**Wastewater Bylaw Review – Detailed Changes Summary**

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| **Current Bylaw Clause** | **New Draft Clause number** | **Draft Bylaw – Summary of change** |
| **Reference Documents** | N/A | * Deleted as unnecessary to include in the bylaw and most standards were no referred to within the bylaw so superfluous. These can be included in a guidance document or councils processes if needed.
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| **N/A** | Introduction, Overarching Purpose Statement, Objectives and Context | * A new introductory section was included that outlines the overarching purpose statement which is consistent across all 4 water related bylaws, wastewater specific bylaw objective and context setting.
 |
| **2200 – Title** | N/A | * This clause was simplified to just stating the bylaw name.
 |
| **2201 – Commencement** | 1 - Commencement | * The clause stayed the same with the addition of the name of the bylaw which was deleted from the old clause 2200.
 |
| **2202 – Repeal** | 2 – Revocation | * The clause was simplified and reworded to outline that this bylaw supersedes and repeals the 2018 bylaw and its amendments.
 |
| **2203 – Application of Bylaw** | N/A | * This clause was deleted as captured in definition of district and bylaw itself and for consistency of bylaw structure with the other 3 water related bylaws.
 |
| **2204 – Scope** | N/A | * The scope clause was deleted as was just a statement that the bylaw was made under the LGA.
 |
| **2205 – Interpretation** |  | * This clause was not considered necessary to be included in a bylaw so was deleted.
 |
| **2206 – Definitions** |  | * Some definitions have been deleted as they were not used or not required in the bylaw, such as: Characteristic, Deed of Covenant, Drainage District, Level of Service, Memorandum of Encumbrance, Prohibited Characteristics, Public Notice, Schedule of Rates and Charges, Service Opening, and Trade Waste Bylaw.
* Reference to Wastewater Authority Council was removed as this was then defined as Council. This was simplified to “Council” throughout the definitions and consequently throughout the bylaw.
* A new definition for Tankered Waste was added for clarification.
* Definitions that were amended included:
	+ Drain – This was amended to clarify this relates to “Private Drain”.
	+ Trade Premises – This definition is consistent with the Trade Waste Bylaw.
	+ Trade Waste - This definition is consistent with the Trade Waste Bylaw.
	+ Wastewater Drainage Network – this was simplified to Wastewater System and changes made throughout the bylaw.
 |
| **2207 – Protection of Public Wastewater Drainage Networks** |
| **2207.1 – Access to Network** | 5 – Access to the Wastewater System | * Clause 2207.1 (now clause 5.1.1) was amended to clarify that written approval of Council is required before accessing the wastewater system.
 |
| **2207.2 – Storage of Hazardous Materials** | N/A | * This clause was deleted as this is already regulated under the Hazardous Substances and New Organisms Act.
 |
| **2207.3 – Working around Buried Services** | 6 – Working around Buried Services, 6.1 - General | * The current wording would be difficult to enforce, so has been redrafted to be simpler, clearer, and more enforceable.
* Paragraph 1 of Clause 2207.3 has been deleted as historical records are not always available.
* The first sentence of paragraph 2 of clause 2207.3 has been retained (Now clause 6.1.1). This clause was further clarified by explaining what excavation works will be considered “in the vicinity”. This was supported by adding in a table with types of works and distances from assets.
* The second sentence of paragraph 2 of clause 2207.3 has been retained (Now clause 6.1.2)
* The remainder of paragraph 2 and 3 were deleted as wording was vague and difficult to enforce.
* New clauses 6.1.3 to 6.1.7 have been included to clarify the intent and so it is easily understood.
 |
| **2207.4 – Loading or Material over Public Wastewater Pipes** | 6.2 -Excavation, Loading or Material over Services | * Paragraph 1 is now clause 6.2.1.
* Paragraph 2 is now Clause 6.2.2 – this has been clarified that prior approval is required and what “additional material” constitutes.
* The first sentence of paragraph 3 was deleted as is covered by new clause 6.2.2 and the definition of sewer.
* The second sentence of paragraph 3 is now clause 6.2.3.
* Clause 2207.5 (now 6.2.4).
 |
| **2207.5 – Excavation Near Public Sewers** | 6.2 - Excavation, Loading or Material over Services, clause 6.2.4 | * Clause 2207.5 (now 6.2.4) has remained unchanged except for amending “shall” to “may”.
 |
| **2207.6 – Building over Buried Services** | 7 – Building over buried services | * Clause 2207.6.1 and 2207.6.2 were merged (now 7.1.1) and further clarified by adding in figures 7-1 and 7-2.
* Clause 2207.6.2 c) and d) are now 7.1.2 and 7.1.3 respectively.
* Clause 2207.6.2 e) was deleted (memo of encumbrance) as this is covered by 6.1.4 i.e. Approved in writing by Council.
 |
| **2208 – Private Drainage Systems** | N/A | * This clause was deleted because this was a duplication of other laws.
 |
| **2209 – Development of Premises** | **8 – Development of Premises** |  |
| **2209.1 – Proposed Works** | 8.1 – General8.2 – Application for Connection | * This clause was amended with two main sections to separate out general requirements, clarify that applications are required to connect to the wastewater system and what the application process includes.
* Paragraph 2 of clause 2209.1 is now 8.2.8.
* Paragraph 3(a-e) and paragraph 4 of clause 2209.1 is now 8.1.3
 |
| **2209.2 – Diverting Public Wastewater Pipes** | 8.1 – General | * This clause was deleted as is covered by clause 8.1.2.
 |
| **2209.3 – Pump Stations** | 8.3 – Pump Stations | * This clause was redrafted to clarify that customers are not able to use wastewater pump stations unless approved in writing by Council and when an approval may be acceptable.
* Clauses 2209.3.1 and 2209.3.2 were deleted as these duplicated the Building Act.
 |
| **2210 – Conditions of Supply** | 9 – Conditions of Supply | * Clause 2210 was moved to section 8.1.
* Clauses 2210.4 (now 9.1.1) and 2210.6 (now 9.2) were moved to this clause as this is a condition of supply and was redrafted to simplify the intent.
 |
| **2210.1 – Approval to Connect to a Public Wastewater Drainage Network** | 8.1 – General | * Clause 2210.1 is now 8.1.2
 |
| **2210.2 – Application for Connection** | 8.2 – Application for Connection | * Clause 2210.2 is now 8.2.1 to 8.2.7.
 |
| **2210.3 – Trade Waste Application** | N/A | * This was deleted as refers to the trade waste bylaw.
 |
| **2210.4 – Wastewater from Holding Tanks** | 9.1 – Wastewater from Holding Tanks | * Clause 2210.4 was moved to this clause (now clause 9.1.1) as this is a condition of supply and was redrafted to simplify the intent.
 |
| **2210.5 – Prescribed Charges** | 10 – Fees and Charges | * This clause was deleted as covered by clause 2213. Points b) and c) duplicates legislation so not necessary to be included in the bylaw.
 |
| **2210.6 – Point of Discharge** | 9.2 – Point of discharge | * Clauses 2210.6 (now 9.2) was moved as this is a condition of supply and was redrafted to simplify the intent.
* Clauses were simplified for clarity. Clause 2210.6.1 only referred to 4 drawings however there are 5 so this was amended.
 |
| **2210.7 – Common Private Drains** | 9.3 – Common Private Drains | * The first sentence was retained as clause 9.3.1. The rest of this clause was deleted as it defeated the purpose of the first sentence.
 |
| **2210.8 – Domestic Wastewater** | 9.4 – Domestic Wastewater | * Specific reference to the associated schedule was included in the clause text otherwise retained unchanged.
 |
| **2210.9 – Maximum Flow Rate** | 9.5 – Maximum Flow Rate | * Retained unchanged other than “shall” changing to “must”.
 |
| **2210.10 – Swimming Pools** | 9.6 – Swimming Pools | * Intent of clauses retained but redrafted to simplify and clarify wording.
 |
| **2210.11 – Prohibited Characteristics** | N/A | * This clause was deleted because it was a duplication of 2210.8.
 |
| **2210.12 – Waste Minimisation** | N/A | * This clause was deleted because a bylaw is not the place for a recommendation and therefore this clause has no effect.
 |
| **2210.13 – Prevention of Inflow and Infiltration** | 9.7 – Prevention of Inflow and Infiltration | * This clause has largely remained unchanged except for amending “shall prevent” to “must take all reasonable steps to prevent” and simplifying the last sentence.
 |
| **2210.14 – Blockages** | 9.8 – Blockages | * The current wording was drafted like guidance therefore this clause was reworded to simplify and clarify the intent/outcome being sought. The current wording could be captured in a guideline document.
 |
| **2210.15 – Trees** | N/A | * This clause duplicates the LGA and should be included in a guideline document rather than the bylaw.
 |
| **2210.16 – Disconnection** | 9.9 – Disconnection | * This clause was retained unchanged.
 |
| **2210.17 – Change of Ownership** | N/A | * This clause was deleted because this is implicit.
 |
| **2210.18 – No Guarantee** | N/A | * This clause was deleted as this is a policy rather than something to be included in the bylaw.
 |
| **2210.19 – Access for Maintenance, Repair, and Inspection** | N/A | * This clause was deleted because this was unnecessary repetition of the LGA.
 |
| **2210.20 – Emergency** | 9.10 – Emergency | * This clause was retained unchanged with exception of including “any” in clause 9.10.2.
 |
| **2210.21 – Defect Notices** | 9.11 – Defect Notices | * This clause was very unclear and considered unlikely to be enforceable.
* The first paragraph was retained but was simplified to clarify the intent.
* The second paragraph was deleted because this has been covered under new clause 9.12.1 b).
 |
| **2210.22 – Remedial Work** | 9.12 – Remedial Works and Cost Recovery | * The intent of this clause has remained the same however the wording has been amended to simplify the clause.
 |
| **2211 – Levels of Service** | N/A | * This clause was deleted because it was considered to be a policy matter and not included in the bylaw.
 |
| **2212 – Liability** | N/A | * This clause was deleted because it was considered to be a policy matter and not included in the bylaw.
 |
| **2213 – Payment** | **10- Fees and Charges** | * This clause was deleted as covered under 9.12 and reworded.
 |
| **2214 – Breaches and Infringement Offences** | **11 – Offences** | * Paragraph 1 of 2214 was simplified with the last two paragraphs being removed as this is outlining a process and not enforceable. These are recommended to be captured in a guidance document.
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| **2215 – Summary Proceedings** | N/A | * This clause was deleted as this is outlining a process, re-states the LGA and is not enforceable. These are recommended to be captured in a guidance document.
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| **2216 – Bylaw Approval Date** | **12 – Bylaw Approval Date** | * This has remained unchanged however the Bylaw name will need to be updated from 2018 to 2021 once approved.
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