~~
- ~~(2)(5) The Council may require the implementation of specific site management practices to manage discharges from all or part of the property.~~

ARTESIAN SPRINGS

11. MANAGING DRAINAGE FROM ARTESIAN SPRINGS AND WELLS ON PRIVATE LAND PREVENTING NUISANCE AND DAMAGE FROM UNMANAGED ARTESIAN WATER

- (1) No person may cause or allow water from an artesian spring or well in their property to flow or discharge beyond the boundary of their property in a way that causes or is likely to cause nuisance or damage to any neighbouring property. ~~The occupier must manage any such water so it does not create a nuisance or damage to any neighbouring property.~~

Explanatory note: Where necessary this may include capping the spring or installing appropriate drainage.

- (2) The Council may require the property owner to install appropriate drainage or otherwise manage the water to prevent any nuisance or damage to neighbouring properties.

Explanatory note: Neighbouring property includes Council land (such as the road corridor). A resource consent may be required from Environment Canterbury in relation to any spring water under the Land and Water Regional Plan. Where possible, water from artesian sources should feed into waterways. Sometimes this is not possible, for example, if a new spring emerges in a developed part of the city where old waterways have been modified, or where a spring has been capped, but the cap has degraded.

PROTECTION OF THE NETWORK AND LAND DRAINAGE INFRASTRUCTURE

12. PROTECTION OF THE STORMWATER NETWORK

- (1) No person, other than the Council and its authorised agents, may access or enter any part of the stormwater network that is not open to the public, without prior written approval of the Council.
- (2) No person may make any connection to, disconnect from, or discharge into, any part of the stormwater network without the written approval of the Council.
- (3) Works to connect to the stormwater network, or alter a connection, can only be carried out by a Council-approved contractor, and the contractor must comply with all relevant codes of practice, standards, specifications, approvals and conditions.
- (4) No person may tamper with, or otherwise interfere with any part of the stormwater network.
- (5) No person may do any thing that causes a nuisance or damage to any part of the stormwater network, including with a vehicle or allowing any animal to do any such thing.

- (6) No person may plant any tree in a position that is likely to cause a nuisance or damage to any part of the stormwater network, or allow any tree or its roots to cause a nuisance or damage to any part of the stormwater network.

Explanatory note: Where the roots of any tree on private property are causing damage, interference or blockage of any part of the stormwater network, or otherwise restricting access to any part of the network, the Council may take action to remove the tree, or to trim the roots of the tree, under sections 355 or 468 of the Local Government Act 1974, section 27 of the Land Drainage Act 1908, or sections 43-43A of the Christchurch District Drainage Act 1951, as appropriate. Where tree roots from a tree located on private property are found to be preventing access or causing damage to the stormwater network, the Council will, where possible, prune the roots in such a way that the health and stability of the tree are not compromised.

- (7) No person, other than the Council and its authorised agents, may cover, remove, alter or block (partially or fully) any service opening such as a manhole, sump or any other stormwater infrastructure, without the prior written approval of the Council.

13. RESTRICTED ACTIVITIES RELATED TO DISCHARGE OF WATER OTHER THAN STORMWATER

- (1) No person may, without the Council's written approval under this bylaw, discharge, or allow to be discharged, any water other than stormwater to the stormwater network. This includes, but is not limited to, [the discharge of](#) condensing or cooling water, [processing water, and](#) water from dewatering activities, ~~commercial wash down water or water from swimming pools or spa pools.~~

~~Explanatory note: Where possible, wash vehicles, boats, bicycles etc, on grassed or shingle surfaces. This should not be done on sealed surfaces as the wash down water will run into the kerb and channel and then enter the stormwater network, contaminating our waterways.~~

14. RESTRICTED ACTIVITIES RELATED TO OVERLAND FLOW PATHS AND FLOODPLAINS

- (1) No person may, without the Council's written approval under this bylaw, build or place any structure or material on, or remove any material from, any overland flow path, or floodplain.

Explanatory note: Obstructions or alterations to overland flow paths and floodplains restrict or change the containment and flow of stormwater in periods of heavy rain, and could cause flooding, property damage, or threats to public safety. Examples include constructing buildings, fences, or retaining walls; laying concrete; and undertaking other site works, landscaping or earthworks.

15. RESTRICTED ACTIVITIES RELATED TO WATERWAYS

- (1) No person, [except a person with written authority from the Council or an authorised agent of the regional council](#) may: ~~without the Council's written approval under this bylaw~~
- (a) build or install, or allow to be built or installed, any structure in, on, over, or within three metres of any waterway;
 - (b) lay or permit any utility service or private pipe across, within, or along the line of an existing waterway;
 - (c) dig or undertake earthworks on, in, or within three metres of any waterway;
 - (d) modify the bank or bed of any waterway; or
 - (e) alter the course or flow of any waterway.

Explanatory note: Structures include, bridges, culverts, pipes, dams, weirs, crossings, or any retaining or hard landscaping structures. Each request will be considered on a case-by-case basis, taking into account the particular set of circumstances involved.

The three metre setback distance is measured from the waterline – the point at which the water normally meets the bank. For normally dry waterbodies, the setback distance is measured from the point at which a horizontal line 60cm above the lowest point of the bed of the waterway touches the bank on either side. A diagram setting out setback distances in relation to water bodies can be found in the Christchurch District Plan (appendix 6.11.5.3).

[Additional permissions other than written approval under this bylaw \(such as a resource consent from the Canterbury Regional Council\) may be required for some works in and around waterways.](#)

[\(2\) Subclause \(1\) does not apply to fencing near waterways in rural zones, which is regulated by the District Plan.](#)

[\(2\)\(3\)](#) No person may remove any existing covering material from a waterway, or install or place any additional material over or along any waterway, unless that person:

- (a) is an authorised agent of the Council [or the regional council](#); or
- (b) has written approval from the Council; or
- (c) [is implementing erosion and sediment control measures under clause 23, is undertaking temporary erosion and sediment control measures under an approved Erosion and Sediment Control Plan.](#)

[\(3\)\(4\)](#) No person may plant or remove any vegetation on the banks of any waterway in such a way as to:

- (a) impair the flow of stormwater;
- (b) cause destabilisation of the banks of the waterway;
- (c) impede access by machinery or apparatus used to clean, maintain or improve the waterway; or
- (d) otherwise cause nuisance or damage.

[\(4\)\(5\)](#) No person may deposit any rubbish or other debris within or alongside any waterway, or in such a manner that it may enter any waterway.

16. RESTRICTED ACTIVITIES RELATED TO FLOOD PROTECTION INFRASTRUCTURE

- (1) No person may undertake works that could damage, destabilise or undermine the structure of any flood protection infrastructure.
- (2) No person may, without the Council's written approval under this bylaw, undertake any of the following in, on, over, under, or within one metre of any flood protection infrastructure;
 - (a) build or install, or allow to be built or installed, any structure;
 - (b) dig, excavate, fill, or undertake earthworks;
 - (c) insert or install any pipe or thing;
 - (d) plant or remove any vegetation, including trees; or
 - (e) modify, remove, add to, or otherwise alter any flood protection infrastructure.

Explanatory note: Flood protection infrastructure related to land drainage is regulated by this bylaw, but other protective assets such as sea walls are excluded. As well as any bylaw offence,

damage to any local authority works or property is also an offence under section 232 of the Local Government Act 2002. Section 232 of the Local Government Act applies to sea walls.

17. RESTRICTED ACTIVITIES WITHIN MAINTENANCE ACCESS CORRIDORS

- (1) This clause applies to parts of the stormwater network that are located underground and within non-Council land. The Council requires that these parts of the stormwater network are accessible in order to repair, replace, or otherwise maintain these parts of the stormwater network.
- (2) This clause does not apply where there is an easement in favour of the Council registered against a Record of Title for a property that enables adequate maintenance access for the stormwater network, irrespective of the width of the easement strip created by that easement.
- (3) No person may, without the Council's written approval under this bylaw, carry out the following restricted activities:
 - (a) build, place or install, or allow to be built, placed or installed, any structure (other than a boundary fence), over or within a Maintenance Access Corridor;
 - (b) lay or permit any utility service or private pipe across or along the line of an existing underground part of the stormwater network within a Maintenance Access Corridor; or
 - (c) undertake earthworks or site works within a Maintenance Access Corridor.

Explanatory note: Structures include, temporary or relocatable buildings (such as sheds), shipping containers, storage tanks, decks, hard landscaping, etc. Each request will be considered on a case-by-case basis, taking into account the particular set of circumstances involved, and the likely access needs for maintenance. Reinstatement of areas after access for maintenance will be completed to a safe standard, and may not be to the exact prior condition (e.g. it may not be possible to reinstate or match some features or finishes, such as coloured or textured concrete).

Written approval for a similar purpose under a revoked version of this bylaw is considered written approval under this bylaw, in accordance with the savings provisions in this bylaw (clause 42).

Any person who believes that compliance with the requirement in clause 17 would adversely affect them or their business, without a corresponding public benefit, can apply to the Council for a dispensation from compliance with this requirement under clause 13 of the General Bylaw 2008.

- (4) No person may plant any tree within a Maintenance Access Corridor that is likely to cause a nuisance or damage to any part of the stormwater network.
- (5) Where the Council's infrastructure or asset is a pipe, the Maintenance Access Corridor width is calculated by the Council as the greater of either:
 - (a) twice the buried depth of the pipe (surface to trench base), plus the outside diameter of the pipe; or
 - (b) 1.5 metres from either side of the centre of the pipe.
- (6) Where the infrastructure or asset is not a pipe, the Maintenance Access Corridor is one metre of the asset's border in all directions (e.g. a manhole).

Explanatory note: The details of each specific site and the width and location of the Maintenance Access Corridor will be determined by the Council. Deeper, and usually larger, pipes require a greater area for maintenance access.

18. APPLICATIONS AND APPROVALS FOR RESTRICTED ACTIVITIES

- (1) A written application for any restricted activity must be made in the form required, must contain all information requested, and must be accompanied by the relevant fee (if any).

Explanatory note: A building or resource consent does not constitute approval for any restricted activity under this bylaw. A separate approval is required. The restricted activities in this bylaw (clauses 13-17) are to protect the stormwater network. Building and resource consent approvals regulate different matters. Where possible, the package of approvals may be administratively managed together.

- (2) An authorised officer considering an application may require the applicant to provide further information, at the applicant's cost, in order to process an approval.
- (3) The Council may impose conditions as part of an approval. Any conditions must be complied with in the exercise of the approval.
- (4) Where the Council declines an application, it will notify the applicant of the decision and give reasons for the refusal.

19. PROHIBITED SUBSTANCES MUST NOT ENTER THE NETWORK

- (1) No person may cause or allow any prohibited substance to:
- (a) enter the stormwater network, either directly or indirectly; or
 - (b) be stored, handled or transferred in a manner that may enter the stormwater network, including in the event of spillage, or as a result of rain.

Explanatory note: Prohibited substances, or water contaminated with prohibited substances, cannot be disposed of down stormwater inlets, or washed into roadside gutters, and must be disposed of appropriately. Substances that are prohibited and should not enter the stormwater network include, but are not limited to; sediment, cement, construction by-products, green waste, litter, detergents, soap, swimming/spa pool water, metal residues, leachate, petrochemicals, pesticide, solvents, substances labelled "biodegradable", and any other hazardous substance.

Explanatory note: Where possible, wash vehicles, boats, bicycles etc and other equipment should be washed, on grassed or shingle surfaces, or at a commercial car wash. This should not be done on sealed surfaces as the wash-down water will run into the kerb and channel and then enter the stormwater network, contaminating our waterways.

Preventing prohibited substances from entering the stormwater network may require preventative and spill control measures such as secondary containment, indoor storage, bunding, and spill kits.

- (2) Any person responsible for, or aware of, any spill or discharge of a prohibited substance to the stormwater network or to land, must immediately notify the Council of the incident.

Explanatory note: Spills and similar accidents, whether directly into a waterway or onto land (including roads), have the potential to enter stormwater and contaminate waterways. The Canterbury Regional Council also requires notification of such incidents.

20. WORKS MUST COMPLY

- (1) Any person responsible for the construction of infrastructure which is to be vested in Council and become part of the stormwater network, must comply with all relevant codes of practice, standards, specifications, approvals and conditions relating to such infrastructure.
- (2) Any person responsible for the construction of infrastructure which is to connect to the stormwater network must comply with all relevant codes of practice, standards, specifications, approvals and conditions relating to the connection.
- (3) The Council is not required to accept the vesting of infrastructure, or a connection to the network which does not comply with subclauses (1) and (2).

21. IDENTIFY UNDERGROUND SERVICES PRIOR TO SITE WORKS

- (1) Any person undertaking site works must view and verify the as-built plans held by the Council prior to the commencement of works to establish whether or not Council services are located in the vicinity of the proposed work.
- (2) If any pipe, drain, or other asset is found that is not on the as-built plans, or is incorrectly shown on the as-built plans, the person must determine what the pipe, drain or other asset is, and supply that information to the Council.

Explanatory note: Any works to be undertaken within the road corridor (which includes the road, footpath and berm) is regulated under the Utilities Access Act 2010 and requires the submission of a Corridor Access Request to the Council before work commences.

REQUIREMENTS FOR EARTHWORKS

Explanatory note: Reducing erosion and sediment from earthworks helps to prevent habitat degradation in our waterways and protects the stormwater network from damage or reduced functionality from sediment.

22. EROSION AND SEDIMENT CONTROL PLAN

- (1) Any person intending to undertake earthworks [where there is any risk that sediment generated by the works could become entrained in stormwater](#) must, before stripping vegetation or beginning earthworks, engage a suitably qualified person to prepare an Erosion and Sediment Control Plan that sets out how erosion and sediment from the site will be managed during the earthworks.
- (2) The Erosion and Sediment Control Plan must set out how the site of the earthworks will be managed to:
 - (a) prevent earth or sediment from being washed off the site or otherwise carried in water onto neighbouring properties, roads, or into the stormwater network;
 - (b) stabilise land to prevent earth slipping onto neighbouring properties, roads, or into the stormwater network;
 - (c) stabilise entranceways and prevent earth or sediment from being spilled or tracked off the site by people or vehicles; and
 - (d) control or minimise dust.
- (3) An Erosion and Sediment Control Plan must be prepared by a suitably qualified person and in accordance with Environment Canterbury's Erosion and Sediment Control Toolbox.

- (4) Any person undertaking earthworks must make the Erosion and Sediment Control Plan available to the Council on request.
- (5) The site manager or person undertaking the earthworks must ensure the measures set out in the Erosion and Sediment Control Plan are implemented, monitored and fit for purpose.

Explanatory note: Erosion and sediment control requirements for earthworks associated with a building or resource consent will be managed in the consent conditions. Projects that are exempt from building consent requirements (such as demolishing a building or replacing a small driveway), will need to prepare and implement an Erosion and Sediment Control Plan to meet the requirements of this bylaw.

The skills and experience of a person suitably qualified to prepare an Erosion and Sediment Control Plan will vary depending on the complexities and level of risk associated with the earthworks, including the extent of the works, proximity to any waterways and the slope of the site.

The Council's Traffic and Parking Bylaw has clauses to prevent material or debris from being deposited on roads, and enforcement action could be taken under that bylaw or under section 357 of the Local Government Act 1974 (Penalties for damage to roads) in relation to mud on roads, or under this bylaw in relation to stormwater contamination arising from mud on roads.

23. MEASURES MUST BE IN PLACE BEFORE AND DURING EARTHWORKS, AND UNTIL THE SITE IS STABILISED

- (1) To ensure that any risk of sediment entering the stormwater network is minimised, a person undertaking earthworks must:
 - (a) put appropriate erosion and sediment control measures in place before beginning the earthworks;
 - (b) keep those erosion and sediment control measures in place until such time as the area disturbed by the earthworks has been stabilised, and the risk has sufficiently diminished; and
 - (c) remove and appropriately dispose of all erosion and sediment control measures once the site has been stabilised.

Explanatory note: The appropriate measures will depend on the scale and duration of the earthworks, the slope of the site, the closeness to any waterways, and the potential for rainfall. Likely measures include preventing runoff, protecting waterways, installing perimeter controls, and managing vehicle access to prevent mud and sediment being tracked or deposited onto the road near the site.

MAINTENANCE REQUIREMENTS

24. PRIVATE STORMWATER SYSTEM MAINTENANCE RESPONSIBILITIES

- (1) The occupier(s) of any property with a private stormwater system must:
 - (a) ensure that the private stormwater system is maintained in good operating condition, and allows for the free flow of stormwater;
 - (b) discharge stormwater from the site or sites in accordance with any controls the Council specifies (including any operative resource consent); and

- (c) not cause or contribute to nuisance in a storm event.
- (2) The occupier(s) of any property with a private stormwater system must, on request by the Council:
 - (a) provide information to demonstrate that the stormwater system is operated and maintained to achieve its purpose;
 - (b) remove any leaves, vegetation or other debris that obstructs, or is likely to obstruct the free flow of water; and
 - (c) carry out any works that are required to ensure the stormwater system meets its purpose.

25. MAINTENANCE OR REPAIR OF PRIVATE STORMWATER DRAINS

- (1) The customer owns the private stormwater drains within the customer's property and on the customer's side of the point of discharge, and is responsible for all repairs and associated costs.

Explanatory note: Council owns and is responsible for maintenance of the public stormwater system including the pipe and the fittings up to the point of service connection.

- (2) The occupier of any property must ensure their private stormwater drains are maintained in a satisfactory operating state, free from cracks, damage and other defects.
- (3) If the Council believes that stormwater drains on private property are damaged, blocked, or otherwise not in a satisfactory operating state, the Council may require the property owner to investigate the drain and rectify any issues, at the owner's cost.

Explanatory note: Tree roots, sediment and other contaminants can enter the stormwater network from cracks and damage in private stormwater drains, and block or cause damage to the public stormwater network or its machinery. Stormwater pipes that do not effectively convey stormwater may contribute to flooding, erosion, ponding or damp buildings.

- (4) Where the Council requires a property owner to investigate and rectify any issues, a property owner must:
 - (a) engage a suitably qualified person to undertake a camera investigation (or other agreed method of investigation) of the drain, and prepare a report on the findings;
 - (b) submit the report to the Council on the condition of the drains, prepared by a registered drain layer, that includes either an appropriate repair strategy, or confirmation that the drain is in a satisfactory operating state (i.e. contains no cracks, substandard joins, tree roots or other signs of blockage); and
 - (c) if repairs or replacements are necessary to fulfil the repair strategy, the property owner must demonstrate, to the Council's satisfaction, that the repairs or replacements have occurred.
- (5) Where the Council requires a property owner to investigate and rectify a drain under clause 25(3) and 25(4), the investigation and any repairs or replacements must be completed within timeframes specified or agreed by the Council.

Explanatory note: Where a property owner fails to comply with any request under subclause (5), the Council may undertake the work specified and recover the costs from the property owner under section 459 of the Local Government Act 1974.

26. MAINTENANCE OF PRIVATE STORMWATER DEVICES

- (1) Where the Council has required an occupier to install a privately-owned stormwater device, the occupier must maintain the device in good operating condition.

Explanatory note: A privately-owned stormwater device may have been required by the Council as part of a Building Consent or Resource Consent or as a condition of either a discharge approval, or an Industrial Stormwater Discharge Licence.

- (2) Any person with a privately-owned stormwater device must retain the operations and maintenance manual, as-built drawings, and maintenance records for the device; and make these available to the Council on request.

MANAGEMENT OF STORMWATER DISCHARGE FROM INDUSTRIAL PREMISES

27. REGISTER OF INDUSTRIAL AND TRADE ACTIVITIES

Explanatory note: Discharges from industrial premises are at higher risk of stormwater contamination due to the nature of the activities being carried out on-site. Contaminants that enter the stormwater network jeopardise the Council's ability to comply with the CSNDC.

- (1) The Council may, by resolution, adopt a Register that sets out:
 - (a) industrial and trade activities; and
 - (b) land areas for industrial and trade activities that are of interest to the Council; and
 - (c) timeframes for compliance with the industrial premises requirements of this bylaw.
- (2) The Council may, by resolution, amend or revoke the Register at any time.

28. REQUIREMENT TO APPLY FOR AN INDUSTRIAL STORMWATER DISCHARGE LICENCE

Explanatory note: There are two ways a business may be considered an industrial premises under this bylaw. Either the business is undertaking an activity listed on the Register of Industrial and Trade Activities, and at a scale indicated in the Register; or where the Council considers that the business activity may be occurring in an area or way that is likely to contaminate stormwater (where the business activity or area is not otherwise captured by the Register).

- (1) The occupier of every industrial premises undertaking an activity at a scale listed in the Register of Industrial and Trade Activities must apply for an Industrial Stormwater Discharge Licence within the compliance timeframe specified in the Register.

Explanatory note: This requirement applies to new and existing industrial premises. Clause 35 sets out when industrial premises holding individual resource consents to discharge stormwater issued by Canterbury Regional Council will have to comply with this clause.

For the avoidance of doubt, occupiers of industrial premises with written approval from an audit process prior to this bylaw coming into force, must apply for an Industrial Stormwater Discharge Licence in accordance with subclause (1).

- (2) Where an industrial premises is established after the compliance timeframes set out in the Register, the occupier must apply for an Industrial Stormwater Discharge Licence within three months of the business commencing operation.
- (3) Where the business activity or area is not captured by the Register, but the Council considers the activity is occurring in a way that may contaminate stormwater, the Council will notify the

occupier, setting out a timeframe to apply for an Industrial Stormwater Discharge Licence. The occupier must apply within the timeframe specified in the notification.

- (4) The occupier must apply for an Industrial Stormwater Discharge Licence in the form required, provide all information required by the Council, and pay the applicable fee (if any).
- (5) Where an occupier of an industrial premises fails to apply for an Industrial Stormwater Discharge Licence within the timeframe specified in subclause (1), (2) or (3), the Council will issue a final warning notification. If an occupier fails to apply within the timeframe specified in the final warning notification, clause 30 applies.

29. RISK CLASSIFICATION AND LICENSING OF INDUSTRIAL PREMISES

- (1) The Council will assign a risk classification to an industrial premises based on the information provided by the occupier in the application for an Industrial Stormwater Discharge Licence, and on any other relevant information.

Explanatory note: The risk classification of an industrial premises will determine the applicable annual licence fee. The higher the stormwater contamination risk, the higher the applicable fee. The premises will be entered into the Industrial Stormwater Audit Programme, and will require monitoring and engagement commensurate with their risk status.

- (2) When a risk classification has been assigned to an industrial premises, the occupier has 20 working days to object and request a re-assessment. If no objection is received, the risk classification is confirmed after 20 working days.
- (3) If the occupier requests a reassessment of the risk classification assigned, the occupier must:
 - (a) pay any relevant fee for risk classification reassessment; and
 - (b) provide sufficient information to the Council to demonstrate that a reduction in risk classification is appropriate.
- (4) When a risk classification has been confirmed, the occupier must pay any applicable Industrial Stormwater Discharge Licence fee.
- (5) The industrial premises is considered licensed under this bylaw upon payment of any applicable Industrial Stormwater Discharge Licence fee, and will be included in the Council's Industrial Stormwater Audit Programme.
- (6) As part of the licensing process, the Council may impose conditions on the stormwater discharge from any premises. The occupier of a licensed industrial premises must comply with any conditions set out in their licence.

Explanatory note: Conditions may also be imposed by the connection and discharge approval requirements under clause 6. A default condition on all Industrial Stormwater Discharge Licences is compliance with any corrective actions required as part of an industrial stormwater audit.

30. INDUSTRIAL PREMISES HIGH RISK BY DEFAULT

- (1) Where an occupier of an industrial premises fails to comply with clause 28~~00(5)~~, the occupier will be issued with a High Risk Industrial Stormwater Discharge Licence by default and must pay the applicable licence fee.

Explanatory note: A fee will be charged as the premises will be entered into the Industrial Stormwater Audit Programme, and will require monitoring and engagement at the level of a high risk premises until further information can be confirmed about the site. The licence fee will be equivalent to a high risk Industrial Stormwater Discharge Licence fee.

31. REVIEW OF INDUSTRIAL STORMWATER DISCHARGE LICENCES

- (1) The Council may review an Industrial Stormwater Discharge Licence (including its risk classification or conditions) at any time.

Explanatory note: Reasons for a review may include, but are not limited to:

- changes to the site, or its activities or practices, that may change the quality, quantity or nature of the stormwater discharge;
- an audit undertaken as part of the Industrial Stormwater Audit Programme;
- the results of any monitoring, tests or samples;
- non-compliance with any licence condition or this bylaw;
- non-compliance with any resource consent or other bylaw where it may impact on the quality, quantity or nature of the stormwater discharge; or
- new or amended stormwater quality standards.

- (2) The occupier of any industrial premises may request a review of their licence at any time.

- (3) If an occupier has requested a review of their licence, they must:

- (a) provide all information as required by the Council; and
- (b) pay any applicable fee.

- (4) The Council may, after obtaining and considering the written views of the occupier;

- (a) remove, vary or add licence conditions;
- (b) change the risk classification;
- (c) confirm the existing licence; or
- (d) suspend or cancel the stormwater discharge approval under clause 38

32. INDUSTRIAL STORMWATER AUDIT PROGRAMME

Explanatory note: Every occupier holding an Industrial Stormwater Discharge Licence (including High Risk by default premises) will be included in the Industrial Stormwater Audit Programme.

- (1) The occupier of an industrial premises must co-operate with the Council's Industrial Stormwater Audit Programme, including, but not limited to:

- (a) enabling access to enter the premises;
- (b) providing documents, plans and other information [on request](#); and
- (c) enabling on-site sampling and testing.

- (2) The Council may require corrective actions to be undertaken by the occupier of an industrial premises as a result of an audit. These may relate to:

- (a) a plan and timeframes for improving the stormwater discharge from the site; and
- (b) any other matters that the Council considers appropriate.

- (3) The Council may review an Industrial Stormwater Discharge Licence (including its risk classification or conditions) under clause 31 as the result of an audit process.

33. INDUSTRIAL STORMWATER DISCHARGE MONITORING

- (1) An industrial premises may be monitored or inspected to determine compliance with:
 - (a) any conditions imposed as part of an Industrial Stormwater Discharge Licence;
 - (b) any corrective action required as part of an industrial stormwater audit;
 - (c) any requirements of the CSNDC; and
 - (d) this bylaw.
- (2) Monitoring and inspections may include, at the discretion of an authorised officer;
 - (a) entering the premises; and
 - (b) seeking and being provided with information about on-site practices or documentation; and
 - (c) sampling and testing stormwater discharges.

Explanatory note: clause 36(3) and (4) apply in relation to any monitoring of industrial premises under this clause.

[An authorised officer will give notice to the occupier prior to entering any site, in accordance with entry powers under the Local Government Act 2002.](#)

34. CHANGE OF USE OR OWNERSHIP OF INDUSTRIAL PREMISES

- (1) The occupier of any industrial premises must advise the Council within three months of:
 - (a) any increase to the size of the site used for the industrial or trade activity; or
 - (b) any change of use or activity which may alter the quality, quantity or nature of the stormwater discharge from the premises.
- (2) The new occupier of an industrial premises must advise the Council within three months of any change of ownership of the property or business.
- (3) Any change in the size of the site, discharge characteristics, or ownership may result in a review of the Industrial Stormwater Discharge Licence under clause 31.

35. TRANSITIONAL ARRANGEMENTS FOR INDUSTRIAL STORMWATER DISCHARGERS WITH INDIVIDUAL CONSENTS WITH CANTERBURY REGIONAL COUNCIL

Explanatory note: Some sites hold a resource consent for the discharge of stormwater, issued by Canterbury Regional Council. As part of the implementation of the CSNDC most of these sites will transition from management under a Canterbury Regional Council resource consent to management under this bylaw. Sites assessed as presenting an unacceptably high risk of surface water or groundwater contamination will remain under the regulation of Canterbury Regional Council. Sites that will not transition and sites that pose an unacceptably high risk are excluded from the CSNDC.

- (1) Any industrial premises that poses an unacceptably high risk and is excluded from the CSNDC does not have to apply for an Industrial Stormwater Discharge Licence under clause 28.

Explanatory note: The risks related to these premises will be managed under a resource consent to discharge stormwater issued by Canterbury Regional Council.

- (2) The occupier of any premises that has a resource consent to discharge stormwater from the Canterbury Regional Council, and that will transition to the Council's regulation under this bylaw,

must apply for an Industrial Stormwater Discharge Licence under clause 28 [prior to surrendering a consent, or](#) six months before the later of either:

- (a) the expiry of the resource consent; or
- (b) 1 January 2025.

Explanatory note: The occupier of any premises discharging to the Council's stormwater network will also need to meet the connection and discharge approval requirements under clause 6, regardless of any consent held with the Canterbury Regional Council.

MONITORING AND COMPLIANCE

36. MONITORING AND INSPECTIONS

- (1) The Council may carry out monitoring and inspections of any property for the purposes of determining compliance with approvals and this bylaw.
- (2) The occupier of any property must co-operate with any monitoring and inspections required at the discretion of an authorised officer, including, but not limited to:
 - (a) enabling access to enter the property;
 - (b) providing documents, plans and other information; and
 - (c) enabling on-site sampling and testing.
- (3) Where any samples or tests are taken:
 - (a) the sampling, preservation, transportation and analysis of the samples will be undertaken by an authorised officer or agent of the Council; and
 - (b) the occupier will be advised of the result of the sampling in writing.
- (4) The Council may require the payment of an additional fee to meet the actual costs of any monitoring, lab costs or sampling costs.

Explanatory note: The Local Government Act 1974, the Local Government Act 2002, the Land Drainage Act 1908 and the Christchurch District Drainage Act 1951 also contain various powers for entry and inspection of private property, and the Council may also rely on those powers from time to time.

37. OFFENCE AND PENALTY

- (1) Every person who breaches this bylaw commits an offence and is liable on conviction to a fine not exceeding \$20,000, as set out in the Local Government Act 2002.

Explanatory note: There are also offences and penalties provided for in the Local Government Act 2002 and the Health Act 1956 (and other Acts) concerning water related issues, or damage to Council property. For example, see sections 175-176, 232, and 242 of the Local Government Act 2002.

- (2) For the avoidance of doubt, failure to comply with this bylaw includes (without limitation):
 - (a) failure to comply with any condition of any approval under this bylaw, or any clause of this bylaw;
 - (b) any event, action, inaction, or discharge that, in the opinion of the Council, threatens to cause damage to any part of the stormwater network or threatens the health or safety of any person or waterway;

- (c) any activity that may cause a breach of a resource consent held by the Council; or
- (d) failure to pay fees and charges set in relation to this bylaw by the due date.

Explanatory note: In addition to enforcement taken under this bylaw, the Council may also require the removal of any structure, material, or other debris that is in breach of the bylaw under the applicable legislative power (i.e. section 163 of the Local Government Act 2002, section 43 of the Christchurch District Drainage Act 1951, or section 62 of the Land Drainage Act 1908).

38. SUSPENSION OR CANCELLATION OF APPROVAL TO DISCHARGE STORMWATER

- (1) Any failure to comply with this bylaw, or conditions imposed as part of any approval under this bylaw, is a breach of the bylaw and may result in the Council suspending or cancelling a stormwater discharge approval.

Explanatory note: The process set out in clause 9 of the Christchurch City Council General Bylaw 2008 will apply to any suspension or cancellation of any approval under this bylaw.

- (2) Where approval to discharge has been suspended, the Council will give written notice to the occupier to set out the steps that must be taken, or the criteria that must be met, for the site to be able to resume discharging into the stormwater network, and a timeframe for complying.
- (3) The Council must give written notice withdrawing a suspension and authorising stormwater to be discharged from the site before the site operator is able to resume discharging stormwater.
- (4) Discharge approval will be cancelled for any suspension that has not been withdrawn within the timeframe specified in the suspension notice.

Explanatory note: Once cancelled, an occupier can no longer discharge to the stormwater network, and will need to seek the appropriate consents from the Canterbury Regional Council to discharge stormwater to land or water. If an occupier wishes to reconnect to the stormwater network, they will need to apply under clause 6.

39. RECOVERY OF COSTS

- (1) Where any breach of this bylaw causes damage to the stormwater network or the Council's land drainage infrastructure, the Council may recover the cost of repairing the damage and associated losses or expenses incurred by the Council from the person responsible for the breach.

Explanatory note: Under section 175 of the Local Government Act 2002, the Council has a right to recover against any person who wilfully or negligently damages Council property. Other statutes such as the Christchurch District Drainage Act 1951 and the Land Drainage Act 1908 also allow the Council to recover the costs of certain works where an owner or occupier has failed to carry out those works at the direction of the Council.

GENERAL AND ADMINISTRATIVE

40. FEES

- (1) Where this bylaw provides for the Council to issue an approval, or give any authority for any thing, or carry out an inspection, monitoring, review or audit, the Council may require the payment of a fee.
- (2) Where this bylaw provides for a connection to the stormwater network, or the provision of any good, service, or amenity, the Council may require payment of a fee for that service.

*Explanatory note: Any fees are set out in the Council's Annual Plan or Long Term Plan.
The Council also sets a targeted rate in relation to land drainage.*

41. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW 2008

- (1) The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into, and form part of this bylaw.

42. REVOCATIONS AND SAVINGS

- (1) The Christchurch City Council Water, Wastewater and Stormwater Bylaw 2014 is revoked.
- (2) Any permission, consent, agreement, approval or any other act of authority which originated under the Christchurch City Water Supply, Wastewater and Stormwater Bylaw 2014, or which was continued by that bylaw and which is still in force at the commencement of this bylaw continues to have full force and effect for the purpose of this bylaw.
- (3) This bylaw is implied into and forms any part of any permission, consent, agreement, approval, or any other act of authority continued by this clause.
- (4) The revocation of the Christchurch City Council Water Supply, Wastewater and Stormwater Bylaw 2014 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

The initial resolution to make this bylaw was passed by [a Committee of Council on 10 November 2021](#), ~~the Christchurch City Council at a meeting of the Council held on~~ and was confirmed, following consideration of submissions received during a special consultative procedure, ~~by a resolution~~ at a subsequent meeting of the Council on [9 June 2022](#).

22/426818

Register of Industrial and Trade Activities

This register was adopted by a resolution of the Christchurch City Council on 9 June 2022, under clause 27 of the Stormwater and Land Drainage Bylaw 2022.

Category	Activity or Process Description	Site Area Threshold ¹	Compliance Timeframe (months) ²
Agricultural support industries including feedstuffs	Livestock dip and spray race operations	Any	12
	Fertiliser manufacturing, storage or handling	1,000m ²	12
	Agrichemical handling		
	Livestock/pet food manufacturing, storage or handling (non-retail)		
Chemical industries	Battery manufacturing	Any	12
	Pesticide, timber preservative or related product manufacturing		
	Acid, alkali or solvent product manufacturing		
	Cosmetic, toiletry, soap and other detergent manufacturing	500m ²	12
	Explosive and pyrotechnic manufacturing		
	Paint, pigment, ink or dye manufacturing		
	Polish, adhesive, lubricant or sealant manufacturing		
	Synthetic resin manufacturing		
	Industrial gas (e.g. bottling)	1,000m ²	12
	Medicinal, pharmaceutical or veterinary product manufacturing		
Animal transfer and processing industries	Vitamin, supplement or other nutritional product manufacturing		
	Raw fibre or textile dying		
	Other chemical product (e.g. fibreglass, reinforced plastic) manufacturing		
	Tanneries, fellmongers or fisheries	Any	12
	Rendering or fat extraction		
Electronics, photographic and optical goods industries	Wool or fleece production (e.g. scouring, carbonising)		
	Manufacturing, storage or handling non-food products derived from animals (e.g. gelatin, fertiliser)	1,000m ²	12
	Slaughterhouses		
	Circuit board manufacturing (excluding assembly only)	500m ²	12
Food and beverage industries	Photo processing		
	Photographic equipment manufacturing		
	Optical goods manufacturing		
	Bakery product manufacturing	1,000m ²	12
	Beverage or malt product manufacturing		
	Flour mill or cereal manufacturing		
	Animal products including seafood and dairy manufacturing		
	Oil or fat product manufacturing		
	Other foodstuff manufacturing		

¹ Properties not meeting these thresholds are not required to apply.

² Applies from the date the Stormwater and Land Drainage Bylaw 2022 comes into force.

22/426818

Category	Activity or Process Description	Site Area Threshold ¹	Compliance Timeframe (months) ²
Landscape and garden suppliers	Soils or compost storage and handling Mulch or aggregate storage and handling Potted plant storage and handling	1,000m ²	12
Machinery and equipment manufacturers and workshops	Machinery or equipment manufacturing Motor vehicle or parts manufacturing Engineering workshops	500m ²	76
Non-metallic mineral industries	Concrete batching plants	Any	76
	Cement, lime, sand, gravel, rock and associated products manufacturing, handling or storage Clay, gypsum, plaster and associated products manufacturing, handling or storage Glass manufacturing or cutting	500m ²	76
Metal industries	Metal finishing (e.g. plating, anodising, polishing) Metal blasting or coating (excluding spray painting) Ore refining Metal processing (e.g. smelting, casting) Metal manufacturing (e.g. sheet and structural products)	500m ²	76
		1,000m ²	76
Petroleum and coal product industries	Bitumen/asphalt product (e.g. premix, hot mix, roofing supplies) manufacturing Hydrocarbon refining or manufacturing (e.g. oil, grease, fuel) Coal and/or coke product manufacturing	Any	76
Printing and publishing facilities	Printing or publishing	1,000m ²	76
Bulk storage and handling centres	Chemical storage and handling Hydrocarbon (non service station) storage and handling (excluding service stations, truck stops and commercial refuelling facilities). Pesticide storage and handling Explosive and pyrotechnic storage and handling	1,000m ²	12
Waste management and resource recovery industries	Automotive dismantling Batteries recycling or disposal Chemicals including hydrocarbons or chemical containers recycling, reuse or disposal Liquid waste treatment, recycling or disposal Solid waste handling or disposal (e.g. landfills, waste transfer stations) Explosive recycling or disposal Crushing, grinding or separation works (e.g. metal, slag, road base, demolition material) Non-metal recycling (e.g. composting, glass, paper, paperboard, electronics) Tyre recycling or disposal	Any	76

22/426818

Category	Activity or Process Description	Site Area Threshold ¹	Compliance Timeframe (months) ²
Rubber industries	Tyre manufacturing or retreading	500m ²	76
	Synthetic rubber manufacturing		
	Other rubber product manufacturing		
Land, water and air transport and related industries	Service and refuelling facilities	Any	76
	Depots <u>with</u> mechanical servicing		
	Boat or ship construction, repair or maintenance	1,000m ²	76
	Depots <u>without</u> mechanical servicing		
	Railway workshops		
	Airports		
Wood and paper industries	Washdown facilities (e.g. carwash)	Any	76
	Timber treatment		
	Treated timber storage	500m ²	76
	Log storage yards (outside of forested areas)	1,000m ²	76
	Plywood or veneer manufacturing		
	Particleboard or other wood panel manufacturing		
	Pulp, paper or paperboard manufacturing		
	Building products fabrication (e.g. truss and frame)		