

# Selwyn District Council Water Supply Bylaw 2008

## 1.0 Title

A Bylaw of the Selwyn District Council by way of Special Order pursuant to the provisions of the Local Government Act 2002 and all other Acts, powers and authorities enabling it in that behalf to make a Bylaw to be known as the Selwyn District Council Water Supply Bylaw 2008.

## 2.0 Commencement

This Bylaw shall come into force on the ..... day of ..... 20xx.

## 3.0 Repeal

As from the day this Bylaw comes into force, all other bylaws in force which cover matters now covered by this bylaw are hereby revoked.

## 4.0 Application of Bylaw

This Bylaw applies to water supplies under the care, control and management of the Selwyn District Council, except for water supplies subject to the Selwyn District Council Stock Water Race Bylaw.

## 5.0 Scope

This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its customers by the Council. The supply and sale of water by the Council is subject to:

(a) Statutory Acts and Regulations

- (i) Building Act 2004
- (ii) Fire Service Act 1975
- (iii) Health Act 1956
- (iv) Local Government Act 2002 ("LGA 2002")
- (v) Local Government (Rating) Act 2002
- (vi) Resource Management Act 1991
- (vii) Water Supplies Protection Regulations 1961; and

(b) Takes consideration of the Relevant Codes and Standards

- (i) Drinking Water Standards for New Zealand 2005
- (ii) BS EN 14154-3:2005 Water meters. Test methods and equipment.
- (iii) SNZ PAS 4509:2003 New Zealand Fire Service fire fighting water supplies code of practice
- (iv) NZWWA Backflow Code of Practice 2006
- (v) NZWWA Water Meter Code of Practice 2003

## 6.0 Interpretation

References to a repealed enactment include its replacement.

For the purpose of this Bylaw, unless the context otherwise requires:

<b>“Air Gap Separation”</b>	means a minimum vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank
<b>Approved</b>	means approved in writing by the Council, either by resolution of the Council or by any officer of the Council authorised for that purpose
<b>Backflow</b>	means the unplanned flow of water or mixtures of water and contaminants, in a reverse direction to the normal water supply flow
<b>Council</b>	means the Selwyn District Council or any officer authorised to exercise the authority of the Council
<b>Customer</b>	A person who uses, or has obtained the right to use or direct the manner of use of, water supplied by the Council
<b>Detector check valve</b>	means a check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply
<b>Domestic and food preparation supply</b>	has the same meaning as defined in the Health (Drinking Water) Amendment Act 2007
<b>Drinking water standards</b>	has the same meaning as defined in the Health (Drinking Water) Amendment Act 2007
<b>Fees and charges</b>	means the list of items, terms, and prices for services associated with the supply of water as adopted by the Council from time to time in accordance with the LGA 2002 and the Local Government (Rating) Act 2002
<b>Level of service</b>	means the measurable performance standards on which the Council undertakes to supply water to its customers
<b>Non Standard supply</b>	A category of on demand supply including all purposes for which water is supplied other than standard supply and which may be subject to specific conditions and limitations
<b>Ordinary use</b>	means use of water for domestic purposes which may include use in a fire sprinkler system to NZS 4517, washing down a car or boat, garden watering by hand, and garden watering by a fixed or portable sprinkler.
<b>On demand supply</b>	means a supply which is available on demand directly from the point of supply subject to the Level of service
<b>Person</b>	means a natural person, corporation or a body of persons whether corporate or otherwise

<b>Point of supply</b>	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
<b>Potable</b>	means drinking water that does not contain or exhibit any determinands to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the drinking-water standards
<b>Premises</b>	means: (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate 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 certificate of title is available; or (c) Land held in public ownership (e.g. reserve) for a particular Purpose
<b>Public notice</b>	has the same meaning as in the Local Government Act 2002
<b>Restricted flow supply</b>	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
<b>Restrictor</b>	means a flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises
<b>Roading authority</b>	means a territorial authority or Transit New Zealand
<b>Service pipe</b>	means the section of water pipe between a water main and the point of supply
<b>Service valve</b>	means the valve at the customer's end of the service pipe
<b>Standard supply</b>	means a category of on demand supply used solely for domestic purposes.
<b>Standard Use</b>	means use of water for domestic purposes but does not include filling a spa or swimming pool which exceeds 10 m <sup>3</sup> in capacity, or fixed garden irrigation systems
<b>Storage tank</b>	means any tank having a free water surface under atmospheric pressure to which water is supplied across an air gap separation
<b>Supply pipe</b>	means the section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises
<b>Tank supply</b>	means a type of water supply connection where flow is to the property's tank but flow from the Council supply to the property's tank is not continuous. Connections can be metered or un-metered.
<b>Water supply system</b>	means all the components of the water supply network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to: 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 a volume of 1 m<sup>3</sup> of water delivered at a constant rate over 24 hours.

## **7.0 Protection of water supply**

### **7.1 Water supply system**

#### **7.1.1 Access to system**

No person other than the Council and its authorised agents may access any part of the water supply system, except to operate the service valve or to connect to the point of supply when such connection is authorised by the Council.

#### **7.1.2 No person to connect to, or interfere with a water supply system**

No person may make any connection to, or otherwise interfere with, any part of the water supply system except;

- a) trained fire fighters, who may access fire hydrants for fire fighting purposes, including training and testing, or
- b) upon prior written authorisation of the Council

#### **7.1.3 Working around buried services**

7.1.4 Any person proposing to carry out excavation work must, prior to undertaking such work, establish whether any part of the water supply system is located in the vicinity of the proposed excavation work, and notify the Council in writing of an intention to excavate in the vicinity of the water supply system, at least five working days prior to commencing such work. No such work may undertaken, except in an emergency, until approval in writing is obtained from the Council.

7.1.5 The Council keeps accurate records ('as-builts') of the location of its buried services. This information is available for inspection at no cost. Charges may be levied to cover the costs of providing copies of this information.

7.1.6 On approval, the Council may impose such restrictions on excavation work as it considers necessary to protect the water supply system. When the Council considers it appropriate, it will mark out the ground to indicate the location of the water supply system to within  $\pm 0.5$  m in Residential areas and to within  $\pm 2.5$  m in Rural areas. . The Council may impose a fee for this service

7.1.7 Any person excavating and working around the water supply system must exercise care not to damage the system, and must reinstate bedding and backfill in accordance with the Council's specification.

7.1.8 Any damage to the water supply system must be reported to the Council immediately. The person causing the damage will be required to reimburse the Council for all costs associated with repairs, and any other costs incurred as a result of the damage.

*NOTE [not forming part of this bylaw]– Excavation within roadways is also subject to the permit process of the appropriate roading authority.*

## **7.2 Protection of source water**

### **7.2.1 Open catchments**

In open, uncontrolled catchment areas, whether designated or not, there will generally be no restriction on activities other than any provisions of the regional or district plan and the National Environmental Standard.

### **7.2.2 Spillages and adverse events**

In the event of a spillage, or any event which may have an adverse effect on the water supply, the person responsible must advise the Council immediately. This requirement is in addition to any other notification required to be given.

## **8.0 Conditions of supply**

### **8.1 Application for supply**

#### **8.1.1 Initial application**

8.1.2 A person may apply to the Council for a supply of water or a supply of additional water units. An application should be made in writing using the standard application form and must be accompanied by the prescribed fee.

8.1.3 Within 10 working days of receipt of an application, the Council will, either:

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

8.1.4 The Council will supply and install the service pipe up to the point of supply within 14 days of approval of an application and upon payment of the prescribed fee for this service.

8.1.5 The applicant must have the authority to act on behalf of the owner of the premises for which the supply is sought, and must produce written evidence of such authority if required.

8.1.6 An approved application for supply will lapse within six months of the date of approval of the application unless given effect to or unless an extension of time has been approved by the Council. Any refund of fees and charges is at the discretion of the Council.

### **8.2 Change of use**

Where a customer seeks a change in the level of service or end use of water supplied, and/or the type of supply changes from standard to non standard or vice versa, a new application for supply must be made.

### **8.3 Prescribed charges**

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 as detailed in the schedule of fees prevailing at that time for that scheme and type of supply.;

(b) A development contribution charge determined in accordance with the Local Government Act 2002;

## **8.4 Point of supply**

### **8.4.1 Responsibility for maintenance**

The Council owns, and is responsible for maintenance of the service pipe and fittings up to the point of supply. The customer owns, and is responsible for maintenance of the supply pipe beyond the point of supply.

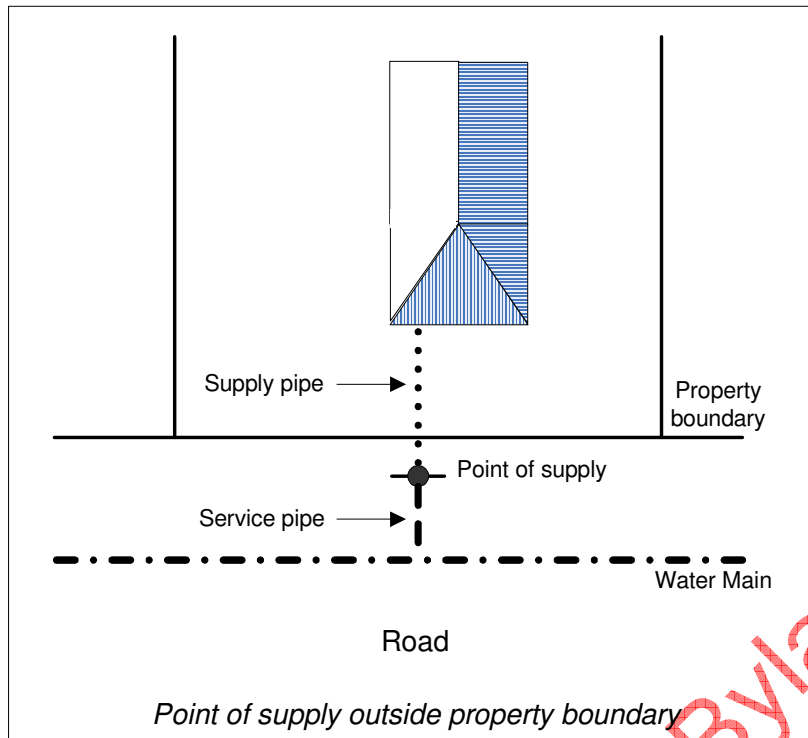
## **8.5 Single ownership**

8.5.1 For individual customers the point of supply is located generally in accordance with figure 1, 2 or 3 whichever is applicable or as close as possible to that point if other permanent structures present an obstruction.

8.5.2 There is only one point of supply for each customer, unless otherwise approved by the Council.

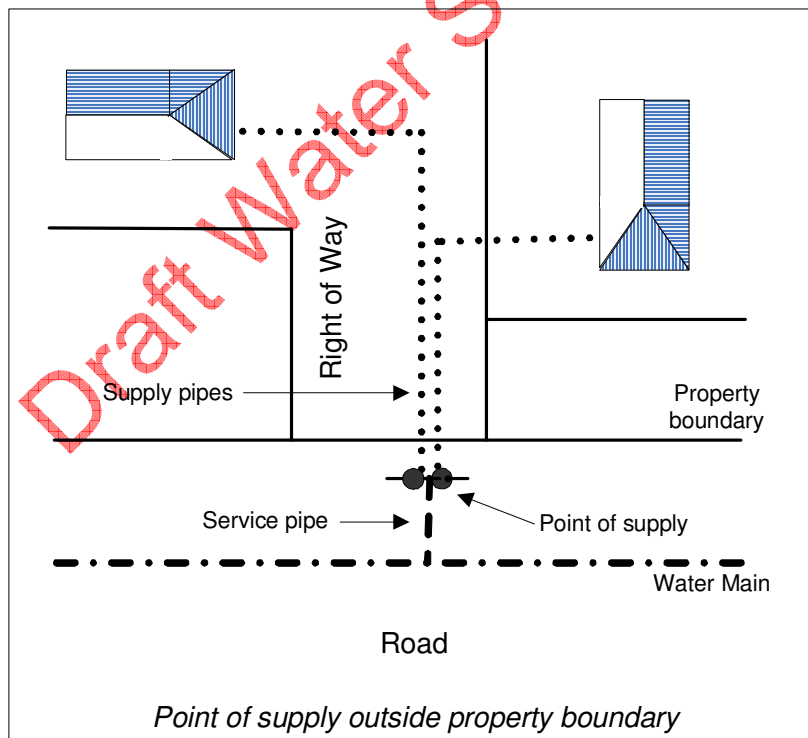
8.5.3 The typical layout at a point of supply is generally in accordance with figure 4 except;

- (a) for Hororata, Glentunnel, Coalgate, and Whitecliffs where the typical layout is shown in figure 1
- (b) for restricted connections to “on farm” tanks where the typical layout is shown in figure 5.



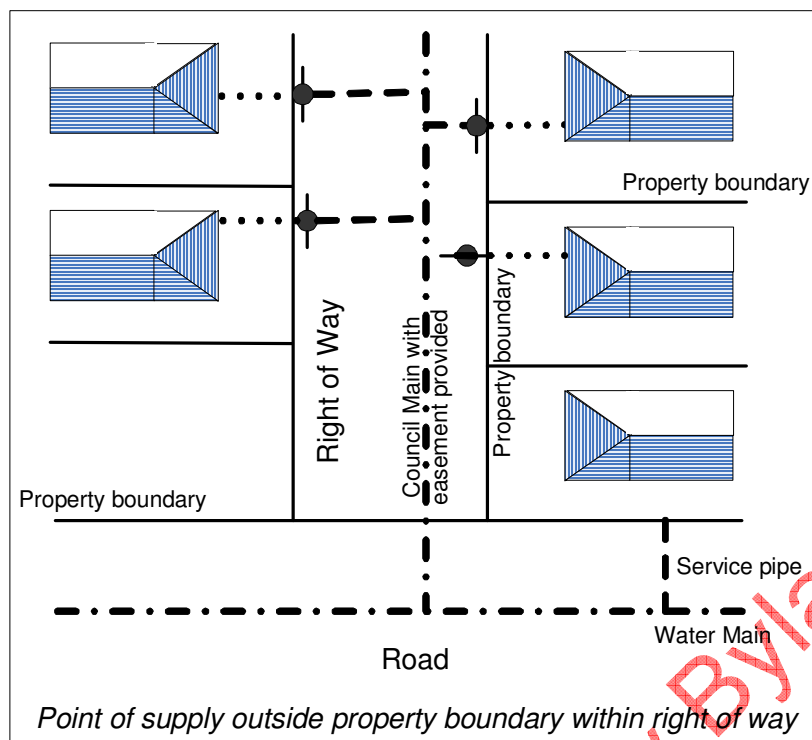
**Figure 1: Typical layout at Point of supply location – Individual customers**

NOTE – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary



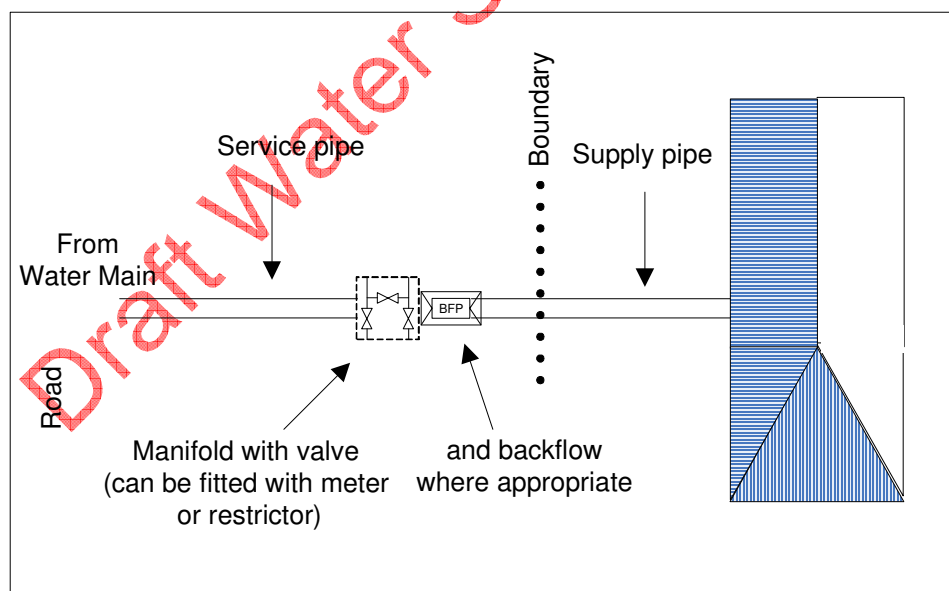
**Figure 2: Typical layout at point of supply for up to 4 properties on Right of Way**

NOTE – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary



**Figure 3 Typical layout at point of supply for 5 or more properties on Right of Way**

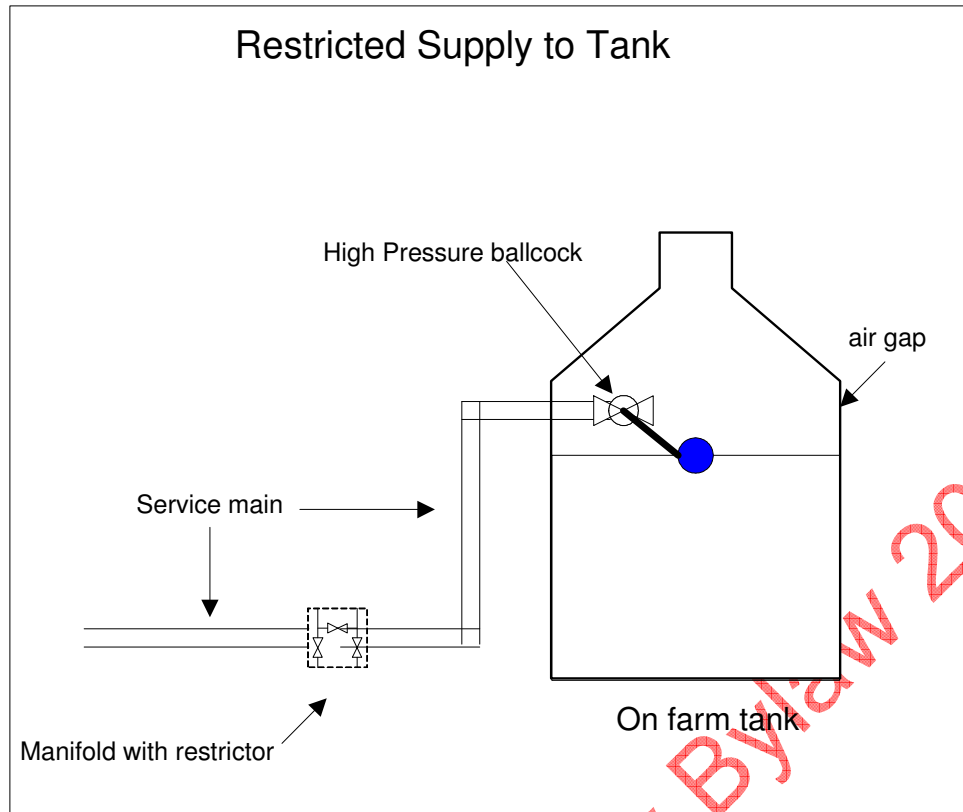
NOTE – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary



**Figure 4: Typical layout at Point of Supply for Standard Connection**

NOTE – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary





**Figure 5: Typical layout of restricted supply to tank**  
NOTE – Point of supply is at the outlet of the ballcock

- 8.5.4 The Council does not guarantee the serviceability of the service valve. The customer may use the service valve to isolate the supply to the customer's premises. If the Service valve is damaged by the customer the Council may charge the Customer for the cost of repair.

## **8.6 Multiple ownership**

The point of supply for the different forms of multiple ownership of premises and/or land is:

- (a) For properties that have multiple owners but only one valuation number – a single connection to the property
- (b) For properties that have multiple owners and multiple valuation numbers – a single connection per valuation
- (c) For properties that have multiple owners, where the supply was in existence prior to the commencement of this Bylaw, the point of supply is in accordance with the arrangement existing at that time, or as determined by agreement with the Council for any individual case.

## **8.7 Access to, and about point of supply**

### **8.7.1 Rights of access**

- 8.7.2 If the point of supply is on private property, an authorised officer of the Council may go onto that property to access the point of supply between 7.30 am and 6 pm on any working day for the purpose of:

- (a) Meter reading without notice; or
- (b) Checking, testing and maintenance work.

- 8.7.3 Outside these hours (such as for night time leak detection) the Council will give notice to the customer.

- 8.7.4 If a Council officer is prevented from having access to the property at any of the above times and a return visit is required, the Council may charge a fee for that visit.

- 8.7.5 In an emergency, such as a Civil Defence Emergency or when there is a fault requiring immediate rectification, the customer must allow authorised Council officers free and unimpeded access to the property and the point of supply at any hour.

### **8.7.6 Maintenance of access**

The customer must maintain the area in and around the point of supply by keeping it free of soil, vegetation, or other matter which obstructs convenient access to the point of supply.

## **8.8 Types of supply**

### **8.8.1 General**

Supplies are classified as 'on demand', 'restricted flow' or "Tank supply". The use of water from the supply is either 'standard' or 'Non standard'.

#### **8.8.2 On demand supply and Tank supply**

Every premises is entitled to a standard supply of water subject to the following conditions:

- (a) Payment of a full or half charge water supply rate ;
- (c) Payment of other charges or costs associated with subdivision or development and provided the required resource consent conditions are fulfilled, and
- (d) Any other relevant conditions in this Bylaw.

The Council is under no obligation to provide a Non standard supply of water.

#### **8.8.3 Restricted flow supply**

Restricted flow supply is available to premises within a Restricted Water Supply area, or in any area within an On Demand supply area which the Council may designate as a Restricted Zone from time to time at its discretion, or under special conditions set by the Council.

The water supply is restricted so as to deliver the allocated number of water units specified in the level of service for that premises.

The Council may charge for the restricted flow supply by the number of water units allocated.

For restricted flow supplies Ordinary Use includes water for stock use.

### **8.9 Metering**

Non universal metering

Ordinary use of water is not normally metered. The Council may fit a meter and charge a fee for the use of water.

If a meter is fitted at the customer's request., the fee for such use is calculated in accordance with the provisions of the Local Government (Rating) Act 2002.

A Non standard use may be metered and charged for. Where the Non standard use is for fire protection only, the supply will not normally be metered.

Universal Metering

All connections are metered and levied as rates, as prescribed in the Local Government (Rating) Act 2002, sections 9, 15 to 19, and sections 101 to 103.

### **8.10 Level of service**

The Council will make every reasonable attempt to achieve the Level of Service specified for the provision of water in the Long Term Council Community Plan.

### **8.11 Continuity of supply**

#### **8.11.1 Supply**

Nothing in this bylaw affects the Council's obligations and powers under sections 130,131, 192,193 and 194 of the LGA.

Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular pressure.

#### **8.11.2 Uninterrupted service**

If a customer has a requirement for an uninterrupted level of service (flow, pressure, or quality), which exceeds the normal level of service, it is the responsibility of that customer to provide any storage, back-up facilities, or equipment necessary to provide that level of service and inform the Council of the customer's needs. Where possible the Council will take into consideration the customer's needs if it is shown that medical or financial hardship will occur.

#### **8.11.3 Demand management**

The customer must comply with any restrictions imposed by the Council to manage high seasonal or other demands. Such restrictions will be advised by public notice. When restrictions apply the Council will take all practicable steps to ensure that an adequate supply for Domestic and Food Preparation Supply purposes is provided to each point of supply.

#### **8.11.4 Emergency restrictions**

During an emergency the Council may restrict or prohibit the use of water, subject to the provisions of the LGA. Such restrictions will be advised by public notice. .

#### **8.11.5 Maintenance and repair and other works**

The Council will make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the supply or shutdown when other works are required, before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice.

### **8.12 Liability**

The Council will endeavour to meet the Level of service, but is not liable for any loss, damage or inconvenience which the customer (or any person using the supply) may sustain as a result of deficiencies in, or interruptions to, the water supply.

### **8.13 Fire protection connection**

#### **8.13.1 Connection application**

A person may apply to the Council for a supply of water for fire protection. An application must be made in writing using the standard application form and must be accompanied the prescribed fee.

Any such connection is subject to the conditions specified by the Council.

#### **8.13.2 Design**

It is the customer's responsibility to ascertain, in consultation with the Council, and monitor, whether the supply available is adequate for the intended purpose. It is the customer's responsibility to confirm in writing to the Council the adequacy of the supply for the customer's purpose.

The Council is under no obligation to provide fire protection supply at any particular flow or pressure.

#### **8.13.3 Fire protection connection metering**

Where the supply of water to any premises is metered the Council may allow the supply of water for the purposes of fire fighting 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.

Any unmetered connection provided to supply water to a fire protection system must not be used for any purpose other than fire fighting and testing the fire protection system,.

Where a connection has been installed for a supply of water for fire fighting and water may be drawn from the connection for purposes other than firefighting, the Council may require the supply to be metered.

#### **8.13.4 Fire hose reels**

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

#### **8.13.5 Charges**

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

#### **8.13.6 Ongoing testing and monitoring**

Customers intending to test fire protection systems in a manner that requires a draw-off of water, must obtain the approval of the Council prior to testing. 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.

Draft Water Supply Bylaw 2008

## **8.14 Backflow prevention**

### **8.14.1 Customer responsibility**

The customer must (under the Health Act 1956, and the Building Act 2004) take all necessary steps on the customer's side of the point of supply to prevent water which has been drawn from the water supply system from returning to the water supply system. These steps 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 water supply system 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 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 water supply system's normal minimum operating pressure.

### **8.14.2 Backflow prevention device**

The Council may install a backflow prevention device on the Council side of the point of supply if it considers it is desirable or necessary to do so. The Council may charge the customer for the installation of a backflow prevention device.

### **8.14.3 Annual Testing**

The Council may undertake annual backflow testing on point of supply backflow prevention devices. The owner of the property at which the backflow prevention device is installed may be charged for such testing. The Council will keep appropriate records of testing.

## **8.15 Council equipment and inspection**

### **8.15.1 Care of water supply system**

The customer must take a reasonable steps not to damage any part of the water supply system, including but not limited to pipe-work, valves, meters, restrictors, chambers, and backflow prevention devices.

### **8.15.2 Inspection**

Subject to the provisions of the Local Government Act 2002, an authorised officer of the Council may go onto the property for the purposes of determining compliance with this bylaw.

## 8.16 Meters and flow restrictors

### 8.16.1 Installation

Meters for on demand supplies, and restrictors for restricted flow supplies, are supplied, installed and maintained by the Council, and remain the property of the Council.

Where on demand supplies are not universally metered, the Council where it considers water use is unusually high, may fit a meter at the customer's cost, and charge accordingly.

### 8.16.2 Location

Meters and restrictors must be located in a position where they are readily accessible for reading and maintenance, and if practicable immediately on the Council side of the point of supply

### 8.16.3 Accuracy

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

Q4 is the overload flow rate as defined in OIML R49-1.

Any customer may apply to the Council for the accuracy of a meter or restrictor to be tested provided at least three months has elapsed since the last test. If the test shows, the meter or flow restrictor is accurate the customer will be charged for the test and all costs associated with the test. Otherwise, the Customer will not be charged for the test.

Meters must be tested as prescribed in OIML R 49-2 and the test report made available as prescribed in OIML R 49-3.

The variation in the error curve must 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 must 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 zones.

Restrictors must be tested using an electronic water meter with the appropriate accuracy by measuring the quantity that flows through the restrictor to an accuracy of  $\pm 5\%$  at the average operating pressure. A copy of independent certification of the test result will be made available to the customer on request.

### 8.16.4 Adjustment

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 will 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 must pay a greater or lesser amount according to the adjustment.

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.

Where a meter is over-reading, the Council must make appropriate adjustments to the customer's invoice(s), based on a period of similar use and backdated for a period at the discretion of the Council but not exceeding 12 months..

#### **8.16.5 Estimating consumption**

Should any meter be out of repair or cease to register, or be removed, the Council may 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 must pay according to such an estimate. Provided that 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 must pay according to such an estimate.

The customer is liable for the cost of water which passes through the meter regardless of whether this water is used or is wasted as the result of leakage.

Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described above.

#### **8.16.6 Incorrect accounts**

Where the recorded consumption does not accurately represent the actual consumption on a property, the account may be adjusted using the best information available to the Council. 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.

Where an adjustment is required, whether in favour of the Council or the customer, it may not be backdated more than 12 months from the date the error was detected.



### **8.17 Plumbing system**

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 must not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council.

In accordance with the Building Regulations 1992 the plumbing system must be compatible with the water supply.

### **8.18 Prevention of waste**

The customer must not intentionally allow water to run to waste from any pipe, tap, or other fitting, nor allow the condition of the plumbing within the property to deteriorate to the point where leakage or wastage occurs.

The Council provides water for consumptive use not as an energy source. The customer must not use 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.

The customer must not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by the Council.

### **8.19 Payment**

The customer is liable to pay for the supply of water and related services in accordance with the Council fees and charges prevailing at the time.

The Council may recover all unpaid water charges as prescribed in the Local Government (Rating) Act 2002, sections 57 to 82.

### **8.20 Transfer of rights and responsibilities**

The customer may not transfer to any other party the rights and responsibilities set out in this Bylaw.

A supply pipe may serve only one customer, and must not be extended by hose or any other pipe beyond that customer's property.

### **8.21 Change of ownership**

When a premises changes ownership the Council must record the new owner as being the customer at that premises. Where a premises is metered the outgoing customer must give the Council five working days notice to arrange a final meter reading.

### **8.22 Disconnection at the customer's request**

The customer must give 20 working days notice in writing to the Council of the requirement for disconnection of the supply. Disconnection is at the customer's cost.

## **9.0 Breaches and infringement offences**

- 9.1 Every person who fails to comply with this bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000

or as set out in section 242 of the Local Government Act 2002. A decision to prosecute does not prevent the Council from seeking an injunction under section 162 of the Local Government Act 2002 or otherwise restraining the person from committing a breach of this bylaw.

**9.2 Every person commits an offence who:**

- (a) Submits an incorrect application for supply which fundamentally affects the conditions of supply or decision to approve the application;
- (b) as a customer, fails to comply with any conditions of supply for that customer's premises as determined by the Council;
- (c) Fails to comply with any obligation placed on the customer under all current Acts and Regulations;
- (d) Fails to pay the appropriate charges by the due date
- (e) Fails to repair a leak
- (f) wilfully allows water to run to waste, or to be misused
- (g) fits any equipment which may cause pressure surges or fluctuations in the water supply system, or compromise the ability of the Council to maintain its stated levels of service
- (h) Fails to prevent backflow
- (i) Fails to comply with water use restrictions or prohibitions imposed by the Council
- (j) Uses 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
- (k) Uses water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved by the Council
- (l) Extends by hose or any other means a private water supply beyond a customer's property
- (m) makes a connection to the water supply without formal written approval from the Council
- (n) Uses a fire hydrant in contravention of this bylaw or without formal written approval from the Council
- (o) Fails to install water conservation fittings when required to do so by the Council in accordance with the council's water conservation policy
- (p) Bypasses or tampers with a Council's water meter
- (q) Interferes with the water supply system
- (r) Introduces or allows to be introduced any contaminant into the water supply system

In the event of a breach, the Council may serve notice on the customer advising the nature of the breach, remedial steps required and the period within which those remedial steps must be taken.

If, the customer persists in the breach, the Council may reduce the flow rate of water to the customer without notice provided that the flow rate may not be reduced below that sufficient for domestic and food preparation use. The full service of the supply may be reestablished, only after payment of the appropriate fee and remedy of the breach to the satisfaction of the Council.

### **9.3 Interference with equipment**

Any tampering or interfering with Council equipment, either directly or indirectly, is an offence under this bylaw.

If a meter or restrictor has been tampered with the Council may estimate and charge for the additional water consumption not recorded or allowed to pass, and recover any costs incurred.

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