



Approved

Wanganui District Council

WATER SUPPLY BYLAW

2008

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THE WANGANUI DISTRICT COUNCIL WATER SUPPLY BYLAW 2008

Wanganui District Council makes this Bylaw pursuant to the powers vested in it by the Local Government Act 2002.

1. Title

The title of this Bylaw is the Wanganui District Council Water Supply Bylaw 2008.

2. Commencement

This Bylaw will come into force on 1 November 2008.

3. Repeals

The Wanganui District Council water Supply Bylaw 2008 repeals the following bylaws:

Wanganui County Council Water Bylaw No 1 1967
Wanganui City Council Water Supply and Fees No 21, 1950
Wanganui Borough Council Waterworks Bylaw, 1906
Wanganui City Bylaw No 6 - Fire Protection
Wanganui City Bylaw No 7 - Water Charges, 1928
Wanganui City Bylaw No 52 – Fire Protection, 1973
Wanganui County Council Fire Bylaws 1973
Wanganui County Council Water Control Bylaw 1981

4. Application of Bylaw

This Bylaw shall apply to the Wanganui District Council.

5. 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;
 - (v) Local Government (Rating) Act 2002;
 - (vi) Resource Management Act 1991;

- (b) 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 4509:2008 New Zealand Fire Service Fighting Water Supplies Code of Practice;
 - (iv) NZWWA Backflow Code of Practice 2006;
 - (v) NZWWA Water Meter Code of Practice 2003;
 - (vi) Engineering Standards for Land Development, NZS4404 and WDC Supplement document.

6. Interpretation

For the purpose of this Bylaw, the word 'shall' refers to practices that are mandatory for the compliance with this Bylaw, while the word 'should' refers to practices that are advised or recommended.

7. Definitions

For the purpose of this Bylaw, unless the context otherwise require the following definitions apply:

Approved	Approved by resolution of the Council or an authorised Committee or in writing by an Officer of Council
Backflow	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.
Check valve	A valve designed to prevent flow in the reverse direction to normal flow.
Council	The Wanganui District Council or any Committee, Community Board or elected member of the Council or officer authorized to exercise the authority of the Council.
Customer	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	A check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorized use on a dedicated fire supply.
Extraordinary supply	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.
Fee and charges	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.
On demand supply	A supply which is available on demand directly from the point of supply subject to the agreed Level of Service.
Ordinary supply	A category of on demand supply used solely for domestic purposes.
Person	A natural person, corporation sole or a body of persons whether corporate or otherwise.
Point of supply	The point on the service pipe which marks the boundary of responsibility between the individual customer and the Council, irrespective of property boundaries.

Potable	As defined in Section 69 G of the Health Act 1956.
Premises	Include the following: (a) A property or allotment which is held under 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 used; or (b) 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.
Publicly notified	Published on one occasion in one daily newspaper circulating in the Council water supply area; or under emergency conditions in the most effective way to suit the particular circumstances.
Restricted flow supply	A type of water supply where a small flow is supplied through a flow control device, and storage is provided by the customer.
Restrictor	A flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises.
Roading authority	A territorial authority or Transit New Zealand.
Rural water supply area	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.
Service pipe	The section of water pipe between a water main and the point of supply.
Service valve (toby)	The valve at the customer end of the service pipe.
Storage tank	Any tank having a free water surface.
Supply pipe	The section of pipe between the point of supply and the customers premises through which the water is conveyed to the premises.
Termination	The physical cutting off of the supply to premises.
Urban water supply area	An area within the City, serviced by a reticulated water supply system, owned by the Wanganui District Council that is intended to supply water to customers.
Water supply authority (WSA)	The operational unit of the Wanganui District Council responsible for the supply of water, including its authorized agents.
Water supply system	All those components of the network between the point of abstraction and the point of supply

8. Protection of Water Supply

8.1 Water Supply System

8.1.1 Access to system

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

8.1.2 No person to connect to, or interfere with a water supply system

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

a) a trained firefighter who may access fire hydrants for firefighting purposes including training and testing.

b) upon prior written authorisation of the Council.

8.1.3 Working around buried Services

Council keeps accurate records (as-built plans) of the location of its buried services. This information shall be available for inspection at no cost to users. Charges may be levied to cover the costs of providing copies of this information.

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. At least five 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 will mark out to within $\pm 0.5\text{m}$ on the ground the location of its services and may nominate in writing any restrictions on the work it considers necessary to protect its services. The Council may charge for this service.

When excavating and working around buried services due care shall be taken to ensure the services are not damaged and that bedding and backfill is reinstated in accordance with the appropriate Council specification. Excavation within roadways is also subject to the permit process of the appropriate roading authority.

Any damage which occurs to a Council 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.

Note - Excavation within roadways is also subject to the permit process of the appropriate roading authority.

9. Conditions of Supply

9.1 Application for Supply

9.1.1 Initial Application

Every person requiring a water connection to draw water supplied by the Council shall make an application in writing accompanied by prescribed fee. The applicant shall provide all the details required by the Council.

On receipt of an application the Council, shall, after consideration of the matters in 9.4 and 9.5, either;

- (a) Approve the application;
- (b) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

For the agreed level of service to the applicant the Council will determine the sizes of all pipes, fittings and any other equipment, up to the point of supply. The Council will supply and install the service pipe up to the point of supply at the customer's cost; or may allow the supply and installation of the service pipe to be carried out by approved contractors.

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

An approved application for supply which has not been actioned within six months of the date of application will lapse unless otherwise approved. Any refund will be at the discretion of the Council.

9.1.2 Change of Use

Where a customer seeks a change in the level of service or end use of water supplied to the premises, and/or the supply changes from an ordinary supply to an extraordinary or vice versa, a new application for supply shall be submitted by the customer.

9.1.3 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. This may include the cost of extending/upgrading the main;
- (b) A development contribution charge determined in accordance with the Local Government Act 2002;
- (c) A capital contribution where applicable.

9.2 Point of Supply

9.2.1 Responsibility for maintenance

The Council owns and is responsible for the maintenance of the service pipe and fittings up to the point of supply. The customer owns and is responsible for the maintenance of the supply pipe beyond the point of supply. A typical layout is shown in Schedule 1.

9.2.2 **Single ownership**

For individual customers the point of supply shall be located as shown in Schedule 1, or as close as possible where circumstances make it difficult to locate it at the required position. Positions other than those in Schedule 1 will require specific approval from Council.

For each individual customer there shall be only one point of supply, unless otherwise approved.

The Council does not guarantee the serviceability of the service valve. Where there is no customer stopcock, or where maintenance is required between the service valve and the customer stopcock, the customer may use the service valve to isolate the supply. However, the Council may charge for maintenance of the service valve if damaged by the customer.

9.2.3 **Multiple Ownership**

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

- (a) For Company Share/ Block Scheme (Body Corporate) – as for single ownership;
- (b) For Leasehold/ Tenancy in Common Scheme (Cross lease, Strata Title, and Unit Title (Body Corporate) – each owner 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 individual approval.

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 arrangement existing at that time, or as determined by agreement with the Council for an individual case.

9.3 **Access to, and about point of Supply**

9.3.1 **Rights of access**

Where the point of supply is on private property the customer shall allow the Council access to, and about the point of supply between 7.30am and 6pm on any day for:

- (a) Meter reading without notice;
- (b) Checking, testing and maintenance work with reasonable notice being given whenever possible.

Outside these hours (e.g. leak detection) the Council will give notice to the customer;

Where access is not made available for any of the above and a return visit is required by the Council, the council may charge a fee for that visit.

Under emergency conditions the customer shall allow council authorised officer the free and unimpeded access to, and about the point of supply at any hour.

9.3.2 **Maintenance of access**

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

9.4 Types of Supply

9.4.1 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"

9.4.2 On Demand Supply

Every premises within the urban area (excluding part of Putiki and areas designated restricted services) where street reticulation goes past the property, 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 9.7.3;
- (b) Payment of appropriate charges in respect to the property;
- (c) Any other relevant conditions in section 9 of this By law.

9.4.3 Restricted Flow Supply

Restricted flow supply shall only be available to premises within a designated area or under special conditions set by the Council.

The Council shall charge for the restricted flow supply by

- (a) The volume passing through a meter; or
- (b) Land area and type of use; or
- (c) Uniform Annual charge (UAC); or
- (d) A combination of (a), (b) and (c).

9.4.4 Ordinary Use

Ordinary use is for domestic purposes (which may include use in a fire sprinkler system to NZS4517) 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 9.7.3.

9.4.5 Extraordinary use

Extraordinary use includes:

- (a) Domestic- spa or swimming pool in excess of 10 m3 capacity, fixed garden irrigation systems;
- (b) Commercial and business;
- (c) Industrial;
- (d) Agricultural;
- (e) Horticultural;
- (f) Fire protection systems other than sprinkler systems installed to comply with NZS4517;
- (g) Temporary supply;
- (h) Outside Urban area;
- (i) Lifestyle blocks.

9.5 Metering

An ordinary supply of water shall not normally be metered (subject to the Council reserving the right to fit a meter and charge where it considers water use is excessive), and the cost of such supply shall be a prescribed in the Local Government (Rating) Act 2002, Part 1, sections 9, 15 to 19 and Part 4, sections 101 to 103.

An extraordinary use may be metered and charged for in accordance with charges set by Council. Where the extraordinary use is for fire protection only, this supply shall not normally be metered.

9.6 Level of Service

The Council shall provide water in accordance with the level of service contained in the Long Term Council Community Plan.

9.7 Continuity of Supply

9.7.1 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 do its best to meet the continuity of supply levels of 9.6, subject to the exemptions contained in 9.7.3 and 9.7.4.

Where physical works are planned which substantially affect an existing supply, the Council will give reasonable notice to all customers known to be affected.

9.7.2 Uninterrupted Service

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

9.7.3 Demand Management

The customer shall comply with any restrictions which may be approved by the Council to manage high seasonal and other demands. Such restrictions shall be advised by public notice.

9.7.4 Emergency restrictions

During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period for any or all of its customers. Such restrictions shall be advertised by public notice. The decision to make and lift restrictions shall be made by the Council, or where immediate action is required by the Wanganui District Council Chief Executive.

9.7.5 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 this is not practical, the Council may shut down the supply without notice.

9.8 Liability

The Council shall endeavour to meet the level of service requirements of clause 9.6 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 deficiencies in, or interruptions to, the water supply.

9.9 Fire protection connection

9.9.1 Connection Application

Any proposed connection for fire protection shall be the subject of a specific application to the Council for approval. Any such connection shall be subject to the conditions specified by the Council.

9.9.2 Design

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

9.9.3 Fire Protection Connection Metering

Where the supply of water to any premises is metered the Council may allow 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 only possible in connection with the sounding of an automatic fire alarm or the automatic notification of the Fire Service; 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 shall not be used for any purpose other than fire fighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS4517.

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

9.9.4 Fire hose reels

Where supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to a fire protection connection. The water supply to fire hose reels shall comply with the requirements of NZS4503.

9.9.5 Charges

Water used for the purpose of extinguishing fires will be supplied free of charge. Whenever water has been used for fire fighting purposes, for which a charge has been made, the Council shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.

9.9.6 Ongoing testing and monitoring

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

9.10 Backflow Prevention

9.10.1 Customer Responsibility

It is the customer's responsibility (under Health Act 1956, the Building Act 2004 and the Building Code) 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 backflow prevention device;
- (b) The prohibition of any direct 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.

9.10.2 Unmanaged risk

Notwithstanding 9.10.1 the Council may fit a backflow prevention device at customers cost on the Council side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed.

9.11 Council equipment and inspection

9.11.1 Care of water supply system

The customer 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.

9.11.2 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 these conditions.

9.12 Meters and flow restrictors

9.12.1 Installation

Meters for on demand supply and restrictors for restricted flow supply shall be paid for by the owner, but be installed and maintained by the Council. These devices shall remain the property of the Council.

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

Council will require commercial premises to be metered unless an exemption is approved by the Council.

9.12.2 Location

Meters and restrictors shall be located in a position which is readily accessible for reading and maintenance, and if practicable immediately on the Council side of the point of supply.

9.12.3 Accuracy

The accuracy of meters shall be tested as and when required by the Council or as prescribed in Water Meter Code of Practice (OIML R49). The maximum permissible error for the upper flow rate zone ($Q_2 < A < Q_4$) is $\pm 2\%$, for temperatures from 0.3°C to 30°C and the maximum permissible error for lower flow rates 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 accuracy of flow restrictors shall be within $\pm 10\%$ of their rated capacity.

NOTE – Where Q is the flowrate:

Q1 is the minimum flowrate;

Q2 is the transitional flowrate;

Q3 is the permanent flowrate; and

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

Any 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. If the test shows non compliance with the accuracy requirement above, then the customer will not be charged for the test. If the test shows compliance then the customer shall pay a fee in accordance with the Council current fees and charges.

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

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 zones.

Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period not less than 1 hour at its expected minimum operating pressure. A copy of the independent certification of the test result will be made available to the customer on request.

9.12.4 Adjustment

Should any meter, after being tested, be 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 by not exceeding 12 months, and the customer shall pay a greater or lesser amount according to such an 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 invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

9.12.5 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 provided above.

9.12.6 Incorrect accounts

Subject to 9.12.5, 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 unauthorized supplies.

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

9.13 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.

In accordance with the New Zealand Building Regulations 1992 or any subsequent amendments, the 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 1.

Table 1 - Compatibility features

Water Supply Area	Feature	Value
Wanganui City area	Minimum pressure	250 kPa
Mowhanau	Rural water supply	Limited rural supply
Westmere, Fordell, Maxwell, Putiki South	Rural water supply	Limited rural supply

NB: Minimum pressure is at the point of supply. There are parts of the city where pressure could drop below the indicated minimum pressure at times of high draw off.

9.14 Prevention of waste

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.

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, eductors, generators or any other similar device; unless specifically approved.

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

9.15 Payment

The Customer shall be liable to pay for the supply of water and related services in accordance with the Council fees and charges.

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

9.16 Transfer of rights and responsibilities

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

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

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 approval of the Council.

9.17 Change of ownership

Where a premise changes ownership the Council will automatically record the new owner as being the customer at that premise. Where a premise is metered the outgoing customer shall give the Council 5 working days notice to arrange a final meter reading.

9.18 Disconnection at the customer's request

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.

10. Breaches and Infringement offences

10.1 Breaches of conditions of supply

The following are deemed breaches of the Conditions to supply water:

- (a) An incorrect application for supply which fundamentally affects the conditions of supply (section 9) ;
- (b) Failure by the customer to meet and comply with this Bylaw;
- (c) Failure to meet any obligation placed on the customer under all current Acts and Regulations specified in section 5 (a);
- (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) Failing to repair a leak, or in any way wilfully allowing water to run to waste or to be misused, using automatic sprinkler devices outside authorised times
 - (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 (subject to 9.13);
 - (iv) Failure to prevent backflow (see 9.10);
 - (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 cooling or heating 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 party without the approval of the Council; or
 - (x) Interference with the Council supply system.

In the event of a breach, the Council may serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. If, the customer persists in the breach, the Council reserves the right to:

- Reduce the flow rate to the customer without notice; or
- Have a meter installed at the customer's cost and charge on a cubic metre basis at the applicable rate.

In such an event the full service of the supply shall be re-established only after payment of appropriate fee and remedy of the breach to the satisfaction of the Council.

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.

10.2 Interference with equipment

Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute a breach. Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with 9.12.5) and charge for the additional consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

10.3 Infringement offences

Every person who:

- (a) Fails to comply with this Bylaw;
- (b) Breaches the conditions of any entry permit granted pursuant to this Bylaw; or
- (c) Fails to comply with a notice served under this Bylaw commits an offence under section 239 of the Local Government Act, and is liable to a fine as specified in section 242 of the Local Government Act , or the issue of an infringement notice under section 245 of the Local Government Act.

The Council may issue infringement notices, in such forms and for such amounts as are authorized in any regulations made under Section 259 of the Local Government Act 2002.

SCHEDULES

Schedule 1: Point of Supply and Fittings Detail Diagrams

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

