



Ngā Tai Ora

PUBLIC HEALTH NORTHLAND

Promote Protect Prevent

**SUBMISSION  
TO  
THE FAR NORTH DISTRICT COUNCIL ON  
On-site Wastewater Disposal Systems Bylaw**

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Kia ora,

Thank you for the opportunity for Ngā Tai Ora - Public Health Northland, Northland District Health Board to provide a submission on the Far North District Council (FNDC) On-site Wastewater Disposal Bylaw

Ngā Tai Ora is one of 12 public health units across New Zealand. We are tasked with promoting and protecting the health of our communities, and preventing disease, with actions focused on reducing inequities, influencing health determinants, and supporting people to be healthy where they live, learn, work and play.

We support the On-site Wastewater Disposal Bylaw for the Far North District and have made suggestions for further improvement. We wish to be heard in support of our submission.

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## INTRODUCTION

The Far North District has historically been reliant on onsite wastewater treatment for both rural and town treatment of sewage.

Though the 1980s to the early 90's high rates of Hepatitis A (which is almost exclusively transmitted by the fecal-oral route) were experienced in the Far North. By way of example, there were 153 notifications in 1980 and 110 in 1992<sup>1</sup>

A Hepatitis A outbreak occurred rurally in 1992<sup>2</sup> with follow-up by the Public Health Unit and investigation by the Auckland School of Medicine. This found the outbreak to be caused by malfunctioning septic tanks contaminating a drinking water source.

The last Hepatitis A outbreak occurring in 1998<sup>1</sup> this was controlled following a vaccination program.

Hepatitis A is not the only disease that can be spread via the fecal-oral route other examples are cryptosporidium, giardia, campylobacter, and lastly norovirus which were the cause of the Waikare inlet outbreak in 2008.

Notably, the reduction in rates of Hepatitis A followed the reticulation towns such as Mangonui/Coopers, Rawene, Opononi/Omapere, and Kohukohu.

The reticulation of Russell and the recent upgrade and expansion of Kerikeri reticulation has removed further onsite disposal systems.

It is not possible to connect all houses to sewers (reticulated sewage disposal). To reduce the likelihood that public health nuisances and adverse effects occur it is necessary to take a precautionary and multiple-barrier approach of which this bylaw is part. The overarching goal is to reduce and minimise the risk of a fecal-oral route being established in the environment and the spread of any associated diseases.

### **Section 23 of the Health Act 1956:**

The use of the On-site Wastewater Disposal as proposed is part of ensuring the Far North District Councils' compliance with **Section 23 of the Health Act 1956** General powers and duties of local authorities in respect of public health. Particularly Sections **23 (b) (c) and (e)**

These sections state the following

**23 ( b )** to cause inspection of its district to be regularly made for the purpose of ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive, exist in the district:

**23 ( c )** if satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition:

**23 ( e )** to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health:

<sup>1</sup> Comms Dr Jonathan Jarman Medical Officer of Health

<sup>2</sup> L Calder, G Collison - Communicable Disease New Zealand, 1992

Due to the above the bylaw should be amended and the following statement or similar words added in part 5 (Purpose) page 2.

**Related information**

Under Section 23 General Powers and duties of local authorities in respect to public health of the Health Act 1956 district councils are required to inspect their districts to 23(b) “ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive” 23(c) if any nuisance exist “cause all proper steps to secure the abatement of the nuisance and 23(e) make bylaws for the purposes of Health Act or other Acts authorising the making bylaws for the protection of public health.

**Section 29, 30, and 34 of the Health Act 1956:**

Nuisance conditions due to the malfunction or failure of onsite-site wastewater disposal systems are of increased concern if there is the exposure of people to either raw or treated sewage example of this are discharge close to houses, onto footpaths, roads, and into water bodies that are recreational water, drinking water sources, or shellfish harvesting areas.

These are the locations are where there is the greatest risk of illness occurring from onsite system malfunction and failure.

Under these circumstances, it may be necessary to abate the nuisance quickly to ensure the safety of actual or potentially exposed people.

The following sections of the Health Act 1956 are applicable and should be referred to in the bylaw.

**Section 29** nuisances are defined for the purpose of the act, with S29 (a) being particularly relevant to onsite wastewater systems.

**Section 30** states the following “every person by whose act, default, or sufferance a nuisance arises and continues, whether that person is or is not the owner or occupier of the premises in which the nuisance exists, commits an offence against this Act.

**Section 34** allows for the abatement of a nuisance without notice by an engineer of environmental health officer with the recovery of the costs being allowed for.

Due to the above, the bylaw should be amended in part 8 on page 7 to include the following or similar statement.

**Related information**

If the council is satisfied an on-site wastewater disposal system is a nuisance or likely to be injurious to health as defined in Section 29 of the Health 1956, the council may use its powers under Section 34 Power to abate nuisances without notice.

## **Grease Traps:**

Grease traps are primarily used for the removal of grease and oils by food premises to prevent these components of sewerage from causing blockages and affecting the treatment processes.

It is noted that

1. The bylaw is silent on grease traps.
2. There is currently no trade waste bylaw in place in the Far North to cover grease traps.
3. Trade Waste is defined in NZS 9201.23:2004 (model trade waste bylaw) as “any liquid, with or without matter in suspension or solution, that is or may be discharged from a Trade Premises to the *Wastewater Authority’s (WWA) Sewerage System* in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include Condensing or Cooling Waters; Stormwater which cannot be practically separated, or Domestic Sewage.”

The disposal of waste from a grease trap to a Far North District Council sewer system will be covered by a trade waste bylaw. However, a Trade Waste Bylaw will not include the grease traps monitoring and maintenance when they are part of an onsite wastewater disposal system.

Due to the above grease traps should be included in the definition of on-site wastewater disposal system on page 5 clause (a) should be amended to state the following

- (a) Any system for the reception and disposal of wastewater, including any grease trap, septic tank, mechanical system, alternative system, greywater system, cesspit, drainage or soakage pit or bore; and,

## **Future Considerations**

The effective implementation of this bylaw should be considered part of preventing contamination of stormwater, waterbodies and move towards sustainable outcomes and improving the wellbeing of the Far North communities.

The three waters reform program that is currently being undertaken aims to improve New Zealand's drinking water, wastewater and stormwater.

Ngā Tai Ora - Public Health Northland looks forwards to working with the Far North District Council on the three waters reforms as opportunities present themselves going forwards.

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