

**Waikato District Council
Water Supply Bylaw
2009**

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WAIKATO DISTRICT COUNCIL WATER SUPPLY BYLAW 2009

The Waikato District Council, in exercise of its powers and authorities conferred on it under the Local Government Act 2002 and the Health Act 1956 and their respective amendments, and all other relevant powers, makes the following bylaw:

1.0 SHORT TITLE, COMMENCEMENT AND APPLICATION

- 1.1 The bylaw shall be known as the “Waikato District Council Water Supply Bylaw 2009”.
- 1.2 The bylaw shall apply to the Waikato District.
- 1.3 The bylaw shall come into force on 1 December 2009.

2 PURPOSE

- 2.1 The purpose of this bylaw is to:
 - a) Protect, promote and maintain public health.
 - b) Promote the efficient use of water and protect against waste or misuse of water from the water supply system.
 - c) Protect the water supply and water supply system from pollution.
 - d) Manage, regulate against, or protect from damage, misuse, or loss of land, structures and infrastructure associated with the water supply system.
 - e) Prevent the unauthorised use of land, structures or infrastructures associated with the water supply system.

3.0 INTERPRETATION

- 3.1 In this bylaw, unless the context otherwise requires.

Approved means approved in writing by the Council, or by any authorised officer of the Council.

Authorised Agent means any person authorised or appointed by Council to do anything in respect of the water supply system.

Enforcement Officer	means any person for the time being appointed by Council to carry out general or authorised specific duties arising from any of the provisions of this bylaw.
Backflow	means the reversal of flow of water or mixtures of water and contaminants into the water supply system.
Council	means the Waikato District Council or any officer authorised to exercise the powers of the Council under this bylaw.
Connection	means the valve, meter and associated fittings installed and maintained by the Council at a location convenient to the Council on the service pipe, or at the supply pipe or at the point of supply.
Customer	means a person or its authorised agents who uses, or has the right to use water supplied by the Council.
Detector Check Valve	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 of a dedicated fire supply.
Extraordinary Supply	means an on demand supply for all purposes for which water is supplied, other than an ordinary supply, and which may be subject to specific conditions and limitations.
Fees and Charges	means the fees and charges for water supply set by the Council.
Level of Service	means the measurable performance standards on which the Council undertakes to supply water to its customers.
On Demand Supply	means a supply which is available on demand directly from the point of supply subject to the agreed level of service.
Ordinary Supply	means on demand supply used solely for domestic purposes.
Person	means a natural person, corporation, or a body of persons whether corporate or otherwise.

Point of Supply	means the point where the water pipe leads from the water main to the premises, which marks the boundary of responsibility for the water supply between the customer and the Council, irrespective of property boundaries.
Potable	means in relation to drinking water, water that does not contain or exhibit any determinands which that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the New Zealand drinking-water standards applicable at the time.
Premises	means the following: <ul style="list-style-type: none">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 of which a building consent has been or may be issued; orb) A building or part of a building which 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; orb) Land held in public ownership (e.g. reserve) for a particular purpose.
Public Notice	means a notice as defined in the Local Government Act 2002.
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 demand fluctuations.
Restrictor	means a flow control device installed within the connection to control the flow rate of water to a customer's premises.
Roading Authority	means a territorial authority or New Zealand Transport Agency.
Rural Water Supply Area	means an area formally designated by the Council as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on demand supplies but not necessarily with a firefighting capability. (Refer to Waikato District Council Water Supply Area Maps in Appendices).

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.
Supply Pipe	means the section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.
Urban Water Supply Area	means an area formally designated by the Council as an area serviced by a reticulated water supply system with, a firefighting capability, that is intended to supply water to customers via on demand supplies. (Refer to Waikato District Council Water Supply Area Maps in Appendices).
Water Supply System	means all those 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 the basis of measurement for a restricted flow supply and equal to a volume of 365m ³ delivered at the rate of 1m ³ per day.

4.0 PROTECTION OF WATER SUPPLY

4.1 Water Supply System

4.1.1 Access to System

No person other than the Council and its authorised agents and permit holders shall have access to any part of the water supply system, except to connect to the point of supply, and to operate the service valve.

4.1.2 Connection to, or Interfere with a Water Supply System

Except as set out in clauses 4.1.1, 4.1.3 and 4.1.4 no person shall make any connection to, or otherwise interfere with, any part of the water supply system.

4.1.3 Fire Hydrants

Fire Service trucks shall gain access to, and draw water from fire hydrants for the purpose of fighting fires, training, and testing.

4.1.4 Other Uses

The right to gain access to, and draw water from the water supply system for uses other than firefighting (for example, flow testing or pipe flushing) shall be restricted to:

- (a) The Council or its authorised agents.
- (b) Permit holders, being those persons who after having submitted an application to the Council are subsequently approved to draw water from designated tanker filling points or a fire hydrant. Non compliance with any condition of a permit renders the permit invalid.

Without prejudice to other remedies available, the Council may seize and impound any equipment used by an offender to gain access to, or draw water from a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs.

Permit holders shall only use approved blue coloured metered standpipes to draw water from fire hydrants. Those standpipes could either be hired from the Council or permitted users can have their own standpipes approved by the Council.

4.1.5 Working around Buried Services

- (a) The Council shall keep accurate permanent records ('as-built drawings') of the location of its buried services. This information shall be available for inspection at no cost to those persons working on burial services. Charges may be levied to cover the costs of providing copies of this information.

- (b) Any person proposing to carry out excavation work shall view the as-built information to establish whether or not the Council water services are located in the vicinity. 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. Where appropriate the Council shall 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.
- (c) 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.
- (d) Any damage which occurs to a water service shall be reported to the Council immediately. The person 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.

4.2 Protection of Water Sources

4.2.1 Catchment Classes

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; or
- (c) Open.

4.2.2 Controlled Catchments

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 persons specifically authorised or permitted in writing by the Council. Within such areas unless permitted for by the Council no person shall:

- (i) Camp.
- (ii) Take or allow to stray any livestock.
- (iii) Bathe or wash anything.
- (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 any dog or other animal.
- (iv) Damaging or destroying any trees, shrubs, or other existing vegetation cover, or interfering 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 other animals.
- (vi) Use of any pesticide or toxic substance for any purpose whatsoever. A person may be required to present a medical clearance before an entry permit will be issued.

(c) Permits to be presented

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 an authorised officer.
- (ii) No permit issued by the Council shall be transferable.
- (iii) The Council may at any time, by notice in writing sent by mail to the permit holder, revoke or suspend any such permit for such time as stated in such a notice.

(d) Interference and obstruction

- (i) Every person shall upon the request of an authorised officer of the Council immediately leave the controlled catchment area or land held by the Council as a water reserve.
- (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 this bylaw.

4.2.3 Restricted Catchments

All provisions under clause 4.2.2 (controlled catchments) shall apply to restricted catchments except the following activities may be undertaken in restricted catchment areas.

- (a) Tramping;
- (b) Hunting;
- (c) Trapping;
- (d) Shooting;
- (e) Fishing.

4.2.4 Spillages and Adverse Events

In the event of a spillage, or any event which may compromise the water supply, the person responsible for the event shall advise the Council immediately. This requirement shall be in addition to those other notification procedures which are required for other authorities.

5.0 CONDITIONS OF SUPPLY

5.1 Application for Supply

- (a) Every application for the supply of water shall be made in writing on the relevant form, accompanied by the prescribed charges. The applicant shall provide all the details required by the Council.

NOTE - Excavation within roadways is also subject to the "Road Opening Notice" permit process of the Council.

- (b) On receipt of an application the Council shall, after consideration of the matters stated in clauses 5.4 and 5.5, either:
- i) 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
 - ii) Refuse the application and notify the applicant of the decision giving the reasons for refusal.
- (c) For the agreed level of service to the applicant, the Council will determine the size of all pipes, fittings and any other equipment, up to the point of supply. The Council shall supply and install the service pipe up to the point of supply at the applicant's cost.
- (d) If the applicant is not the owner of the premises, the applicant shall provide evidence that he/she has the authority to act on behalf of the owner.
- (e) If the customer has not installed a connection within six months of Council's approval date for the connection then the approval will lapse, unless a time extension has been granted by the Council. Any refund of fees and charges shall be at the discretion of the Council.

5.1.2 Change of Use

If a customer seeks a change in the level of service or end use of water supplied to the premises, or the supply changes from an ordinary to an extraordinary type (see 5.4) or vice versa, a new application for supply shall be submitted by the customer for approval by the Council.

5.1.3 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.
- (b) A development contribution determined in accordance with the Local Government Act 2002.
- (c) A financial contribution determined in accordance with the Resource management Act 1991.

5.2 Point of Supply

5.2.1 Responsibility for Maintenance

The Council shall own and maintain the service pipe and fittings up to the point of supply. The customer shall own and maintain the supply pipe beyond the point of supply (See Figure 2 in this bylaw).

- 5.2.2 For each individual customer there shall be only one point of supply, unless otherwise approved by the Council.

The preferred layout at a point of supply is shown in Figure 2.

For individual customers the point of supply where fences, walls, or other permanent structures make it difficult to locate it at the required position, it shall be located as shown on their premises in Figure 1 of the bylaw or as close as possible. Alternative locations shall require specific approval by the Council.

The Council does not guarantee the serviceability of the valve located on the service pipe. Where there is no customer stopcock, or where maintenance is required between the service the Council reserves the right to charge for maintenance if this valve is damaged by customer use.

Example 1 – With Street Frontage

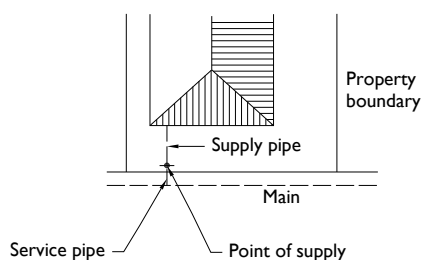


Figure 1: Point of supply inside property boundary

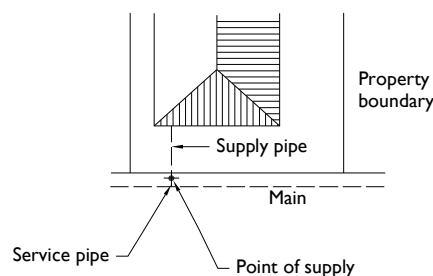


Figure 2: Point of supply outside property boundary

Example 2 – Rear lots on right of way (up to 2 customers)

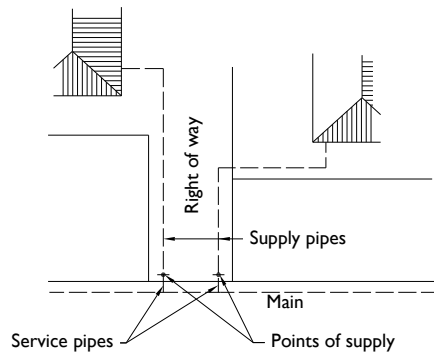


Figure 1: Point of supply inside property boundary

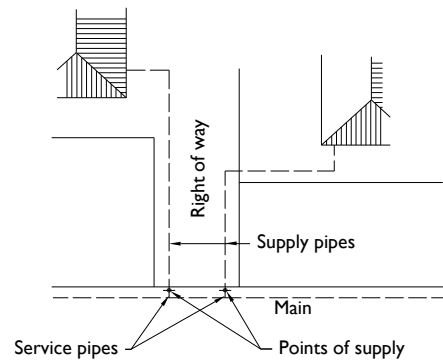


Figure 2: Point of supply outside property boundary

Example 3 – Rear lots on right of way (3 or more customers)

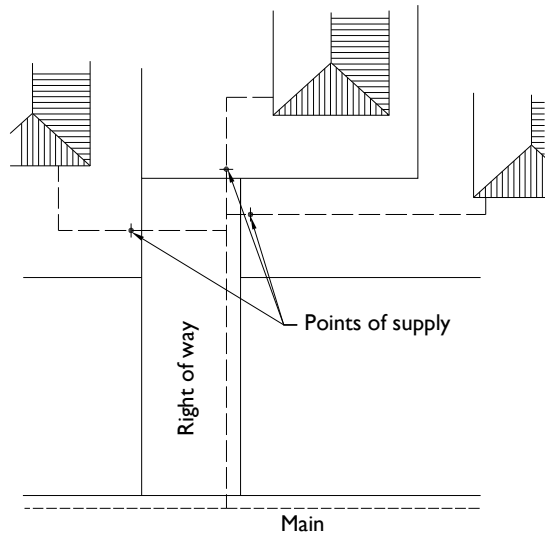


Figure 1: Point of supply inside property boundary

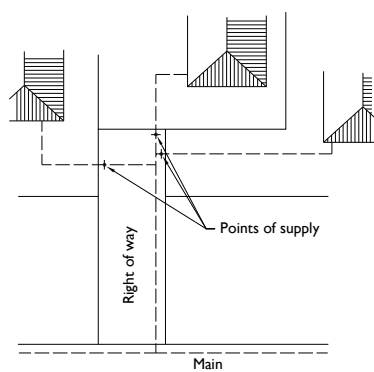


Figure 2: Point of supply outside property boundary

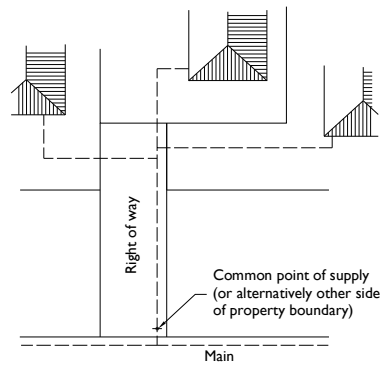
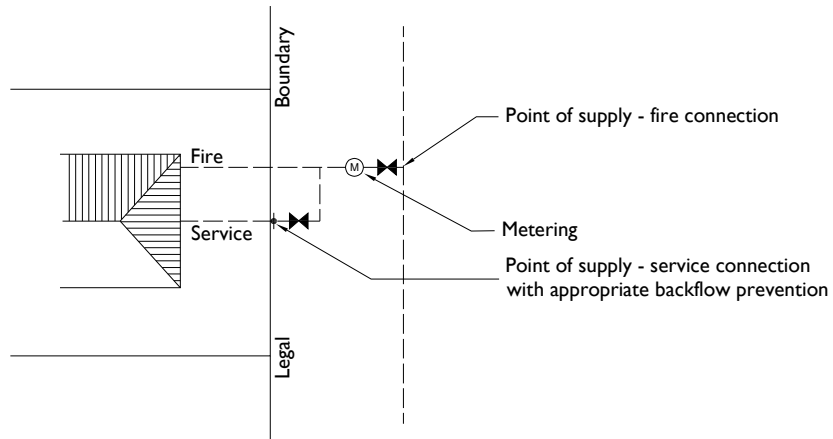
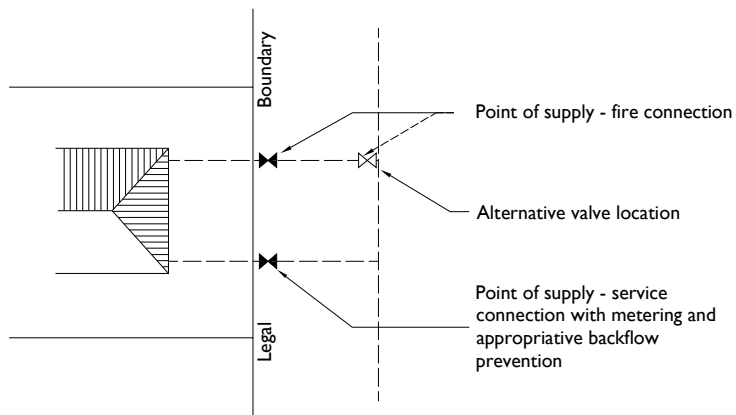


Figure 3: Common point of supply

Example 4 – Industrial, commercial, domestic fire and service connections (including schools)

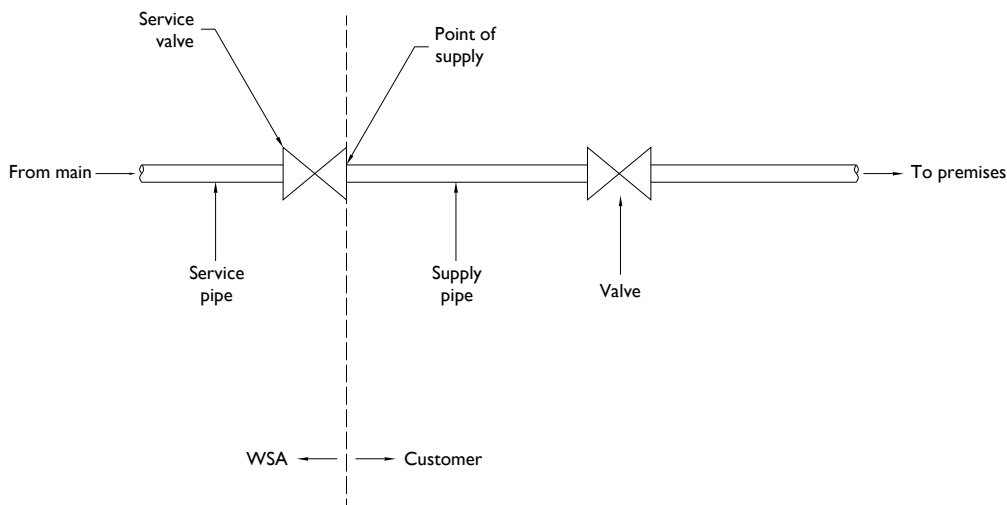


Combined fire and service connection

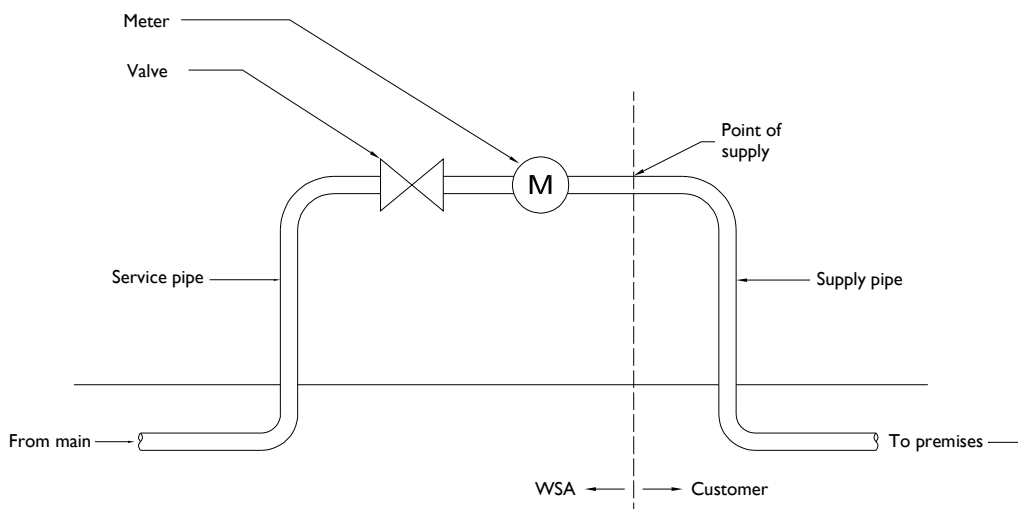


Separate fire and service connection

Examples of typical component layout at point of supply



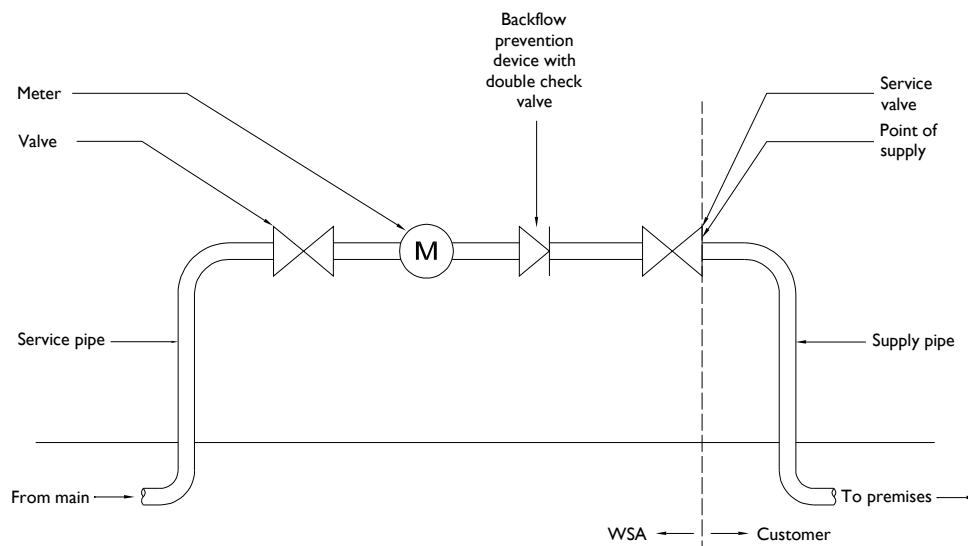
Example 5 - Domestic unmetered supply



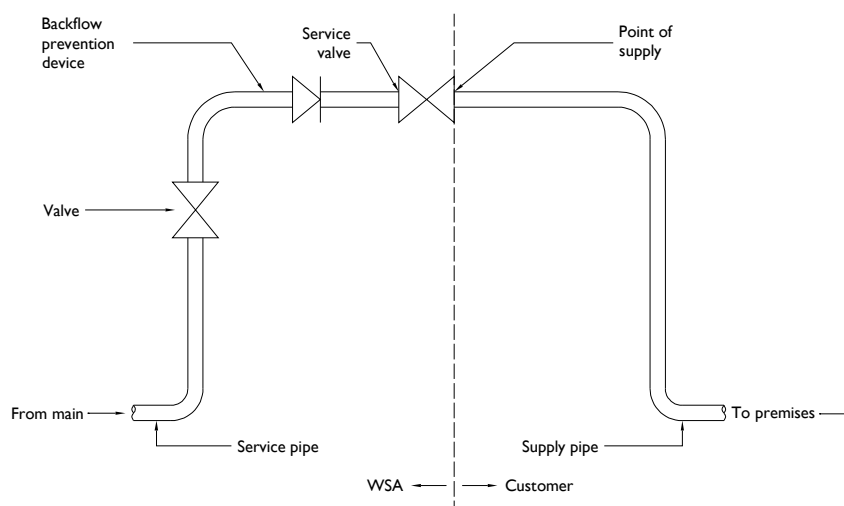
Example 6 - Domestic metered supply

Note:

- (1) Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary.
- (2) The New Zealand Building Code may require the customer to install additional backflow prevention devices within the site, which will remain the responsibility of the customer.



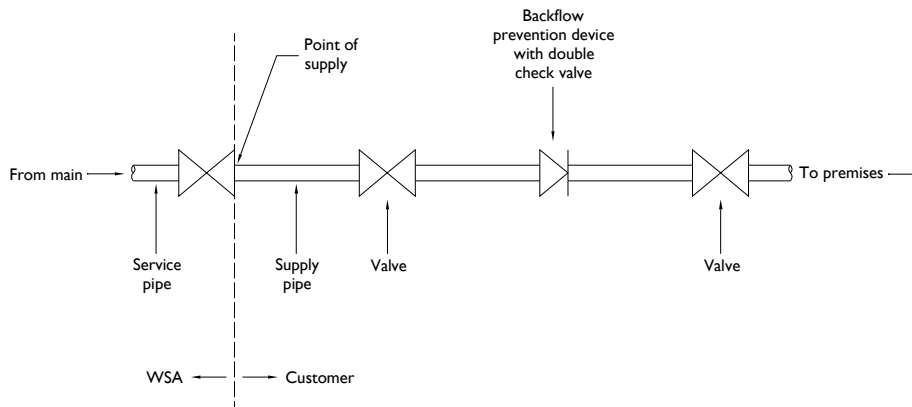
Example 7 - Metered supply with backflow prevention device owned by WSA



Example 8 - Unmetered supply with backflow prevention device owned by WSA

Note:

- (1) **Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary.**
- (2) **The New Zealand Building Code may require the customer to install additional backflow prevention devices within the site, which will remain the responsibility of the customer.**



Example 9 - Unmetered supply with backflow prevention device owned by the customer

5.2.3 Multiple Ownership

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

- (a) A company or other Body Corporate - as for single ownership.
- (b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title 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 Council's approval.
- (c) For a multiple ownership supply which was in existence prior to the coming into effect of this bylaw, the point of supply shall be the existing arrangement or as determined by agreement with the Council in any individual case.

5.3 Access to the 'Point of Supply'

5.3.1 Right of Access

- (a) Where the point of supply is on private property the customer shall allow the Council access to the point of supply between 7.30am and 6.00pm on any day for:
 - i) Meter reading without notice being given.
 - ii) Checking, testing and maintenance work with notice being given when possible.
- (b) For works required outside the above hours (such as for night time leak detection) the Council shall give notice to the customer of at least two days.
- (c) The Council shall have the right of free access to the point of supply at any time during an emergency.

5.3.2 Maintenance of Access

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

5.4 Types of Supply

5.4.1 General

Supplies shall be classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary' or 'extraordinary'.

5.4.2 On Demand Supply

All premises situated within the urban water 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 5.7.3.
- (b) Payment of the appropriate charges in respect of supply to that property
- (c) Any other charges or costs associated with subdivisional development; and
- (d) Any other relevant conditions in section 5 of this bylaw.

The Council shall be under no obligation to provide an extraordinary supply of water (see also the provisions of clauses 5.7 and 5.9.2).

5.4.3 Restricted Flow Supply

Restricted flow supply shall be available to premises in rural supply areas under special conditions set by the Council.

The water supply shall be restricted so as to deliver the agreed number of water units at a steady flow rate.

The Council shall charge for the restricted flow supply by either:

- (a) A targeted rate; or
- (b) The volume passing through a meter; or
- (c) The agreed number of water units.

5.4.4 Ordinary Use

Ordinary use is for domestic purposes (which may include use in a fire sprinkler system to NZS 4517) and shall include:

- (a) Washing down a car, boat, or similar.
- (b) Garden watering by hand.
- (c) Garden watering by a portable sprinkler (subject to the provisions of clause 5.7.3).

NOTE - For use from a fire protection system to NZS 4517 to be classified as an ordinary use, the customer should comply with the conditions set under clause 5.9.1.

5.4.5 Extraordinary Use

Extraordinary use includes:

- a) Domestic - spa or swimming pool in excess of 10m³ capacity and fixed garden irrigation systems;
- b) Commercial and business;
- c) Industrial;
- d) Agricultural;
- e) Horticultural;
- f) Viticultural;
- g) Lifestyle blocks (rural supplies);
- h) Fire protection systems other than sprinkler systems installed to comply with NZS 4517;
- i) Outside of Waikato District (supply to, or within another local authority);
- j) Temporary supply.
- k) For water use above 15m³/day, a consent from the Regional Council is required.

5.5 Metering

Both ordinary and extraordinary use of water shall normally be metered in urban and rural areas of Meremere, Te Kauwhata, Rangiriri, Te Akau South, Southern Districts and Western Districts, Hopuhopu and Taupiri water supply areas and charged for in accordance with clause 5.15.

Any new extraordinary or ordinary use of water shall be metered in all rural and urban water supply areas of the district and charged in accordance with clause 5.15.

Where the extraordinary use is for fire protection only, the supply shall not normally be metered.

5.6 Level of Service

The Council shall provide water in accordance with the level of service contained in the Long Term Council Community Plan. For those periods where the level of service is non compliant the Council will make every reasonable attempt to achieve the levels of service in a reasonable timeframe.

5.7 Continuity of Supply

5.7.1 Water Supply

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, but shall aim to meet the continuity of supply levels of 5.6, subject to the exemptions contained in clauses 5.7.3 and 5.7.4.

Where works of a permanent or temporary nature are planned which will affect an existing supply, the Council shall consult with, or inform or give notice to all known customers likely to be substantially affected.

5.7.2 Uninterrupted Service

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.

5.7.3 Demand Management

The customer shall comply with any restrictions approved by the Council to manage high seasonal or other demands. Such restrictions shall be advised by public notice. Even when such restrictions apply the Council shall take all practicable steps to ensure that an adequate water supply for domestic purposes is provided to each point of supply.

A tank or facility is required for all new premises for the purpose of roof water collection, storage, usage and possible stormwater control. The collected water can also be used for potable use, however attention is drawn to the Department of Health guidelines for roof water supplies.

Auckland Regional Council, Technical Paper 10 (2003), Chapter 11 on rain water tanks, design, construction and maintenance guidelines will be a means of compliance document. Alternative solutions will be considered on a case-by-case basis.

In rural water supply areas the tank shall have a minimum capacity of 22,000 litres. A mains connection to the rainwater tank may be provided in order to maintain a minimum water level during prolonged dry spells. A backflow must be installed to prevent possible mains contamination.

5.7.4 Emergency Restrictions

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. Such restrictions will be advised by public notice. Council may enact penalties over and above those contained in this bylaw to enforce these restrictions. The decision to make and lift restrictions, shall be made by the Council or the Council officer who has delegated authority to act.

5.7.5 Maintenance and Repair

Wherever practical the Council shall 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 notification is not practical, the Council may shut down the supply without notice.

5.8 Liability

The Council shall endeavour to meet the level of service requirements of clause 5.6, but shall not be liable for any loss, damage or inconvenience which the customer (or any person using the supply) may sustain as a result of a reduced level of service in, or interruptions to, the water supply.

5.9 Fire Protection Connection

5.9.1 Connection Application

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. Any such connection shall be subject to the conditions specified by the Council.

5.9.2 Design

In discussion with the Council, it shall be the customer's responsibility to ascertain and monitor whether the supply available is adequate for the intended purpose.

5.9.3. 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 firefighting to be made in a manner which bypasses the meter, provided that:

- (a) Water shall only be drawn in the event of a fire.
- (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 shall not be used for any purpose other than firefighting and the testing of the fire protection system unless the fire protection system is installed in accordance with NZS 4517.

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, at the customer's expense.

5.9.4 Charges

Water used for the purpose of 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 an estimate.

5.9.5 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 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.

5.10 Backflow Prevention

5.10.1 Customer Responsibility

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

These measures 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.

5.10.2 Unmanaged Risk

Notwithstanding clause 5.10.1 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.

5.11 The Council Equipment and Inspection

5.11.1 Care of Water Supply System

The customer of the premises shall take due care 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. The Council reserves the right to recover the cost of such damage from the owner.

5.11.2 Inspection

Subject to the provisions of the Local Government Act 2002, the customer shall allow the Council with or without equipment, access to any area of the premises for the purposes of determining compliance with this bylaw.

5.12 Meters and Flow Restrictors

5.12.1 Installation

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

Where on demand supplies are not metered, and the Council considers water use is unusually high or the premises are used for commercial activity the Council reserves the right to fit a meter at the customer's cost, and charge accordingly.

5.12.2 Location

Meters and restrictors shall 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 - See Figure 2.

5.12.3 Accuracy

Meters shall be tested as and when required by the Council or as prescribed in Paris: Bureau International de Metrologie Legale Publication on Water Meter Testing.

The flow restrictors shall be accurate to within $\pm 10\%$ of their rated capacity.

Any customer who disputes the accuracy of a meter or restrictor may request the Council for it to be tested, provided that the request is not made within six months of the last test. If the test shows noncompliance with the accuracy above, 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's current fees and charges schedule.

Meters shall be tested as prescribed in Paris: Bureau International de Metrologie Legale Publication and the test report shall be made available as prescribed in Paris: Bureau International de Metrologie Legale Publication.

Restrictors shall be tested by measuring the quantity of water that flows through the restrictor in a period of not less than 1 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.

5.12.4 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 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.

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 shall make appropriate adjustments to the customer's account based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

5.12.5 Estimating Consumption

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. 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 shall pay according to such an estimate.

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

Where the customer concerned is a non-profit organisation, and if metering indicates a significant increase in consumption, which is established as being caused by a previously unknown leak, the Council may estimate consumption as provided for above, providing that the customer repairs the leak with due diligence.

5.12.6 Incorrect Accounts

Where a situation occurs, other than as provided for in clause 5.12.5, 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. 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, 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.

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

Any plumbing system shall be compatible with the water supply. Specific features of the Council supply which need to be taken into account are contained in Table I below.

Table I - Compatibility features

Feature	Value
Maximum pressure	100 metres head (1,000 kPa)
Minimum pressure	10 metres head (100 kPa)
Normal operating pressure	20-30 metres head (200 - 300 kPa)
Free available chlorine	Up to 1.5 g/m ³

5.14 Prevention of Waste

5.14.1 The customer shall 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.

5.14.2 The Council provides water for consumptive use not as an energy source. The customer shall not use water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the Council.

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

5.15 Payment

5.15.1 The customer shall be liable to pay for the supply of water and related services in accordance with the Council's fees and charges prevailing at the time.

5.15.2 The Council may recover all unpaid water charges as provided in the Local Government (Rating) Act 2002.

5.16 Transfer of Rights and Responsibilities

5.16.1 The customer shall not transfer to any other party the rights and responsibilities set out in this bylaw.

5.16.2 A supply pipe shall serve only one customer, and shall not extend by hose or any other pipe beyond that customer's property.

5.16.3 In particular and not in limitation of the above any water which the customer draws from the Council supply shall not be provided to any other party without the approval of the Council.

5.17 Change of Ownership

In the event of a premises changing ownership the Council shall record the new owner as being the customer at those premises. Where premises are metered the outgoing customer shall give the Council five working days notice to arrange a final meter reading.

5.18 Disconnection at the Customer's Request

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

6.0 OFFENCES AND BREACHES

6.1 No person may do anything or cause any condition to exist for which a permit from the Council is required under this bylaw without first obtaining that permit.

6.2 Every person commits a breach of the bylaw who:

- a) Does, or causes to be done, or permits or allows to be done or be concerned in doing, anything whatsoever contrary to or otherwise than as provided by this bylaw; or
- b) Omits or neglects to do, or permits or allows to remain undone, anything which according to the true intent and meaning of this bylaw ought to be done by that person at the time and in the manner provided in this bylaw; or
- c) Does not refrain from doing anything which under this bylaw that person is required to abstain from doing; or
- d) Permits or allows any condition of things to exist contrary to any provision contained in this bylaw; or
- e) Refuses or neglects to comply with any notice given to that person under this bylaw; or
- f) Obstructs or hinders any offer of the Council or other person duly appointed or authorised by the Council in the performance of any duty to be discharged by that office or person under or in the exercise of any power conferred by this bylaw; or
- g) Fails to comply with any notice or direction given under this bylaw; or
- h) Omits, neglects or fails to pay any permit fee fixed by the Council in respect of a permit or approval granted to such person; or

- i) Interferes or tampers with Council equipment; or
- j) Fails to comply with any conditions contained in any licence granted by the Council.

7.0 PENALTY

7.1 Any person who commits a breach against this bylaw shall be liable to a fine not exceeding \$20,000.00.

The above bylaw was made pursuant to a resolution passed by the Waikato District Council on 24 November 2009.

The Common Seal of the)
Waikato District Council)
was hereto affixed in the)
presence of:)

MAYOR

CHIEF EXECUTIVE