

WATER SUPPLY BYLAW 2019

1 PRELIMINARY PROVISIONS

1.1 This Bylaw is the Water Supply Bylaw 2019.

1.2 This Bylaw is made under the Local Government Act 2002 and every other power vested in the Council to regulate the supply and sale of water. The supply and sale of water by the Council is subject to:

- a. Statutory Acts and Regulations:
 - Building Act 2004
 - Fire Service Act 1975
 - Health Act 1956
 - Health (Drinking Water) Amendment Act 2007
 - Local Government Act 2002
 - Local Government (Rating) Act 2002
 - Resource Management Act 1991; and
- b. Relevant Codes and Standards:
 - Drinking Water Standards for New Zealand 2005 (revised in 2008)
 - BS EN 14154-3:2005 Water meters. Test methods and equipment
 - SNZ PAS 4509:2003 New Zealand Fire Service fire-fighting water supplies code of practice
 - NZWWA Backflow Code of Practice 2006
 - NZWWA Water Meter Code of Practice 2003
 - NZS 4517 Fire Sprinkler systems for Houses
 - NZS 4503 Extinguishers and Hose Reels

Explanatory Note:

The powers within these Acts, Regulations, Codes and Standards are not necessarily repeated in this Bylaw.

2 PURPOSE

2.1 The purpose of this Bylaw is to:

- a. Ensure a safe and efficient public water supply;
- b. To manage and regulate the Council's water supply; and
- c. To protect public water supply infrastructure.

3 COMMENCEMENT

3.1 This Bylaw together with its amendments continues in force from the date of adoption by resolution of the Council.

4 INTERPRETATION AND DEFINITIONS

4.1 The provisions of the District Administration Bylaw 2008 and its amendments are implied into and form part of this Bylaw.

4.2 When interpreting this Bylaw the definitions set out in this clause shall prevail unless the context requires otherwise.

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

APPROVED means approved in writing by the Council, either by resolution of the Council or by any authorised officer of the Council.

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

COUNCIL means the Tararua District Council or any officer authorised to exercise the authority of the Council.

CUSTOMER means a person who uses, or has obtained the right to use or direct the manner of use of water supplied by the Council.

DETECTOR CHECK VALVE is a check (non-return) valve that has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply.

- a. **EXTRAORDINARY SUPPLY** is a category of on demand supply including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations, domestic - spa or swimming pool in excess of 10 m³ capacity,
- b. Fixed garden irrigation systems;
- c. Commercial, industrial and business;
- d. Agriculture;
- e. Horticulture;
- f. Viniculture;
- g. Lifestyle blocks (peri-urban or small rural residential);
- h. Fire protection systems other than sprinkler systems installed to comply with NZS 4517;
- i. Out of district (supply to, or within another local authority); and
- j. Temporary supply.

FEES AND CHARGES means the list of items, terms and prices for services associated with the supply of water as adopted by the Council in accordance with the Local Government Act 2002 and the Local Government (Rating) Act 2002.

LEVEL OF SERVICE means the measurable performance standards on which the Council undertakes to supply water to its customers in the Long Term Plan.

LIFESTYLE BLOCKS is land that is generally in a rural area, where the predominant use is for a residence and, if vacant, there is right to build a dwelling. The land can be of variable size but must be larger than an ordinary residential allotment. The principal use of the land is non-economic in the traditional farming sense, and the value of land exceeds the value of comparable farmland.

METER means a device for measuring the volume of water flowing through a pipe.

ON DEMAND SUPPLY means a supply that is available on demand directly from the point of supply, subject to agreed levels of service as set out in the Long Term Plan, including Fees and Charges.

ORDINARY SUPPLY means a category of on demand supply used solely for Domestic Purposes within the urban supply area.

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

POINT OF SUPPLY means the point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the Customer and the Council, irrespective of property boundaries. Examples of the point of supply are shown on the diagrams attached to this bylaw as Schedule 1.

POTABLE means complies with the Health Act 1956 and the Health Criteria of the Drinking Water Standards for New Zealand.

PREMISES means:

- a. A property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued; or
- b. A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a Record of Title is available; or
- c. Land held in public ownership (e.g. reserve) for a particular purpose.

PUBLIC NOTICE has the meaning provided by the Local Government Act 2002.

RANGER means that person responsible for the management of a Council controlled catchment area or water reserve.

RESTRICTED FLOW SUPPLY means a type of water supply connection where a small flow is supplied through a flow control device and storage is provided by the customer to cater for the customer's demand fluctuations.

RESTRICTOR means a flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises.

ROADING AUTHORITY means either the Tararua District Council or New Zealand Transport Agency.

SERVICE PIPE means the section of water pipe between a water main and the point of supply.

SERVICE VALVE (TOBY) means the valve at the customer end of the service pipe.

STORAGE TANK means any tank having a free water surface, i.e. a surface that is able to fluctuate.

SUPPLY PIPE means that section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.

URBAN SUPPLY AREA means the area within the urban boundary which is serviced by a reticulated water supply system with a firefighting capability that is intended to supply water to customers via on demand supplies.

WATER SUPPLY SYSTEM means all those components of the network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.

WATER UNIT means the basis of measurement for a restricted flow supply and equal to a volume of 365m³ delivered at the rate of 1m³ per day.

- 4.4 Any explanatory notes are for information purposes only. They do not form part of this Bylaw, and may be made, amended, revoked or replaced by the Council at any time.

Part 1

PROTECTION OF WATER SUPPLY

5 ACCESS TO WATER SUPPLY SYSTEM AND EQUIPMENT

- 5.1 Unless authorised by Council in writing, no person other than the Council and its authorised agents shall:
- a. Have access to any part of the water supply system, and may
 - b. Operate the service valve, or
 - c. Make any connection to any part of the water supply system.

Explanatory note: see Part 5 for details regarding applications for supply.

- 5.2 No person may tamper or interfere with Council equipment up to the Point of Supply (including any Meter), either directly or indirectly.
- 5.3 Where a person has tampered or interfered with Council equipment, the Council may, in addition to any other remedies available to them, charge for the additional water consumption not recorded or allowed to pass as a result of that person's actions, either directly or indirectly.

Explanatory Note:

See also clauses 23 - 24 and concerning access to the point of supply and rights of access during an emergency.

6 WORKING AROUND BURIED SERVICES

- 6.1 All excavations within a roadway are subject to the permit process of the appropriate roading authority.
- 6.2 The Council shall keep accurate permanent records ("as-builts") of the location of its buried services for viewing by the public at no cost to users. Charges may be levied to cover the costs of providing copies of this information.
- 6.3 Any person proposing to carry out excavation work shall view the as-built information to establish whether or not Council services are located in the vicinity.
- 6.4 At least five working days' notice in writing shall be given to the Council of an intention to excavate in the vicinity of its services.
- 6.5 Where appropriate the Council will mark out to within ± 0.5 m on the ground the location of its services and nominate in writing any restrictions on the work it considers necessary to protect its services. The Council may charge for this service.

- 6.6 When excavating and working around buried services due care shall be taken to ensure the services are not damaged and that bedding and backfill are reinstated in accordance with the appropriate Council specification.
- 6.7 Any damage that occurs to a Council service shall be reported to the Council immediately. The person or entity causing the damage shall reimburse the Council with all costs associated with repairing the damaged service and any other costs the Council incurs as a result of the incident.

Explanatory Note:

Charges may be levied where copies of documents are required.

7 WATER CATCHMENT CLASSES

- 7.1 Surface water and groundwater catchment areas from which untreated water is drawn for the purposes of water supply may be designated as:
- a. Controlled
 - b. Restricted
 - c. Open
- 7.2 No person may enter any land or building owned or occupied by the Council which is set aside for the protection of source water or for a public water supply facility without first obtaining the approval of Council.
- 7.3 No person, other than Council and its authorised agents, may access any part of a water supply system without prior written approval of the Council, except for the New Zealand Fire Service and/or Civil Defence Services.

8 CONTROLLED CATCHMENTS

- 8.1 The following conditions apply:
- a. Entry
Catchment areas, which are designated as, controlled, or any area held by the Council as a water reserve, shall not be entered by any person except those specifically authorised or permitted in writing by the Council. Within such areas, unless provided for by the Council no person shall:
 - i Camp;
 - ii Take or allow to stray any livestock;
 - iii Bathe or wash any thing;
 - iv Deposit any dirt, rubbish, or foul material of any kind;
 - v Defecate.
 - b. Permits
Entry permits shall forbid, regulate or control the following activities:
 - i Hunting, trapping, shooting or fishing;
 - ii Lighting or maintaining any fire;

- iii Taking of any dog or other animal;
 - iv Damaging or destroying any trees, shrubs, or other existing cover, or interference with any property;
 - v Carrying of any firearm or weapon of any kind, any trap or any fishing gear which may be used for the hunting or catching of birds, fish or animals; or
 - vi Use of any pesticide or toxic substances for any purpose whatsoever.
- c. A person may be required to present a medical clearance before an entry permit can be issued.
- d. Unless the Council permits:
- i No person to whom any permit has been issued shall enter or leave any controlled catchment area or land held by the Council as a water reserve without presenting such a permit for inspection by the Council Ranger and notifying the Ranger of their intention of entering or leaving such area as the case may be.
 - ii Every person on any controlled catchment area or land held by the Council as a water reserve shall upon demand produce any such permit for inspection by the Ranger.
- e. Interference and obstruction
In any controlled catchment area or any land held by the Council as a water reserve:
- i Every person shall upon the request of the Ranger or other officer of the Council immediately leave the controlled catchment area or land held by the Council as a water reserve, but shall nevertheless be liable also to be prosecuted for the breach of any of the provisions of this Part of this bylaw, and the failure so to leave shall constitute a further offence.
 - ii No person shall obstruct or hinder any duly appointed officer of the Council in the exercise of any powers vested in that officer under the provisions of this Bylaw.
 - iii No person, whether holding any permit issued under the provisions of this Bylaw or not (other than an Authorised Council officer), may commit or cause or permit to be committed any act which may interfere with or be likely to interfere with the free and lawful exercise of any rights vested in any other person in any Controlled Catchment Area or any land held by Council as a water reserve.
- f. No permit can be transferred.
- g. The Council may at any time, by notice in writing delivered to the holder, revoke or suspend any such permit for such time as may be stated in such notice.

9 RESTRICTED CATCHMENTS

- 9.1 Catchment areas are designated as restricted, except for the following activities that may allow for unrestricted entry:
- a. Tramping
 - b. Hunting
 - c. Trapping
 - d. Shooting
 - e. Fishing

10 OPEN CATCHMENTS

- 10.1 Subject to the provisions of the national environmental standards, Regional or District Plans, any person may access an open catchment areas.

11 SPILLAGES AND ADVERSE EVENTS

- 11.1 In the event of a spillage, or any event (such as release of chemicals or hazardous substances) which may compromise the water supply, the person responsible for the event shall advise the Council immediately.
- 11.2 This requirement shall be in addition to those other notification procedures that are required for other authorities.
- 11.3 The Council may change the Catchments status to Restricted or Controlled until such time as the spillage event and its effects have been reduced, or remedied.

Part 2

TYPES OF SUPPLY

12 GENERAL

- 12.1 Supplies shall be classified as either “on demand” or “restricted flow”.
- 12.2 The use of water from the supply shall be either “ordinary” or “extraordinary”.

13 ON DEMAND SUPPLY

- 13.1 Every premise within the urban supply area shall be entitled to an ordinary supply of water subject to the following conditions:
 - a. The exclusion of its use for garden watering under any restrictions made by the Council under clause 29;
 - b. Payment of the appropriate charges in respect of that property;
 - c. Any other charges or costs associated with sub-divisional development; and
 - d. Any other relevant conditions in this Bylaw.
- 13.2 The Council, at its discretion, may approve the installation of a connection outside the urban supply area as an extraordinary supply of water.
- 13.3 The Council shall be under no obligation to provide an extraordinary supply of water (see also clause 26 and clause 52).

14 RESTRICTED FLOW SUPPLY

- 14.1 Restricted flow supply shall be available to premises within a designated area for that purpose only, or under special circumstances set by the Council.
- 14.2 The water supply shall be restricted to deliver the agreed number of water units at a steady flow rate.
- 14.3 The Council shall charge for the restricted flow supply by either:
 - a. The volume passing through a meter; or
 - b. The agreed number of water units.

15 ORDINARY USE

- 15.1 Ordinary use is for domestic purposes and shall also include:
 - a. Use in a fire sprinkler system to NZS 4517;
 - b. Washing down a car, boat or similar;
 - c. Garden watering by hand; and
 - d. Subject to the provisions of clause 29, garden watering by a portable sprinkler.

Explanatory Note: For use from a fire protection system to NZS 4517 to be classified as an ordinary use, the customer shall comply with the conditions set under clause 51.

16 DANNEVIRKE RURAL OR LIFESTYLE BLOCKS

- 16.1 Any extraordinary water supply to Dannevirke rural or lifestyle blocks is for internal domestic purposes only. For the purpose of this clause this means that the water supply must not be connected to any outside tap or water storage tank.
- 16.2 Except with the prior written approval of Council, Customers on Dannevirke rural or lifestyle blocks shall be required to install a storage tank with a minimum capacity of 20,000 litres to store collected rainwater or other harvested water for any other use not authorised by reference to clause 16.1.

17 METERING

- 17.1 An ordinary supply of water will not normally be metered (subject to the Council reserving the right to fit a meter and charge where it considers water use is high, or for a meter to be fitted at the customer's request) and the cost of such use shall be as prescribed in the Local Government (Rating) Act 2002.
- 17.2 Extraordinary and restricted flow supply of water will normally be metered and charged for in accordance with clause 54. Where the extraordinary use is for fire protection only, the supply is not normally metered.

Part 3

POINT OF SUPPLY AND ACCESS

18 OWNERSHIP AND MAINTENANCE

- 18.1 The Council shall own and maintain the service pipe and fitting up to and including the point of supply.
- 18.2 The customer shall own and maintain the supply pipe and any fittings (e.g. back flow prevention device) beyond the point of supply.
- 18.3 The customer shall not install or alter a rainwater tank in a manner which results in water from that tank mixing with water supplied by the Council. A rainwater tank must only be used for purposes other than domestic purposes.

Explanatory Note:

The Drinking Water Standards for New Zealand 2005, administered by the Ministry of Health, requires security of reticulated water supply. Water from rain water tanks will jeopardise security of supply standards.

19 SINGLE OWNERSHIP (except Norsewood and Akitio Beach)

- 19.1 For individual customers the point of supply shall be located as shown in *Schedule 1* Figure 1 or as close as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. Other positions shall require specific approval.
- 19.2 For each individual customer there shall be only one point of supply, unless otherwise approved by Council.
- 19.3 The typical layout at a point of supply is shown in *Schedule 1* Figure 2.
- 19.4 The Council gives no guarantee of the serviceability of the valve located on the service pipe. Where there is no customer stopcock, the customer may use the service valve to isolate the supply. However the Council reserves the right to charge for maintenance of this valve if damaged by such customer use.

20 MULTIPLE OWNERSHIP

- 20.1 The point of supply for the different forms of multiple ownership of premises and/or land shall be:
- a. For Company Share/Block Scheme (Body Corporate) - as for single ownership;
 - b. For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership - each customer shall have an individual supply with the point of supply determined by

agreement with the Council. In specific cases, other arrangements may be acceptable subject to the written approval of Council.

- 20.2 For a multiple ownership supply that was in existence prior to the coming into effect of this chapter, the point of supply shall be the arrangement existing at that time, or as determined by agreement with the Council for any individual case.

21 NORSEWOOD

- 21.1 The point of supply for Norsewood shall be as for single ownership and shall be installed directly to any new premise.
- 21.2 For a point of supply that was in existence prior to the coming into effect of this bylaw taking effect, the point of supply will be the arrangement existing at that time, or as determined by agreement with the Council for any individual case. The exception is where the requirements of clause 21.3 are not met by the point of supply.
- 21.3 A supply pipe must only be connected to the customer's rainwater tank in the following manner:
- a. The supply of reticulated water into the tank shall be controlled by a ball valve with the ball cock installed to close the valve when the water level in the tank is at a point midway between the tank's highest and lowest levels.
 - b. The inlet pipe into the tank shall be at least 25 mm above the tank's maximum water level to prevent back flow, or alternatively, a back flow prevention device be installed on the inlet pipe.
- 21.4 No connection to the supply pipe is permitted between the point of supply and the ball valve on the rainwater tank.
- 21.5 Except with the prior written approval of Council, storage tanks in Norsewood must be installed at the time of connection to the water supply system with a minimum capacity of 1,800 litres.

22 AKITIO BEACH

- 22.1 The point of supply for Akitio Beach shall be as for single ownership.
- 22.2 The supply pipe shall be connected to the customer's storage tank by means of an approved ball valve, fitted in such a manner as to ensure that there is an air gap of 25 mm above the tank's maximum water level to prevent back flow, or alternatively, a back flow prevention device be installed on the inlet pipe.
- 22.3 No connection to the supply pipe will be permitted between the point of supply and the ball valve on the storage tank.
- 22.4 Except with the prior written approval of Council, storage tanks in Akitio Beach must be installed at the time of connection to the water supply system with a minimum capacity of 5,000 litres.

23 RIGHTS OF ACCESS

- 23.1 In addition to the powers of entry conferred by sections 171, 172 and 174 of the Local Government Act 2002, customers shall allow the Council, with or without equipment, access to:
- a. Any area of the premises for the purposes of determining compliance with this Bylaw or any other legislative or statutory requirements,
 - b. The point of supply, where the point of supply is on private property, between 7.30 am and 6 pm on any day for:
 - i Meter reading without notice; or
 - ii Checking, testing and maintenance work with notice being given whenever possible.
- 23.2 Where checking, testing or maintenance work is required to be done outside the hours of 7.30 am and 6 pm (such as for night time leak detection), the Council will give notice to the customer.
- 23.3 Where the customer fails to provide access for any of the times specified in clauses 23.1 or 23.2, and a return visit is required by the Council, a fee may be charged as for the “meter reading by appointment” rate.
- 23.4 Under emergency conditions or where there is a fault requiring immediate rectification, the customer must allow the Council free and unimpeded access to and about the point of supply at any hour.

24 MAINTENANCE

- 24.1 The customer shall maintain the area in and around the point of supply keeping it free of soil, growth, or other matter or obstruction that prevents, or is likely to prevent convenient access.

Part 4

GENERAL CONDITIONS OF SUPPLY

25 LEVEL OF SERVICE

- 25.1 The Council shall endeavour to provide water in accordance with the level of service contained in the Long Term Plan. For those periods where the level of service allows non-compliance with the specified value(s), the Council shall make every reasonable attempt to achieve the specified value(s).

26 NOTICE OF MAINTENANCE AND REPAIR

- 26.1 Wherever practical the Council will make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and this is not practical, the Council may shutdown the supply without notice.

27 REQUIREMENT FOR UNINTERRUPTED SERVICE

- 27.1 If a customer has a particular requirement for an uninterrupted level of service (flow, pressure or quality) it shall be the responsibility of that customer to provide any storage, back-up facilities, or equipment necessary to provide that level of service.

Explanatory Note: From time to time Council may not be able to maintain the specified level of service for water supply or pressure due to practical or physical difficulties.

28 LIABILITY

- 28.1 The Council shall endeavour to meet the level of service requirements of clause 25, but it shall not be liable for any loss, damage or inconvenience that the customer (or any person using the supply) may sustain as a result of deficiencies in, or interruptions to, the water supply.
- 28.2 The Council may, under certain circumstances and solely at its discretion, make payments for damage caused to equipment, appliances, processes and materials as a direct result of a variation in the water supply; provided that any such equipment or appliances have been designed to cater for reasonable variations in the flow, pressure and quality of the water supply.

Explanatory Note: This clause must be read subject to Council's obligations under section 69S of the Health Act 1956 for the supply of drinking water.

29 DEMAND MANAGEMENT

- 29.1 The Council may, by publicly notified resolution, set water use levels to manage the District's water use during high seasonal or other demands. The levels are:
- a. Level 0: No restrictions apply.

- b. Level 1: Sprinkler use evenings only, every two days: unattended Hoses, Sprinklers, and garden irrigation systems can only be used between 7.00 pm and 9.00 pm; for even numbered houses on even dates, and odd numbered houses on odd dates. Handheld Hoses can be used at any time.
 - c. Level 2: Sprinkler use prohibited. Handheld Hoses only, every two days: unattended Hoses, Sprinklers, and garden irrigation systems cannot be used. Handheld Hoses can only be used between 7.00 pm and 9.00 pm; for even numbered houses on even dates, and odd numbered houses on odd dates.
 - d. Level 3: Irrigation prohibited – Hose pipe ban: unattended Hoses, Sprinklers, garden irrigation systems and handheld Hoses cannot be used. Car washing by hand-held Hose is also prohibited.
- 29.2 In setting water use levels the Council will take into account the usage of water compared to the target levels set by Manawatu-Whanganui Regional Council, seasonal weather conditions, including recent rainfall, and the prospects for rain.

29.3 Customers must comply with any water use levels put in place by the Council.

30 EMERGENCY RESTRICTIONS

- 30.1 During an emergency, the Council may restrict or prohibit the use of water for any specified purpose, for any specified period and for any or all of its customers.
- 30.2 Water restrictions shall be advised by public notice unless immediate action is considered by an Authorised Officer to be necessary under emergency provisions. Natural hazards (such as floods, droughts or earthquakes) or accidents which result in disruptions to the supply of water, may be deemed an emergency and may be exempted from the level of service referred to in clause 25 of this Bylaw.
- 30.3 The Council may enact penalties over and above those contained in these conditions to enforce these restrictions. The decision to make and lift restrictions and to enact additional penalties shall be made by the Council, or where immediate action is required, subject to subsequent Council ratification.
- 30.4 No person may use any water, or allow any water to be used, in contravention of any restriction or prohibition made under this clause.

31 BACKFLOW PREVENTION

- 31.1 It is the customer’s responsibility (under the Health Act 1956 and 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’s water supply from returning to that supply. These include:
- a. Backflow prevention either by providing an adequate air gap, or by the use of an appropriate backflow prevention device;
 - b. The prohibition of any cross connection between the Council water supply and
 - i Any other water supply (potable or non-potable)
 - ii Any other water source

- iii Any storage tank
- iv Any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-potable substances.

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

- 31.2 Notwithstanding clause 31.1, the Council may fit a backflow prevention device on the Council side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed.

32 METERING

- 32.1 Where required by the Council, flow meters and restrictors shall be supplied and installed. The Council reserves the right to recover any associated costs.
- 32.2 All meters and restrictors shall be maintained by, and remain the property of, the Council.
- 32.3 Where on demand supplies are not universally metered, where it considers water use is unusually high, the Council reserves the right to fit a meter at the customer's cost and charge accordingly.
- 32.4 Meters and restrictors shall be located in a position that is readily accessible for reading and maintenance and if practicable immediately on the Council side of the point of supply, (Schedule 1 see Figure 2).

33 ACCURACY OF METERS AND RESTRICTORS

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

NOTE : Where Q is the flow rate: Q1 is the minimum flow rate; Q2 is the transitional flow rate; Q3 is the permanent flow rate; Q4 is the overload flow rate as defined in OIML R49-1.

- 33.3 A customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested provided that it is not within three months of the last test.

- 33.4 If the test shows non-compliance with the accuracy required under this clause, then the customer shall not be charged for the test. If the test shows compliance, the customer shall pay a fee in accordance with the Council current fees and charges.
- 33.5 Meters shall be tested as prescribed in the International Organization of Legal Metrology, OIML R 49-3 and the test report shall be made available as prescribed in OIML R 49-3.
- 33.6 The variation in the error curve shall not exceed 3% for flow rates in the lower zone and 1.5% for flow rates in the upper zone. For the purpose of determining these requirements the mean values of the errors (of indication) at each flow rate, shall apply. The curves shall not exceed a maximum error of $\pm 6\%$ for flow rates in the lower zones and $\pm 2.5\%$ for flow rates in the upper zone.
- 33.7 Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period of not less than one hour at the expected minimum operating pressure. A copy of independent certification of the test result shall be made available to the customer on request.

34 ADJUSTMENT OF METERS

- 34.1 If any meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a meter, the Council shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the Council but not exceeding 12 months and the customer shall pay a greater or lesser amount according to the adjustment.
- 34.2 Where a meter is under-reading by more than 20% or has stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.
- 34.3 Where a meter is over-reading, the Council shall make appropriate adjustments to the customer's invoice(s) based on a period of similar uses and background to when it is agreed the over-reading is likely to have occurred.

35 READING OF METERS AND ACCOUNTS

- 35.1 Meters will be read, and where applicable accounts rendered at such intervals as Council considers appropriate.
- 35.2 Meter readings made at the request of the Customer will be charged for as determined by the Council.
- 35.3 The Customer must pay all charges for the supply of water as determined by the Council.

36 ESTIMATING CONSUMPTION

- 36.1 Subject to clause 37.2, should any meter be out of repair or cease to register, or be removed, the Council shall estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the customer) and the customer shall pay according to such an estimate.
- 36.2 When by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the customer shall pay according to such an estimate.
- 36.3 If metering shows a significant increase in consumption for a premises, and the increase is established as being caused by a previously unknown leak, the Council may estimate consumption as above, providing that the customer repairs the leak with due diligence.
- 36.4 Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described above.

37 INCORRECT ACCOUNTS

- 37.1 Other than as provided for in clause 45, where the recorded consumption does not accurately represent the actual consumption on a property, the account shall be adjusted using the best information available to the Council.
- 37.2 Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account and unauthorised supplies.
- 37.3 Where an adjustment is required, whether the adjustment is in favour of the Council or the customer, the adjustment shall not be backdated more than 12 months from the date the error was detected.

38 PLUMBING SYSTEM

- 38.1 Quick-closing valves, pumps, or any other equipment that may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service shall not be used on any piping beyond the point of supply.
- 38.2 Specific compatibility features of the Council supply which need to be taken into account are. for both normal and maximum operating pressures, as measured in “metres head” and/or kPa. Please contact Council directly for up-to-date measurements for this purpose as each location is different and can be affected in changes made to the reticulation system.

39 PREVENTION OF WASTE

- 39.1 The customer shall not waste or allow to be wasted water from any pipe, tap or other fitting, nor allow the condition of the plumbing on the customer's side of the point of supply to deteriorate to the point where the leakage or wastage occurs.
- 39.2 The customer shall not use water or water pressure directly from the supply as an energy source or for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved.
- 39.3 The customer shall not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved.
- 39.4 Where leakage or wastage is identified, the Council may by written notice require the customer to complete the works specified in the notice to remedy the leakage or wastage within a specified timeframe.
- 39.5 Where the Customer fails to comply with a notice under clause 40.4, the Council, in addition to any other remedies available to it, may charge the Customer for disconnecting the water supply.

Part 5

APPLICATIONS FOR SUPPLY

40 APPLICATION

40.1 Every application for a supply of water shall be:

- a. Made in writing on the standard Council form
- b. Lodged by a person with the authority to act on behalf of the owner for which the supply is sought with written evidence of this authority as required; and
- c. Accompanied by the prescribed charges.

40.2 The applicant shall provide all the details required by the Council and the Council may request further information to assist it in processing the application.

41 CONSIDERATION OF APPLICATIONS

41.1 On receipt of an application, the Council shall, after consideration of the matters in clauses 12 to 17 and clause 32 of this Bylaw, either:

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

41.2 For the agreed level of service for the applicant, the Council shall determine the sizes of all pipes, fittings and any other equipment, up to the point of supply.

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

41.4 An approved application for supply that has not been actioned within six months of the date of application will lapse unless a time extension is approved. Any refund of fees and charges shall be at the discretion of the Council.

42 ACCEPTANCE OF SUPPLY

42.1 The customer must comply with the requirements of this Bylaw including any conditions of approval imposed by the Council.

42.2 Every person found to be in breach of any condition of consent under this Bylaw may have the approval withdrawn by a Council Officer with immediate effect.

43 CHANGE OF USE

43.1 Where a customer seeks a change in the level of service or there is a change in the end use of water supplied to premises and/or the supply changes from an ordinary to an extraordinary type (see Part 2) or vice versa, a new application for supply shall be submitted to the Council by the customer.

44 PRESCRIBED CHARGES

44.1 Charges applicable at the time of connection may include:

- a. Payment to the Council for the cost of the physical works required to provide the connection;
- b. A development contribution charge determined in accordance with the Local Government Act 2002;
- c. A financial contribution charge determined in accordance with the Resource Management Act 1991.

Part 6

FIRE PROTECTION

45 FIRE HYDRANTS

- 45.1 No person may take water from a fire hydrant unless that person:
- a. Is an Authorised Officer or agent of Council;
 - b. Is a fire fighter, a member of Fire and Emergency New Zealand, ~~or~~ a member of a volunteer fire brigade or is taking the water for the purposes of firefighting; or
 - c. Has the written approval of Council and the taking of water is in accordance with any conditions on the approval.
- 45.2 The Council may seize and impound any equipment used by a person to gain access to, or draw water from a fire hydrant.
- 45.3 The Council may assess and recover the value of the water drawn without authorisation and recover any of the associated costs incurred by the Council.

46 FIRE CONNECTION APPLICATION

- 46.1 Any proposed connection for fire protection shall be the subject of a specific application (on the standard Council form) made to the Council for approval.
- 46.2 Any such connection shall be subject to the terms and conditions specified by the Council.

47 DESIGN

- 47.1 It shall be the customer's responsibility to ascertain, in discussion with the Council, and monitor whether the supply availability is adequate for the intended purpose.
- 47.2 The Council is under no obligation to provide a fire protection connection at any particular flow or pressure.
- 47.3 Any Fire Sprinkler System must be constructed, installed and maintained in good order, and must be designed and fixed so that water cannot be drawn from it for any purpose other than firefighting.
- 47.4 The Council may require specific backflow protection to any fire protection supply and may fit a backflow prevention device on the Council side of the Point of Supply.

48 SUPPLY OF WATER FOR FIRE PROTECTION

- 48.1 Where the supply of water to any premises is metered, the Council may allow supply of water for the purposes of firefighting to be made in a manner which bypasses the meter, provided that:

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

48.2 Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS 4517.

48.3 Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the Council may require the supply to be metered.

49 FIRE HOSE REELS

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

50 CHARGES FOR FIREFIGHTING

50.1 Water used for extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered and water has been used for firefighting purposes, the Council shall estimate the quantity of water so used, and credit to the customer's account an amount based on such estimate.

51 ONGOING TESTING AND MONITORING

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

Part 7

ADMINISTRATION

52 FEES

- 52.1 Every 'type' of water supply provided shall be charged in accordance with Council's set out in the current fees and charges in the current Annual Plan or Long Term Plan.

53 PAYMENT

- 53.1 The customer must pay for the supply of water and related services in accordance with the Council current Fees and Charges prevailing at the time.
- 53.2 The Council may recover all unpaid water charges as prescribed in sections 57 to 82 of the Local Government (Rating) Act 2002.

54 TRANSFER OF RIGHTS AND RESPONSIBILITIES

- 54.1 The customer shall not transfer to any other party the rights provided for under this bylaw.
- 54.2 A supply pipe shall serve only one customer, and shall not extend by hose or any other pipe beyond that customer's property.
- 54.3 In particular and not in limitation of the above any water that the customer draws from the Council supply shall not be provided to any other party without approval of the Council.

55 CHANGE OF OWNERSHIP

- 55.1 In the event of a premises changing ownership the Council shall record the new owner as being the customer at that premises.
- 55.2 Where a premises is metered, the outgoing customer shall give the Council five working days' notice to arrange a final reading.
- 55.3 Where there are outstanding rates for water supply at the final reading the Council will invoice the outgoing Customer.

56 DISCONNECTION AT THE CUSTOMER'S REQUEST

- 56.1 The customer shall give 20 working days' notice in writing to the Council of the requirement for disconnection of the supply. Disconnection shall be at the customer's cost.

57 BREACHES OF CONDITIONS OF SUPPLY

57.1 Without limiting the Council's discretion as to whether acts or omissions are in breach of this Bylaw or the conditions of supply, the following are deemed to be breaches of the conditions to supply water:

- a. An incorrect application for supply which fundamentally affects the conditions of supply or a decision to approve the application;
- b. Failure by the customer to meet and comply with any of the requirements of this Bylaw and/or any conditions imposed by the Council in permitting the connection to the water supply scheme under Part 5;
- c. Failure to meet any obligation placed on the customer under all current enactments and regulations specified in this Bylaw;
- d. Frustration of the Council's ability to adequately and effectively carry out its obligations;
- e. An act or omission including but not limited to any of the following:
 - i Failure to pay the appropriate charges by the due date;
 - ii Failure to repair a leak, or in any way wilfully allow water to run to waste or be misused;
 - iii The fitting of quick-closing valves , pumps or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service;
 - iv Failure to prevent backflow;
 - v Failure to comply with water use restrictions or prohibitions introduced by the Council for any specified purpose
 - vi Using water or water pressure directly from the supply for driving lifts, machinery, eductors, generators, or any other similar device, unless specifically approved by the Council
 - vii Using water for a single pass heating or cooling system, or to dilute trade waste prior to disposal, unless specifically approved
 - viii Extending by hose or any other pipe a private water supply beyond that customer's property
 - ix Providing water drawn from the Council supply to any other property without approval of the Council.
- f. Connecting to the water supply without formal written approval of Council.
- g. Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute a breach.

57.2 In the event of a breach, the Council shall serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it.

57.3 If, after one week, the customer persists in the breach, the Council reserves the right to reduce *or disconnect* the flow rate of water to the customer without *further* notice. In such an event, the full service of supply shall be re-established only after payment of the appropriate fee and remedy of the breach to the satisfaction of the Council.

57.4 In addition, if the breach is such that the Council is required to disconnect the supply for health or safety considerations, such disconnection should be carried out forthwith.

58 OFFENCES

58.1 Every person who commits a breach of this Bylaw commits an offence and is liable to pay:

- a. A fine pursuant to the Local Government Act;
- b. A fine or penalty specified in the Health Act 1956;
- c. Any other penalty specified in another Act for the breach of this Bylaw.

Explanatory Note: This clause should be read in conjunction with the Tararua District Administration Bylaw.

59 ADDITIONAL REMEDIES

59.1 Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with clause 37) and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with and recover any costs incurred.

60 REPEALS SAVINGS AND TRANSITIONAL PROVISIONS

60.1 Any consent, exemption or approval previously granted under the Tararua Water Supply Bylaw 2008 that was in force immediately before the commencement of this Bylaw, continues in force as if it is a consent, exemption or approval of that kind issued under this Bylaw, provided that:

- a. The consent, exemption or approval expires on the date specified, or
- b. Where no expiry date is specified, the consent, exemption or approval expires 12 months from the commencement of this Bylaw, and
- c. In either case, such consent, exemption or approval may be renewed only by application made and considered in accordance with this Bylaw.

60.2 Any resolution or other decision made under the Tararua Water Supply Bylaw 2008 remains in force in the area to which it applied until revoked or replaced by an equivalent resolution or decision made by the Council under this Bylaw.

This Bylaw was made by the Tararua District Council by resolution at a Council meeting on 28 July 2019 and must be reviewed within five years.

*Sealed with the Common Seal of the
Tararua District Council
In the presence of:*

[SEAL]

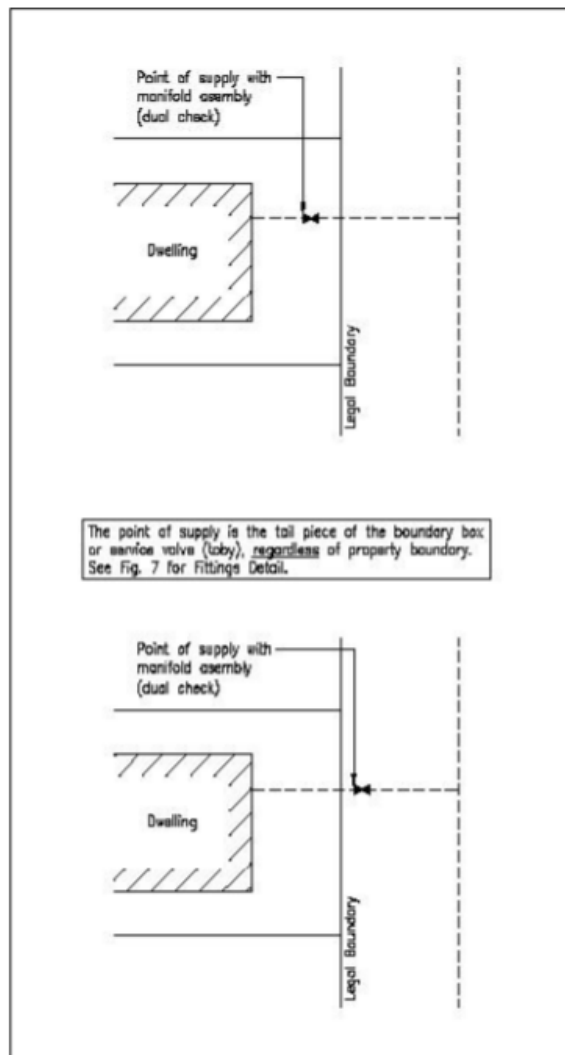
Mayor

Chief Executive

SCHEDULE 1

Examples of point of supply location for Figure 1

Figure 1. Point of Supply Location for Single Residential Dwellings



Note: Point of supply is tail piece of boundary box, meter or service valve regardless of property boundary.

Figure 2. Point of Supply Location for Multiple Residential Dwellings

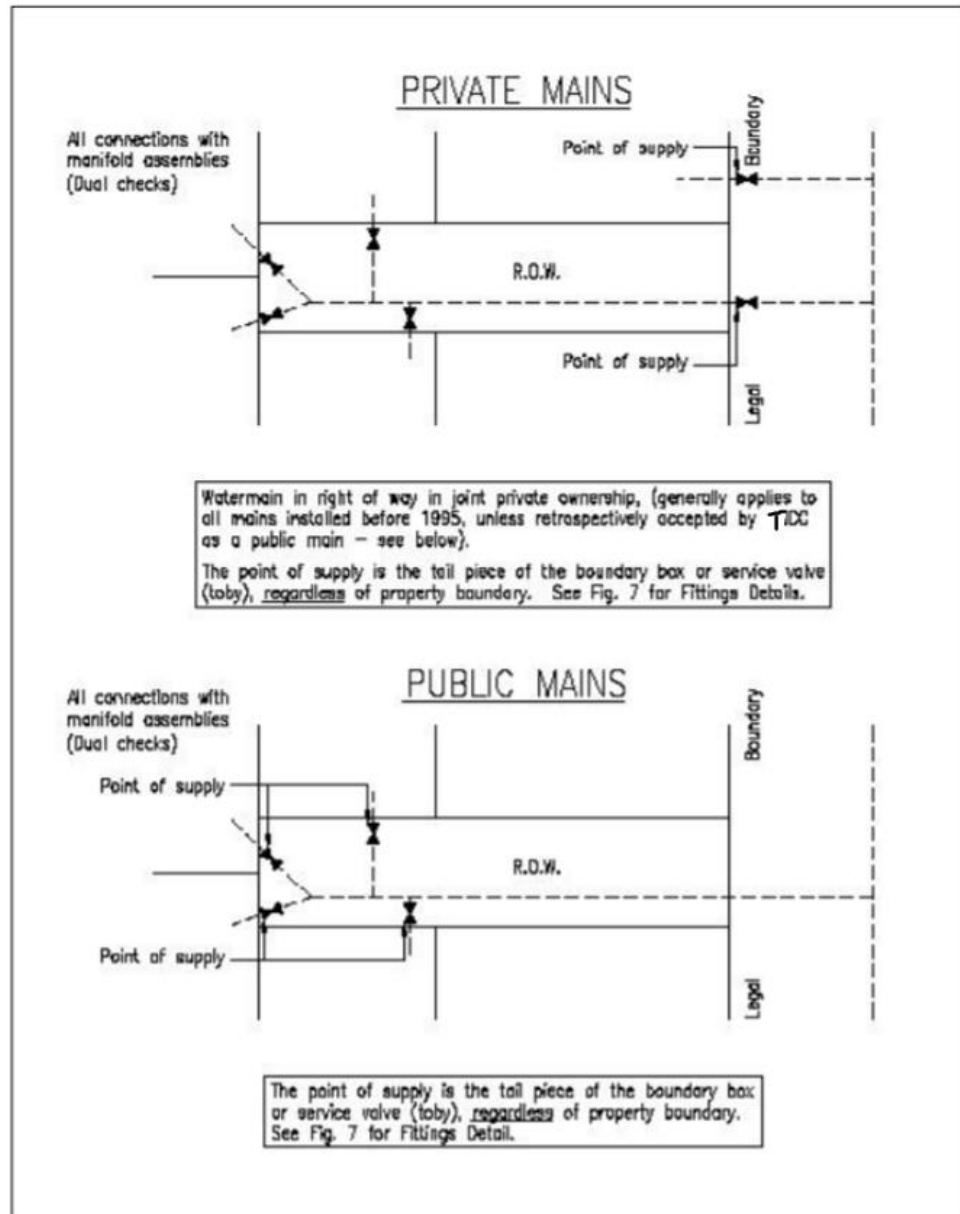


Figure 3. Point of Supply Location for Cross Leases

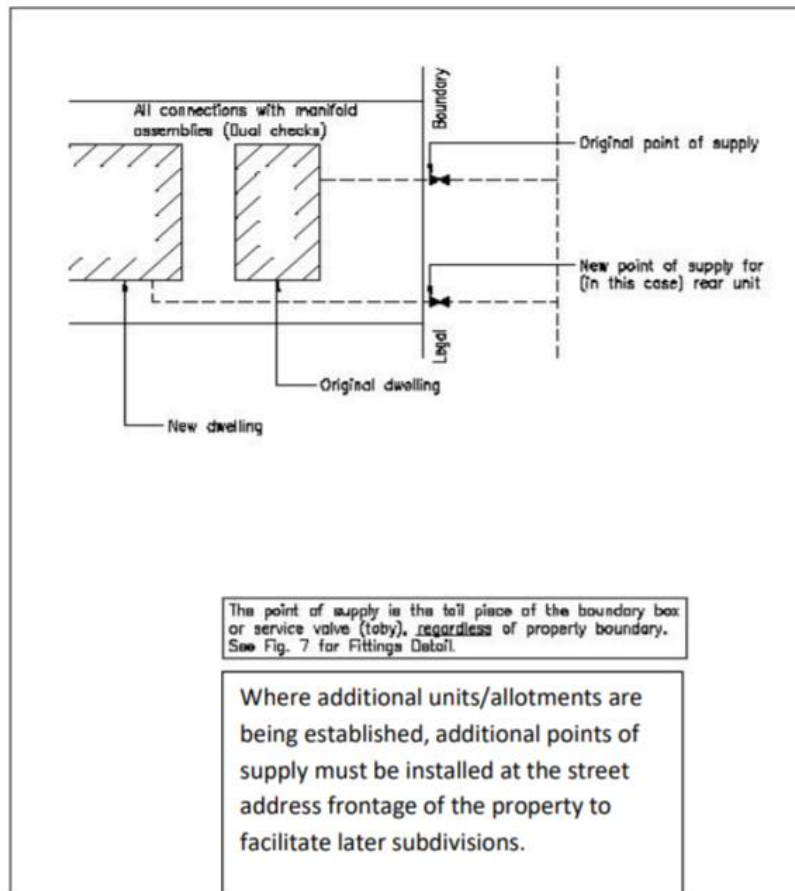


Figure 4. Point of Supply Location for Commercial Connections – Multiple Occupation/Ownership

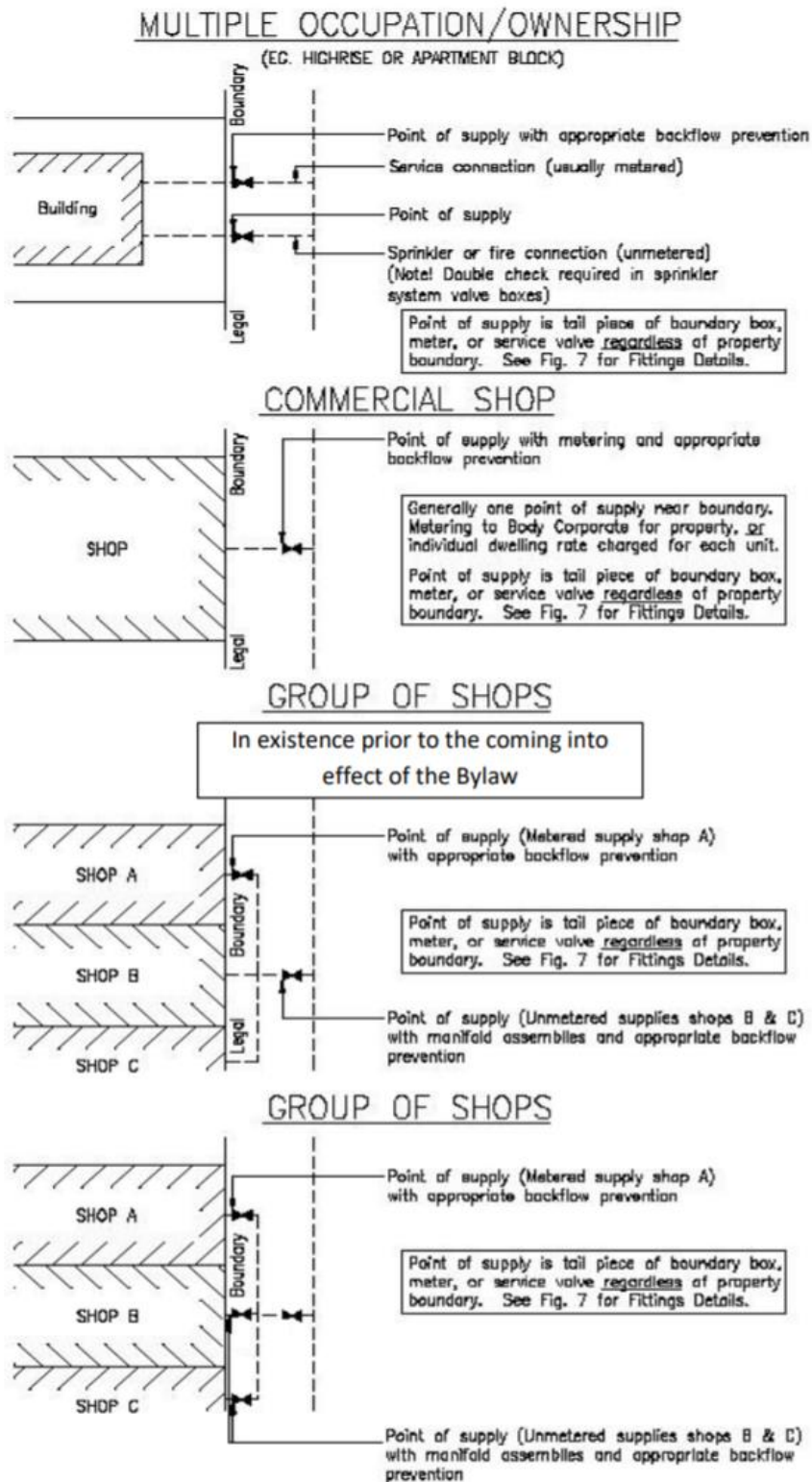


Figure 5. Point of Supply Location for Industrial/Commercial Connection – (includes Schools etc.)

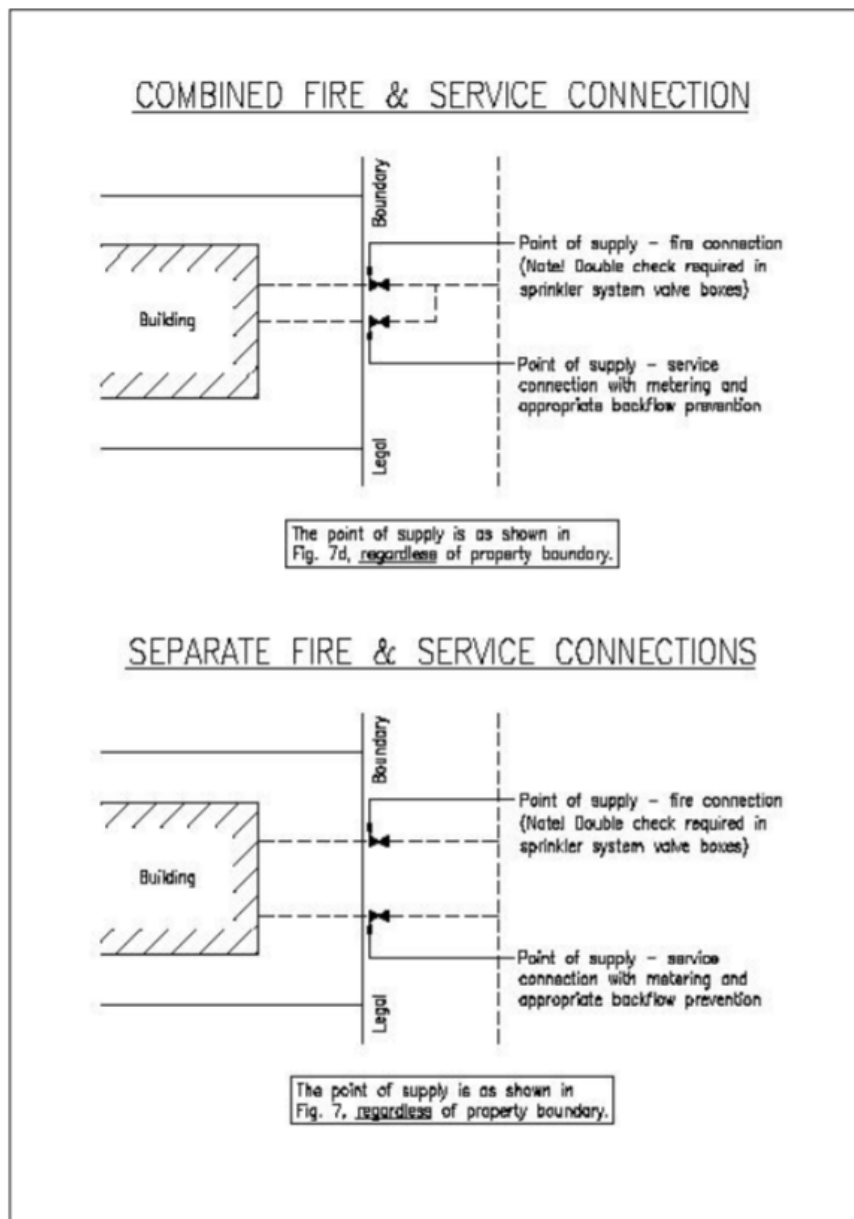


Figure 6. Point of Supply Location for Industrial/Commercial Connection – (includes Schools etc.)

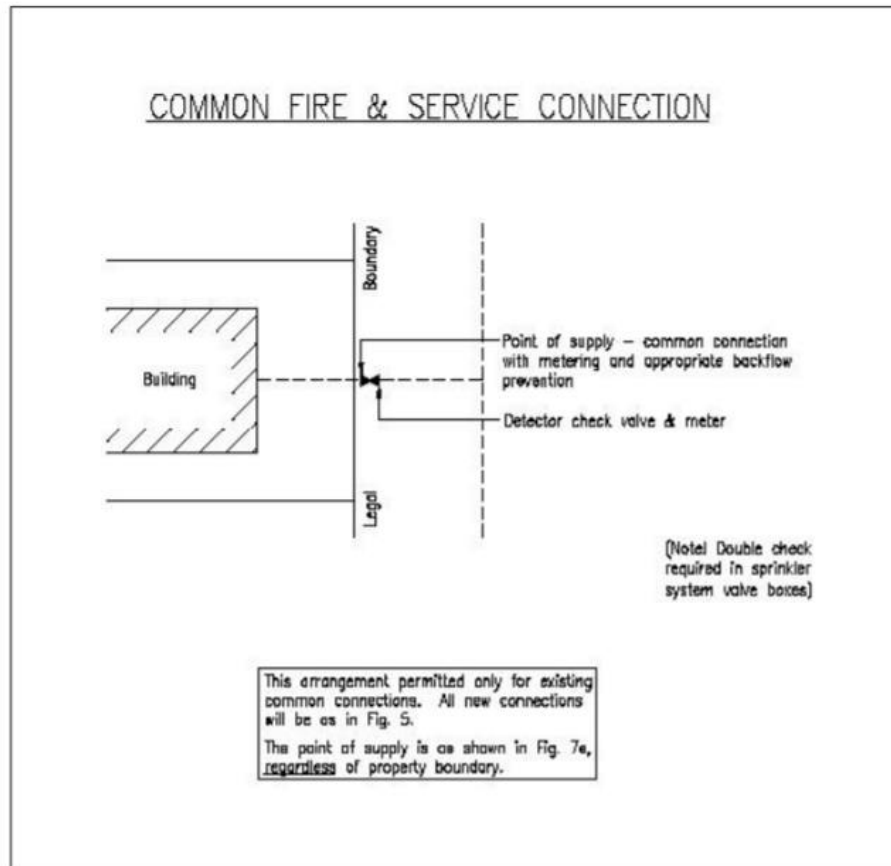


Figure 7. Examples of Fitting Details showing Point of Supply

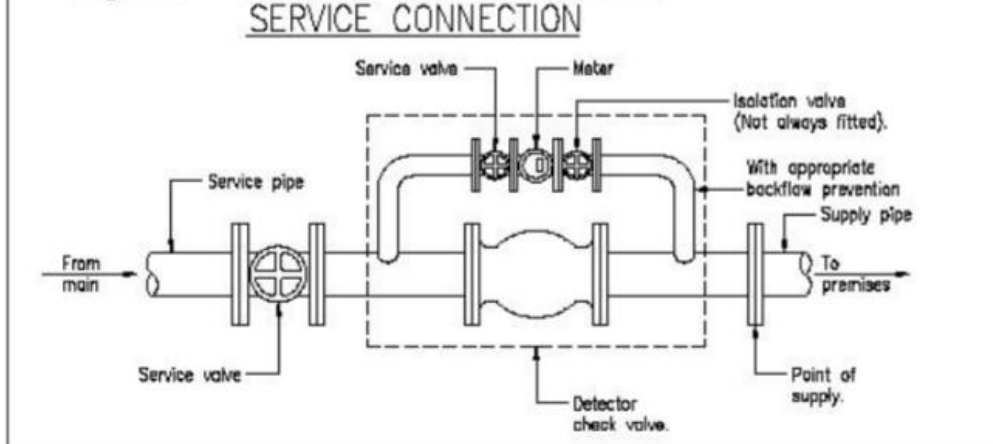
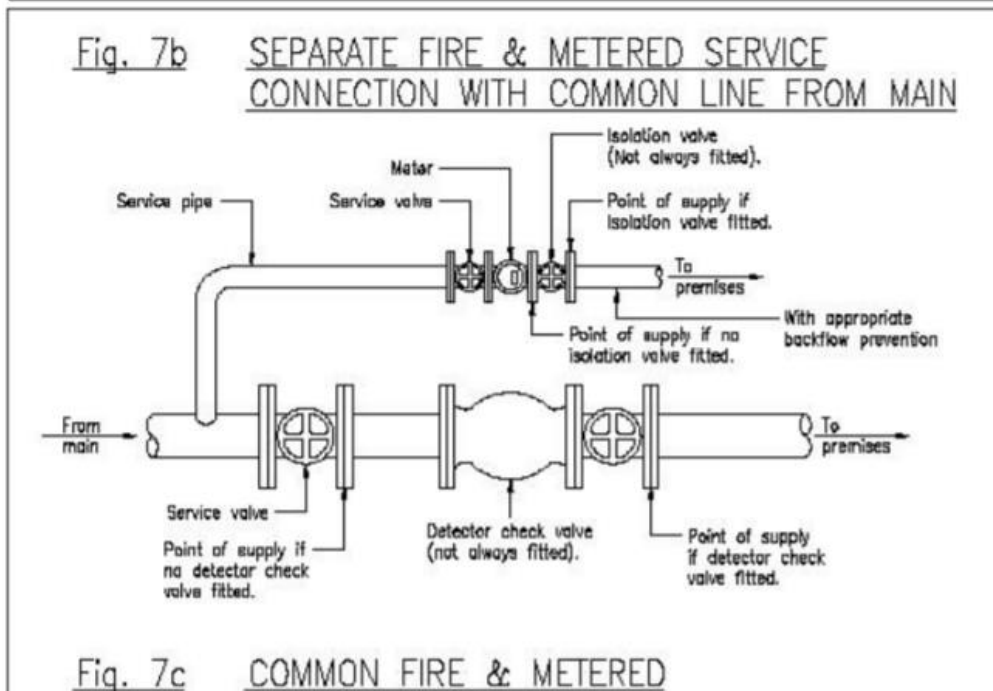
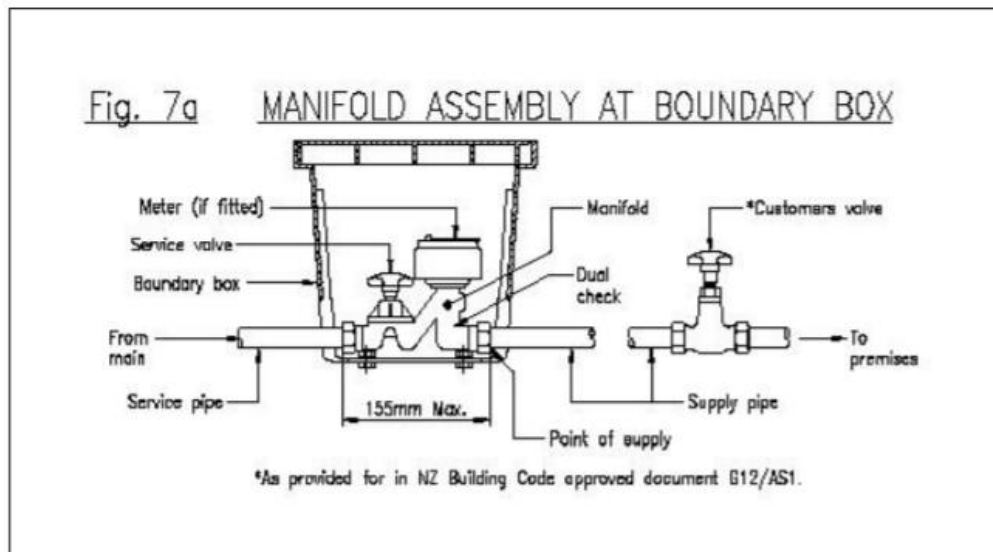


Figure 7 continued. Examples of Fitting Details showing Point of Supply

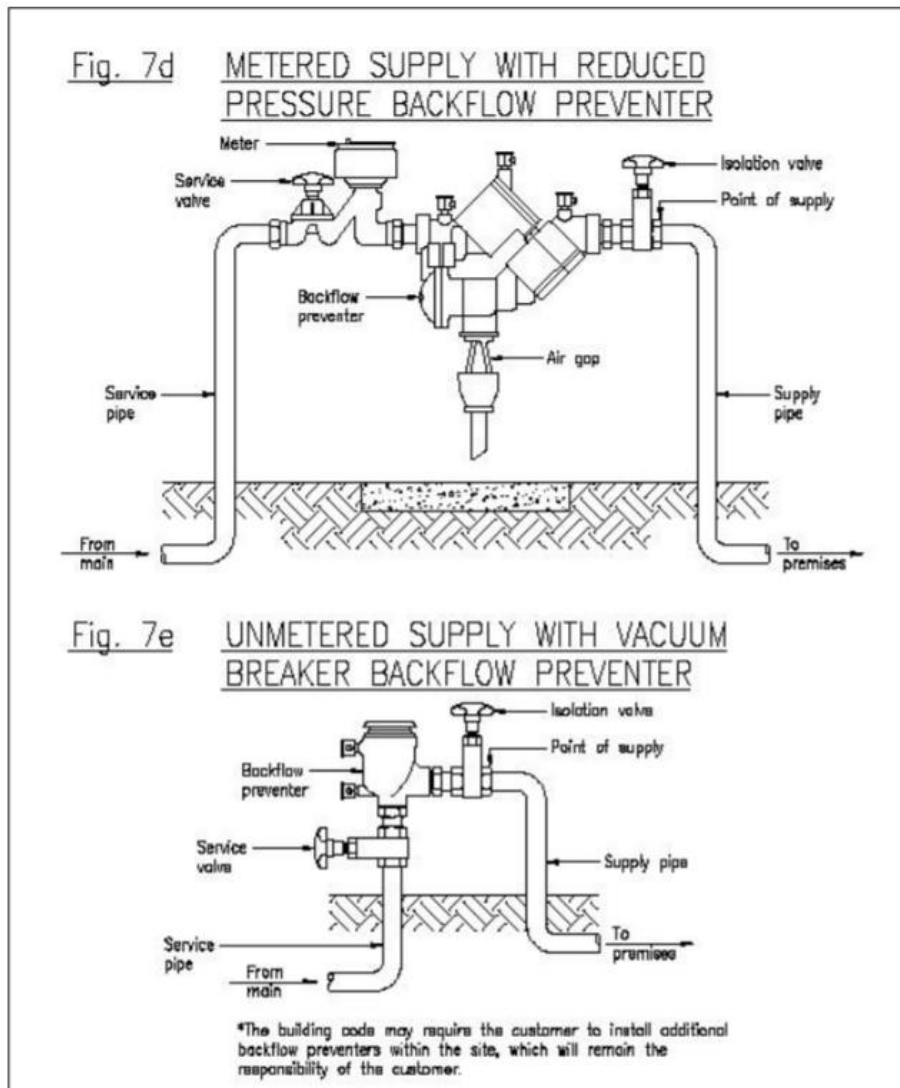
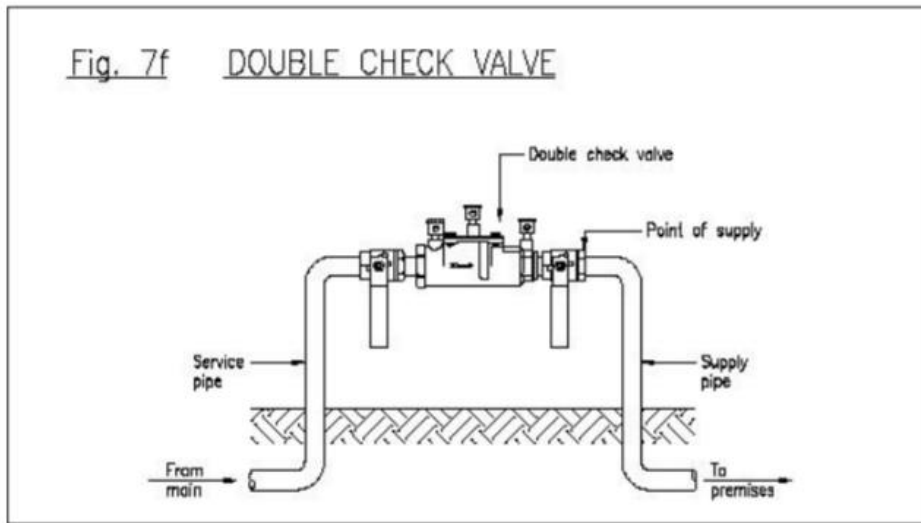


Fig. 7f DOUBLE CHECK VALVE



All the above ground facilities exposed in the public domain must be securely caged, locked and approved by the Council.

Note: Point of supply is tail piece of boundary box, meter or service valve regardless of property boundary.

SCHEDULE 2

Water Supply Areas Policy Only – Not Part of Bylaw

- Akitio
- Dannevirke
- Eketahuna
- Norsewood
- Pahiatua
- Pongaroa
- Woodville

