

**Tasman District Council  
Consolidated Bylaw**

**Chapter 10**

**WATER SUPPLY BYLAW 2009**

## **Water Supply Bylaw 2009**

### ***Explanatory Note***

The Council is empowered by the Local Government Act 2002, the Health Act 1956 and the Rating Powers Act 1988 to make bylaws to:

- Protect public health and the security of the public water supply;
- Detail the responsibilities of both the Council and the consumers with respect to the public water supply;
- Detail different types of water supply;
- Detail mechanisms for the recovery of costs of water supply;
- Prevent the wastage of water;
- Provide a mechanism for demand management, detail breaches and offences and provide a disputes procedure.

This bylaw aims to achieve these purposes and should be read in conjunction with the Acts, Regulations, Codes and Standards listed in this part of the bylaw.

# Table of Contents

<b>1</b>	<b>TITLE</b> .....	<b>4</b>
<b>2</b>	<b>COMMENCEMENT</b> .....	<b>4</b>
<b>3</b>	<b>REPEAL</b> .....	<b>4</b>
<b>4</b>	<b>APPLICATION OF BYLAW</b> .....	<b>4</b>
<b>5</b>	<b>SCOPE</b> .....	<b>4</b>
<b>6</b>	<b>INTERPRETATION</b> .....	<b>5</b>
<b>7</b>	<b>DEFINITIONS</b> .....	<b>5</b>
<b>8</b>	<b>PROTECTION OF WATER SUPPLY</b> .....	<b>7</b>
8.1	Water Supply System .....	7
8.1.1	Access to System.....	7
8.1.2	No Person to Connect to, or Interfere with a Water Supply System.....	7
8.1.3	Fire Hydrants.....	7
8.1.4	Other Uses .....	7
8.1.5	Permit to Take Water .....	8
8.1.6	Working around Buried Services (Located on Public and Private Property).....	9
<b>9</b>	<b>CONDITIONS OF SUPPLY</b> .....	<b>10</b>
9.1	Application for Supply .....	10
9.1.1	Initial Application .....	10
9.1.2	Change of Use .....	10
9.1.3	Prescribed Charges .....	10
9.2	Point of Supply.....	11
9.2.1	Responsibility for Maintenance .....	11
9.2.2	Single Ownership .....	11
9.2.3	Multiple Ownership.....	11
9.3	Access to, and about Point of Metering .....	11
9.3.1	Rights of Access .....	11
9.3.2	Maintenance of Access .....	12
9.4	Types of Supply .....	12
9.4.1	General .....	12
9.4.2	On Demand Supply .....	12
9.4.3	Restricted Flow Supply.....	12
9.5	Types of Use.....	13
9.5.1	Ordinary Use .....	13

<b>9.5.2</b>	Extraordinary Use .....	13
9.6	Metering.....	14
9.7	Level of Service .....	14
9.8	Continuity of Supply.....	14
<b>9.8.1</b>	Supply .....	14
<b>9.8.2</b>	Uninterrupted Service.....	14
<b>9.8.3</b>	Demand Management.....	14
<b>9.8.4</b>	Emergency Restrictions .....	14
<b>9.8.5</b>	Maintenance and Repair .....	15
<b>9.8.6</b>	Storage of Water on Restricted Flow Supplies.....	15
9.9	Liability.....	15
9.10	Fire Protection Connection .....	15
<b>9.10.1</b>	Connection Application .....	15
<b>9.10.2</b>	Design.....	15
<b>9.10.3</b>	Fire Protection Connection Metering.....	16
<b>9.10.4</b>	Fire Hose Reels .....	16
<b>9.10.5</b>	Charges .....	16
<b>9.10.6</b>	Ongoing Testing and Monitoring .....	16
9.11	Backflow Prevention .....	16
<b>9.11.1</b>	Customer Responsibility .....	16
<b>9.11.2</b>	Unmanaged Risk .....	17
9.12	WSA's Equipment and Inspection .....	17
<b>9.12.1</b>	Care of Water Supply System.....	17
<b>9.12.2</b>	Inspection .....	17
9.13	Meters and Flow Restrictors.....	17
<b>9.13.1</b>	Installation.....	17
<b>9.13.2</b>	Location .....	17
<b>9.13.3</b>	Accuracy .....	17
<b>9.13.4</b>	Adjustment .....	18
<b>9.13.5</b>	Estimating Consumption .....	18
<b>9.13.6</b>	Incorrect accounts.....	19
9.14	Plumbing system .....	19
9.15	Prevention of Waste .....	19
9.16	Payment .....	19
9.17	Transfer of Rights and Responsibilities .....	20
9.18	Change of Ownership.....	20

9.19	Disconnection at the Customer's Request.....	20
<b>10</b>	<b>BREACHES AND INFRINGEMENT OFFENCES .....</b>	<b>20</b>
10.1	Breaches of Conditions of Supply.....	20
10.2	Interference with Equipment.....	21
10.3	Infringement Offences .....	21
	<b>APPENDIX-1 – EXAMPLES OF POINT OF SUPPLY LOCATIONS.....</b>	<b>22</b>
	<b>APPENDIX-2 – EXAMPLES OF POINT OF SUPPLY RETICULATION DETAILS</b>	
	<b>(FIGURES 1-2).....</b>	<b>23</b>
	<b>APPENDIX-2 – EXAMPLES OF POINT OF SUPPLY RETICULATION DETAILS</b>	
	<b>(FIGURES 3-4).....</b>	<b>24</b>
	<b>APPENDIX 2 – EXAMPLES OF POINT OF SUPPLY RETICULATION DETAILS</b>	
	<b>(FIGURES 5-6).....</b>	<b>25</b>
	<b>APPENDIX 3 – REFERENCED DOCUMENTS.....</b>	<b>26</b>
	<b>APPENDIX 3 – REFERENCED DOCUMENTS.....</b>	<b>26</b>
	<b>APPENDIX 4 – FIRE HYDRANT LOCATIONS.....</b>	<b>27</b>
	<b>APPENDIX 5 - STAGES OF WATER RESTRICTIONS.....</b>	<b>28</b>

# **1 TITLE**

A Bylaw of the Tasman 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 Tasman District Council Water Supply Bylaw 2009.

# **2 COMMENCEMENT**

This Bylaw shall come into force on the first day of January 2010.

# **3 REPEAL**

As from the day this Bylaw comes into force, any previous bylaw or parts of any bylaw and their amendments in force in the Tasman District (including the former local authorities that now comprise the Tasman District Council) shall be repealed.

# **4 APPLICATION OF BYLAW**

This Bylaw shall apply to the Tasman 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 Tasman District Council. The supply and sale of water by the Tasman District Council is subject to:

- (a) Statutory Acts and Regulations
  - i. Building Act 2004
  - ii. Fire Service Act 1975
  - iii. Health Act 1956
  - iv. Health Act 1956
  - v. Local Government Act 1974
  - vi. Local Government Act 2002
  - vii. Local Government (Rating) Act 2002
  - viii. Resource Management Act 1991
- (b) Relevant Codes and Standards
  - i. Drinking Water Standards for New Zealand 2005
  - ii. BS EN 14154-3 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;
  - vi. Tasman District Council Engineering Standards & Policies 2008

*Note – All codes and standards refers to the current edition or their amendment.*

## 6 INTERPRETATION

When interpreting this Bylaw use the definitions set out in section 7 unless the context requires otherwise. If you see a reference to a repealed enactment read that as a reference to its replacement.

For the purpose of this Bylaw, the word 'shall' refers to practices that are mandatory for 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 inconsistent with the context, the following definitions apply:

<b>Approved</b>	Approved in writing by Tasman District Council either by resolution of the Council or by any authorised office of Tasman District Council.
<b>Backflow</b>	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.
<b>Council</b>	The Tasman 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 Tasman District Council.
<b>Customer valve</b>	Valve owned by the customer located on the customer's side of the boundary from the point of supply.
<b>Detector check valve</b>	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.
<b>Extraordinary supply</b>	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.
<b>Fees and charges</b>	The list of items, terms, and prices for services associated with the supply of water as adopted by the Council in accordance with the LGA 2002 and the Local Government (Rating) Act 2002.
<b>Fire Service</b>	New Zealand Fire Service and/or the Rural Fire Network
<b>Level of Service</b>	The measurable performance standards which Tasman District Council undertakes to supply water to its customers.
<b>LTCCP</b>	Long Term Council Community Plan
<b>Non Council Supplies</b>	Private domestic and irrigation supplies operated by the Lower Moutere Water Scheme Ltd and others are not part of this Bylaw and owners of such schemes must be approached individually.

<b>On demand supply</b>	A supply which is available on demand directly from the point of supply subject to the agreed level of service.
<b>Ordinary supply</b>	A category of on demand supply used solely for domestic purposes.
<b>Permit to take water</b>	An operator who has been authorised by the WSA to take water from a fire hydrant.
<b>Person</b>	A natural person, corporation sole or a body of persons whether corporate or otherwise.
<b>Point of metering</b>	The point of metering is the physical point where the meter is to be found. This point may be located either at the point of supply or in other cases anywhere along the supply pipe at the sole discretion of the Council.
<b>Point of supply</b>	The point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the customer and Tasman District Council irrespective of property boundaries.
<b>Potable water</b>	As defined in section 69G of the Health Act 1956.
<b>Premises</b>	Premises include the following: (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 (eg, reserve) for a particular purpose.
<b>Public notice</b>	As defined in the Local Government Act 2002.
<b>Restricted flow supply</b>	A type of water supply connection where a limited 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>	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>	A territorial authority or Transit New Zealand.
<b>Rural water supply area</b>	An area formally designated by Tasman District 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.
<b>Service pipe</b>	The section of water pipe between a water main and the point of supply.
<b>Service valve (Toby)</b>	The valve at the customer end of the service pipe.



<b>Storage tank</b>	Any tank having a free water surface
<b>Supply pipe</b>	The section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.
<b>Urban water supply area</b>	An area formally designated by Tasman District 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.
<b>Warranted Officer</b>	A person responsible for the management of a Tasman District Council controlled catchment area or water reserve.
<b>Water supply authority (WSA)</b>	The operational unit of the Tasman District Council responsible for the supply of water, including its authorised agents.
<b>Water supply system</b>	All those components of the network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.
<b>Water unit</b>	The basis of measurement for a restricted flow supply delivered at the rate of 1 m <sup>3</sup> per day.

## **8 PROTECTION OF WATER SUPPLY**

### **8.1 Water Supply System**

#### **8.1.1 Access to System**

No person other than the Water Supply Authority (WSA) and its authorised agents shall have access to any part of the water supply system, except to connect to the point of supply, subject to 9.1, and to operate the service valve.

#### **8.1.2 No Person to Connect to, or Interfere with a Water Supply System**

Except as set out in 8.1.1, 8.1.3 and 8.1.4, no person shall make any connection to, or otherwise interfere with, any part of the water supply system.

#### **8.1.3 Fire Hydrants**

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

NOTE – Use of the fire hydrants by unauthorised and untrained personnel can result in damage to the water supply system.

#### **8.1.4 Other Uses**

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

- (a) The WSA;

- (b) Permit holders, being those persons who after having submitted an application to Tasman District Council are subsequently approved to draw water from fire hydrants or tanker filling points under specific conditions (refer 8.1.5). Such permits shall be valid only so long as the permit holder complies with the conditions endorsed on the permit. Without prejudice to other remedies available, the WSA may remove and hold 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.
- (c) No permit holder may take water from a fire hydrant in an area that has water restrictions in place without further written approval from the WSA.

### **8.1.5 Permit to Take Water**

Operators wishing to take water from a nominated WSA fire hydrant must hold a current valid permit (refer also to 8.1.4b). A current schedule of the nominated fire hydrants shall be made available to permit holders by the WSA and may be subject to variation upon notification at the sole discretion of the WSA.

Permits and water will be charged on the following basis:

- (a) A management fee will be set and this will entitle a permit holder to receive a single fire hydrant upstand pipe incorporating a water meter and backflow device for a defined period of time.
- (b) Water will be charged on a per m<sup>3</sup> rate.

All fees will be set annually as part of Council's Long Term Council Community Plan and/or Annual Plan.

Permit holders will be advised of the current schedule of specific fire hydrants from which they can extract water. A traffic management plan for all of the water take sites will be included with the permit. It is the responsibility of the permit holder to comply with the individual traffic management plans for each site.

If a permit holder requires more than one fire hydrant upstand pipe they will be required to obtain an additional permit to take water (one permit per fire hydrant upstand pipe).

It is an offence under this bylaw and the Health Act 1956, clause 69ZZR to take water from any fire hydrant without either a permit or the written approval of the WSA's representative (Tasman District Council Engineering Manager). The WSA under 8.1.4 above has the authority to remove and retain equipment used by the offender.

WSA fire hydrant upstand pipes will remain the property of the WSA. If any fire hydrant upstand pipe is lost or damaged, the WSA will seek full replacement compensation from the permit holder concerned. Permit holders will be required to provide the WSA with their fire hydrant upstand pipe water meter readings on a quarterly basis and will be duly billed on a quarterly cycle. An annual examination and meter check will be made of all units or more frequently at the sole discretion of the WSA.

There are two types of permits to take water:

- a) Permit to take potable water (eg, water delivery to residential dwellings);

As from 1 January 2009 all water carriers must be registered as a drinking water supplier in accordance with the Health Act 1956.

The WSA will require proof from the water carrier that he/she has the appropriate registration from the Director-General of Health before a permit to take water from a fire hydrant will be issued.

It is an offence under the Health Act 1956 clause 69ZZQ to supply or transport water if compliance with the Act is not met.

b) Permit to take non-potable water (eg, water for road construction purposes).

As part of the permit to take water from a fire hydrant the water carrier must acknowledge that no water that is taken will be used for human consumption.

#### **8.1.6 Working around Buried Services (Located on Public and Private Property)**

The WSA shall keep records (as-builts)<sup>1</sup> 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 the WSA's services are located in the vicinity. At least five working days notice in writing shall be given to the WSA of an intention to excavate in the vicinity of its services. Where appropriate the WSA shall mark out to within  $\pm 1.0\text{m}$  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 WSA 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 are reinstated in accordance with the appropriate WSA Engineering Standards or other specifications advised in writing by the WSA.

Any damage which occurs to a WSA service shall be reported back to the WSA immediately. The person causing the damage shall reimburse the WSA with all costs associated with repairing the damaged service, and any other costs (direct and indirect) the WSA incurs as a result of the incident.

NOTE – Excavation within roadways is also subject to the formal permit process of the appropriate roading authority.

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#### **<sup>1</sup> Disclaimer**

As-built plans held by Council are correct to the best of Council's knowledge and information received from external parties. Council takes no responsibility for inaccurate information or unknown infrastructure found on site.

Council will not be liable for any damages or loss whatsoever suffered from the use of information held by them.

## **9 CONDITIONS OF SUPPLY**

### **9.1 Application for Supply**

#### **9.1.1 Initial Application**

Every application for a supply of water shall be made in writing on the standard WSA application form accompanied by the prescribed charges. The applicant shall provide all the details required by the WSA.

On receipt of an application the WSA shall, after consideration of the matters in 9.4 and 9.5, 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.

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

The applicant shall have gained in advance the full 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 approval will lapse unless a time extension has been approved. Any refund of fees and charges shall be at the sole discretion of the WSA

#### **9.1.2 Change of Use**

Where a customer seeks a change in the level of service or end use of water supplied to premises, and/or the supply changes from an ordinary to an extraordinary type (see 9.4) 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 WSA for the connection charge to provide the connection as outlined in the current Annual Plan;
- b) A development contribution charge determined in accordance with the Local Government Act 2002;
- c) A financial contribution charge determined in accordance with the Resource Management Act 1991.

## **9.2 Point of Supply**

### **9.2.1 Responsibility for Maintenance**

The WSA 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.

### **9.2.2 Single Ownership**

For individual customers the point of supply shall be located as shown in the typical layout in Tasman District Council's current Engineering Standards and Policies or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position. Other positions shall require specific approval.

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

The typical layout at a point of supply is shown in Council's current Engineering Standards and Policies.

The WSA gives no guarantee of the serviceability of the valve located on the service pipe. Where there is no customer stopcock, or where maintenance is required between the service valve and the customer's valve, the customer may use the service valve to isolate the supply. However the WSA reserves the right to charge for maintenance of this valve if damaged by such customer use.

### **9.2.3 Multiple Ownership**

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

- a) For Company Share/Block Scheme (Body Corporate) – as for single ownership;
- b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership as determined by the WSA – each customer shall have an individual supply with the point of supply determined by agreement with the WSA. All points of supply shall be at the boundary unless otherwise approved in writing.

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 in the absence of any arrangement as determined by the WSA for any individual case.

Point of supply arrangements may be reviewed if a significant change in water demand or risk to the water supply occurs.

## **9.3 Access to, and about Point of Metering**

### **9.3.1 Rights of Access**

Where the point of metering is on private property the customer shall allow the WSA access to, and about the point of metering between 7.30am and 6.00pm on any day for:

- a) Meter reading without notice; or

- b) Checking testing and maintenance work with notice being given whenever possible.

Outside these hours (such as for night time leak detection) the WSA shall give notice to the customer for meter reading and routine maintenance work.

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

Where access is not made available for any of the above times and a return visit is required by the WSA, a fee may be charged as for “Special Water Meter” reading.

Under emergency conditions the customer shall allow Tasman District Council free access to, and about the point of metering at any hour.

### **9.3.2 Maintenance of Access**

The customer shall maintain the area in and around the point of metering 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 shall be entitled to an ordinary supply of water subject to the following conditions:

- a) A customer has applied for and been granted permission to connect to the WSA’s water network
- b) The premises lying within an urban water supply area if such an area has been constituted by Tasman District Council;
- c) The limitation of its use under any restrictions made by Tasman District Council under 9.8.3;
- d) Payment of any appropriate water charges owing to the WSA in respect of that property;
- e) Any other charges or costs associated with subdivisional development; and
- f) Any other relevant conditions in section 9 of this Bylaw.

The WSA shall be under no obligation in any circumstances to provide an extraordinary supply of water (see also the provisions of 9.8 and 9.10.2).

### **9.4.3 Restricted Flow Supply**

Every premises shall be entitled to an ordinary supply of water subject to the following conditions:

- a) A customer has applied for and been granted permission to join one of the WSA’s Rural Water Supplies or Rural Extensions;

- b) The water supply shall be restricted so as to deliver the agreed number of water units approved by the WSA at a steady flow rate;
- c) The limitation of its use under any restrictions made by Tasman District Council under 9.8.4;
- d) Payment of any appropriate water charges owing to the WSA in respect of that property;
- e) Any other water charges or costs associated with subdivisional development;
- f) Any other relevant conditions in section 9 of this Bylaw.

Tasman District Council shall be under no obligation to provide a supply of water for extraordinary uses other than the following:

## **9.5 Types of Use**

### **9.5.1 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 9.8.3);
- d) Irrigation systems for gardens and lawns (both fixed and portable), (subject to the provisions of 9.8.3).

NOTE – For use from a fire protection system to NZS4517 to be classified as an ordinary use, the customer should comply with the conditions set under 9.10.1.

### **9.5.2 Extraordinary Use**

Extraordinary use shall be anything outside 9.5.1 above and may also include:

- (a) Domestic – spa or swimming pool in excess of 10m<sup>3</sup> capacity, fixed garden irrigation systems.
- (b) Commercial and business;
- (c) Industrial;
- (d) Agricultural;
- (e) Horticultural;
- (f) Viticultural;
- (g) Fire protection systems other than sprinkler systems installed to comply with NZS 4517;
- (h) Out of district (supply to, or within another local authority);
- (i) Temporary supply;
- (j) Stock water.

## **9.6 Metering**

Both ordinary and extraordinary use of water shall be metered and levied as rates, as prescribed in the Local Government (Rating) Act 2002, sections 9, 15 to 19, and sections 101 to 103. Council advises the cubic metre rate for water in its Annual Plan and LTCCP.

## **9.7 Level of Service**

The WSA shall make its best endeavours to 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 allows non-compliance with the specified value(s) Tasman District Council should make every reasonable attempt to minimise the effects and reinstall the approved level of service.

## **9.8 Continuity of Supply**

### **9.8.1 Supply**

Due to practical and physical limitations and unforeseen physical circumstances the WSA cannot guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular pressure, but shall use its best endeavours to meet the continuity of supply levels of 9.7 subject to the exemptions contained in 9.8.3 and 9.8.4.

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

### **9.8.2 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. The WSA shall not be liable for any costs or responsibility for any customer's facilities or equipment.

### **9.8.3 Demand Management**

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

Even when such restrictions apply the WSA shall take all practicable steps to ensure that an adequate supply for domestic purposes is provided to each point of supply.

### **9.8.4 Emergency Restrictions**

During an emergency the WSA 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 shall be advised by public notice. The WSA may enact penalties over and above those contained in these conditions to enforce these restrictions. The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Council, or where immediate action is required, by the Engineering Manager of Tasman District Council.



### **9.8.5 Maintenance and Repair**

Wherever practical the WSA 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 WSA may shut down the supply without notice.

### **9.8.6 Storage of Water on Restricted Flow Supplies**

Because of the possibility of unexpected interruptions to a restricted flow supply, all consumers are required to ensure that they have water tanks with the capacity to store water for a specific period of time.

The minimum size storage requirements are as follows:

- Consumers with one to three units of water – 25m<sup>3</sup> of storage required.
- Consumers on three units and greater require storage of 7m<sup>3</sup> of storage per unit of water supplied (ie seven (7) days storage of water), eg seven units multiplied by 7m<sup>3</sup> = 49,000 litres of storage.
- All customers on restricted flow supplies must comply with the minimum storage required by 30 June 2013
- Customers on restricted flow supplies are also to note the relevant sections of the Tasman Resource Management Plan in relation to firefighting requirements.

## **9.9 Liability**

The WSA shall endeavour to meet the level of service requirements of 9.7, 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.

The WSA may consider, under certain circumstances and at its sole discretion, make payments for damage caused to equipment, appliances, processes, and materials as a direct result of a variation in the water supply, provided that any such equipment or appliances have been designed to cater for reasonable variations in the flow, pressure, and quality of the water supply.

## **9.10 Fire Protection Connection**

### **9.10.1 Connection Application**

Any proposed connection for fire protection shall be the subject of a specific application (on the standard Tasman District Council water application form) made to the WSA for approval. Any such connection shall be subject to the conditions specified by the WSA.

### **9.10.2 Design**

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

### **9.10.3 Fire Protection Connection Metering**

In all cases supply of water to any premises is to be metered. Assessment of the water used for the extinguishing of fire will be dealt with in accordance with 9.10.5.

Any existing unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than firefighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS4517.

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 WSA will require the supply to be metered.

### **9.10.4 Fire Hose Reels**

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

### **9.10.5 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 WSA shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.

### **9.10.6 Ongoing Testing and Monitoring**

Customers intending to test fire protection systems in a manner that requires a draw-off of water shall obtain the approval of the WSA 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 Tasman District Council.

## **9.11 Backflow Prevention**

(Also refer to "Backflow Prevention for Drinking Water Supplies Code of Practice 2006").

### **9.11.1 Customer Responsibility**

It is the customer's responsibility (under the Health Act 1956, the Building Act 2004 and the Building Code G12) to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from the WSA's water supply from returning to that supply. These include:

- (a) Backflow prevention either by providing an adequate air gap, and/or by the use of an appropriate backflow prevention device;
- (b) The prohibition of any cross-connection between the WSA's 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.

- (c) Backflow prevention devices on extraordinary supplies are required to be tested by an approved backflow technician annually. A copy of the testing certificate is to be provided to the WSA's representative (Tasman District Council's Engineering Manager). For devices installed by the WSA, the WSA will have the required testing carried out and recover all costs from the water customer.

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 WSA's normal minimal operating pressure.

### **9.11.2 Unmanaged Risk**

Notwithstanding 9.11.1 the WSA may fit a backflow prevention device in accordance with the Health Act 1956, clause 69ZZZ on the WSA's side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed.

## **9.12 WSA's Equipment and Inspection**

### **9.12.1 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 pipework, valves, meters, restrictors, chambers and backflow prevention devices.

### **9.12.2 Inspection**

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

## **9.13 Meters and Flow Restrictors**

### **9.13.1 Installation**

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

### **9.13.2 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 WSA's side of the point of supply.

### **9.13.3 Accuracy**

Meters shall be tested as and when required by the WSA 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 C to 30 C and the maximum permissible error for the lower flow rate zone ( $Q_1 < Q < Q_2$ ) is  $\pm 5\%$ . This accuracy shall be applied to all water meters with  $Q_3 < 100 \text{ m}^3/\text{h}$  and may be applied to water meters with values of  $Q_3 > 100 \text{ m}^3/\text{h}$ . The flow restrictors shall be accurate to within  $\pm 10\%$  of their rated capacity.

NOTE – Where Q is the flow rate:

Q1 is the minimum flow rate;

Q2 is the transitional flow rate;

Q3 is the permanent flow rate; and

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

Any customer who disputes the accuracy of a meter or restrictor may apply to the WSA 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 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 WSA's current fees and charges.

Meters shall be tested as prescribed in OIML R49-2 and the test report shall be made available as prescribed in OIML R49-3.

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 time required for 10-litres of water to pass through the restrictor. A copy of the certification of the test result shall be made available to the customer on request.

#### **9.13.4 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 WSA shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the WSA 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 WSA 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 WSA 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.

#### **9.13.5 Estimating Consumption**

Should any meter be out of repair or cease to register, or be removed, the WSA 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 WSA 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.

If metering shows a significant increase in consumption for a premises, and the increase is established as being caused by a previously unknown leak, the WSA will consider a remission of the water account in accordance with the "Policy on Remissions of Excess Metered Water Rates". It should be noted that all repairs to the private plumbing must be undertaken in accordance with the Building Act and carried out by a registered plumber. Proof of the registered plumber's repairs is required for any consideration of a remission to the water account.

#### **9.13.6 Incorrect accounts**

Where a situation occurs, other than as provided for in 9.13.5, 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 WSA. 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 WSA or the customer, this shall not be backdated more than twelve (12) months from the date the error was detected.

#### **9.14 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 WSA 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 WSA.

In accordance with the Building Regulations 1992 the plumbing system shall be compatible with the water supply. Specific features of the WSA's supply which need to be taken into account can be obtained upon enquiry.

#### **9.15 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 WSA 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.

#### **9.16 Payment**

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

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

### **9.17 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 WSA's supply shall not be provided to any other party without approval of the WSA.

### **9.18 Change of Ownership**

In the event of a premises changing ownership the WSA shall record the new owner as being the customer at that premises. Where a premises is metered the outgoing customer shall give the WSA five working days notice to arrange a final meter reading. All final readings are carried out on a Thursday. The cost of a final meter reading is set out in the WSA's Long Term Council Community Plan. Special reading outside of the Thursday will be charged on a full recovery basis.

### **9.19 Disconnection at the Customer's Request**

The customer shall give 20 working days notice in writing to Tasman District 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 the conditions of supply;
- (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 WSA's ability to adequately and effectively carry out its obligations;
- (e) An act or omission including but not limited to any of the following:
  - (i) Failure to pay the appropriate charges by the due date
  - (ii) Failure to repair a leak, or in any way willfully allowing water to run to waste, or to be misused
  - (iii) The fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the

water supply system, or compromise the ability of the WSA to maintain its stated levels of service (subject to 9.14)

- (iv) Failure to prevent backflow (see 9.11)
- (v) Failure to comply with water use restrictions or prohibitions introduced by the WSA 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 WSA
- 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 WSA's supply to any other party without the approval of Tasman District Council.

In the event of a breach, the WSA shall serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the customer persists in the breach, the WSA reserves the right to reduce the flow rate of water to the customer without notice. In such an event the full service of the supply shall be re-established only after payment of the appropriate fee and remedy of the breach to the satisfaction of the WSA.

In addition, if the breach is such that the WSA 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 the WSA's equipment, either directly or indirectly, shall constitute a breach. Without prejudice to its other rights and remedies, The WSA shall be entitled to estimate (in accordance with 9.13.5) and charge for the additional water consumption recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

## **10.3 Infringement Offences**

The following shall be infringement offences under this Bylaw:

Taking water from a fire hydrant without the required authority

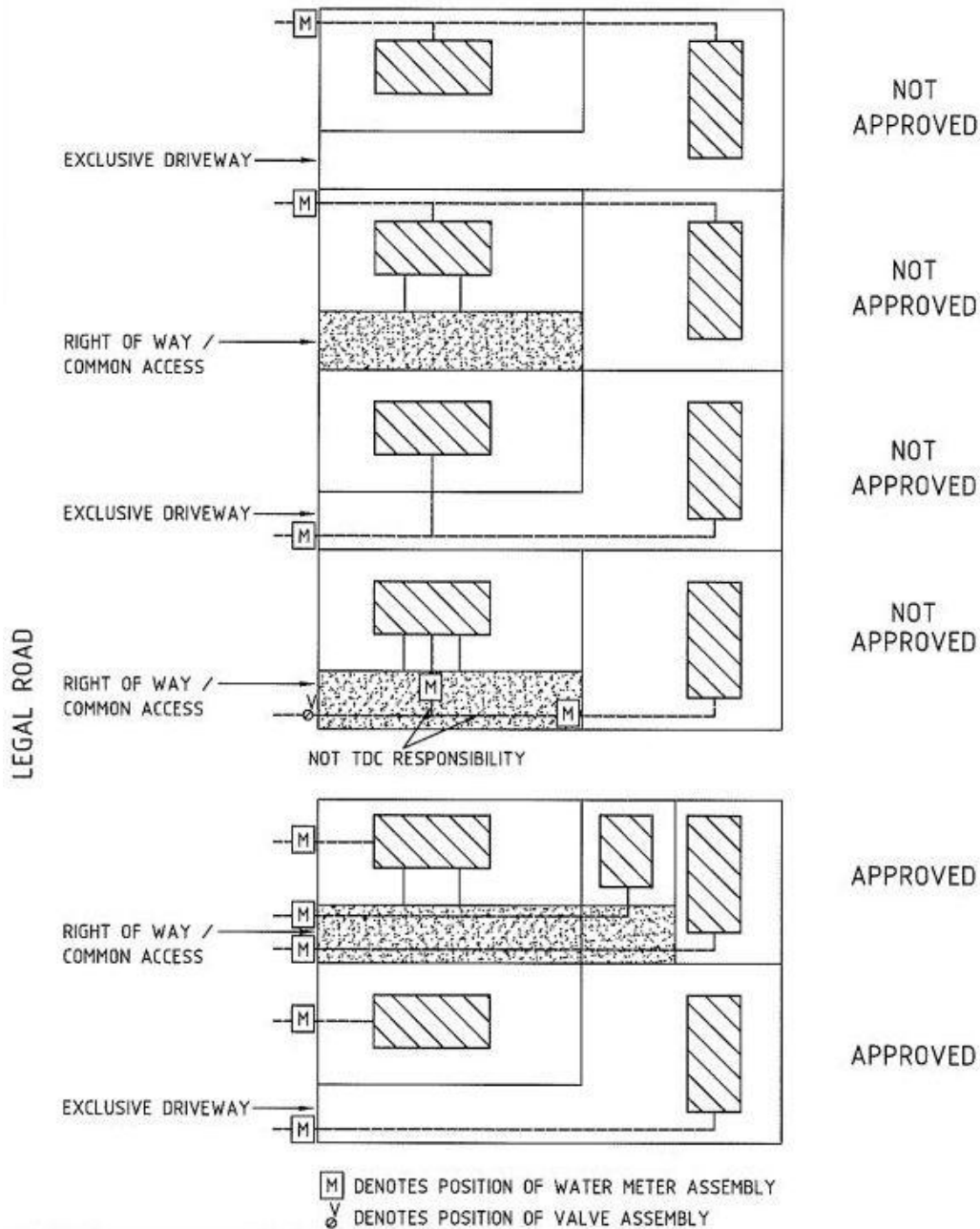
Misuse of the WSA's equipment (fire hydrant upstands, meters, restrictors)


Any theft of water from a WSA water supply.

Any tampering with the WSA's water supply.

Any illegal connection to the WSA's water supply

# APPENDIX-1 – EXAMPLES OF POINT OF SUPPLY LOCATIONS



 <p><b>Tasman District Council</b></p>	<h2>WATER CONNECTION POLICY</h2> <h3>SUBDIVISION, CROSS LEASE &amp; R.O.W.</h3>	
	<p>ASSET MANAGEMENT ENGINEERING</p> <p>APPROVED <i>[Signature]</i></p> <p>ENGINEERING MANAGER</p>	<p>JANUARY 2008</p> <p>DATE</p>

NOTE  
 (1) Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary.



## APPENDIX-2 – EXAMPLES OF POINT OF SUPPLY RETICULATION DETAILS (FIGURES 1-2)

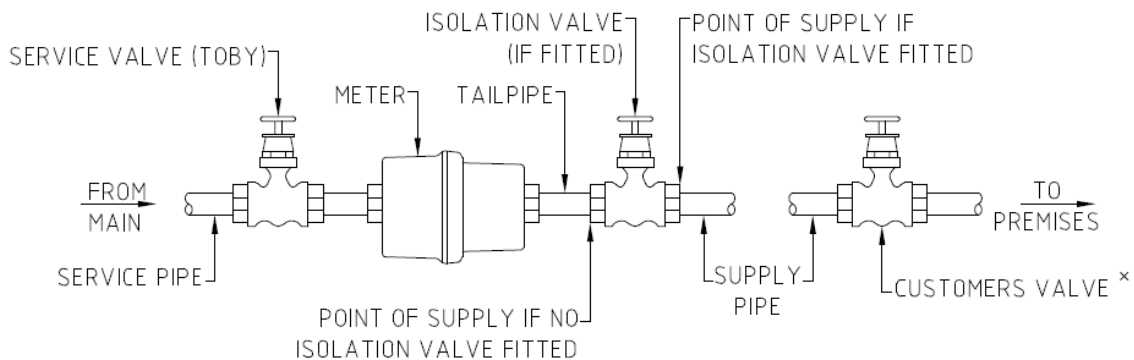


FIG. 1

DOMESTIC METERED SUPPLY

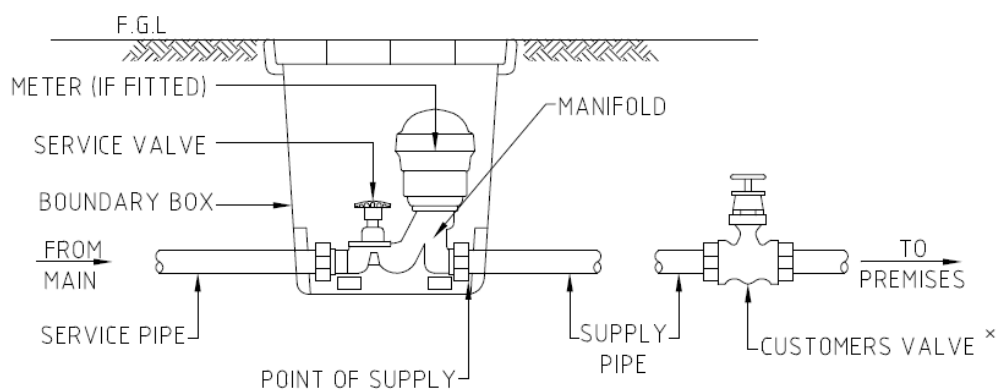


FIG. 2

MANIFOLD ASSEMBLY AT BOUNDARY BOX

× AS PROVIDED FOR IN NZ BUILDING CODE APPROVED DOCUMENT G12/AS1

### 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.

## APPENDIX-2 – EXAMPLES OF POINT OF SUPPLY RETICULATION DETAILS (FIGURES 3-4)

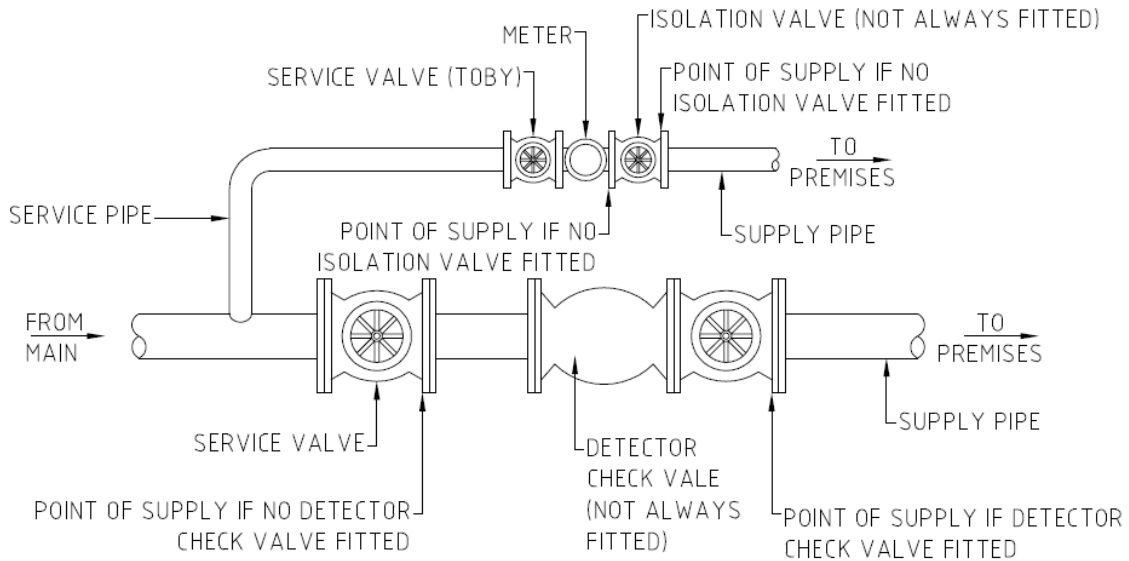


FIG. 3 SEPARATE FIRE AND METERED SERVICE CONNECTION WITH COMMON LINE FROM MAIN  
PLAN VIEW

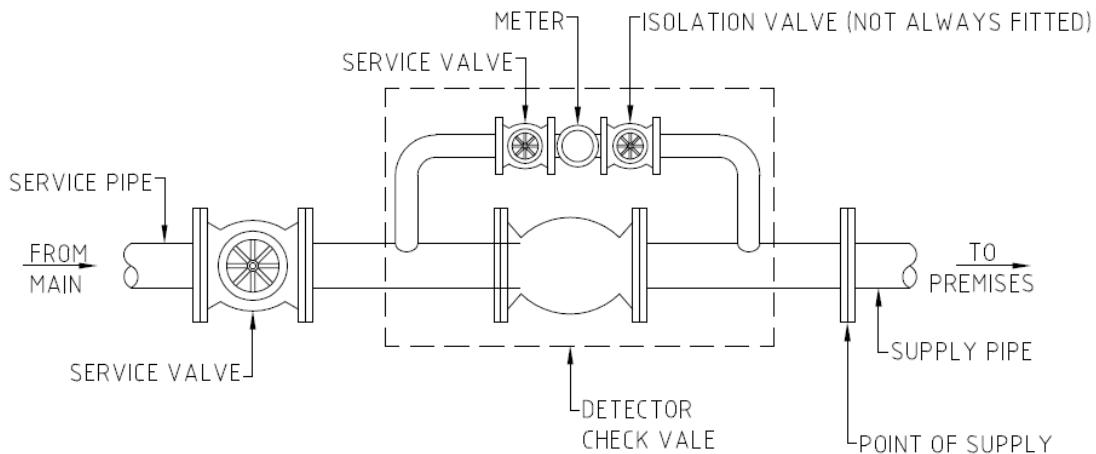
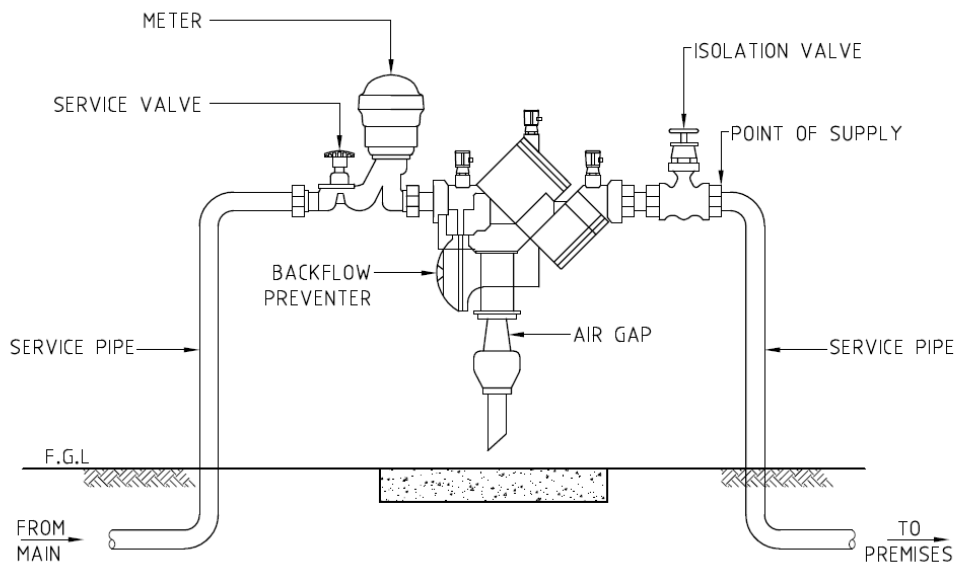


FIG. 4 COMMON FIRE AND METERED SERVICE CONNECTION  
PLAN VIEW

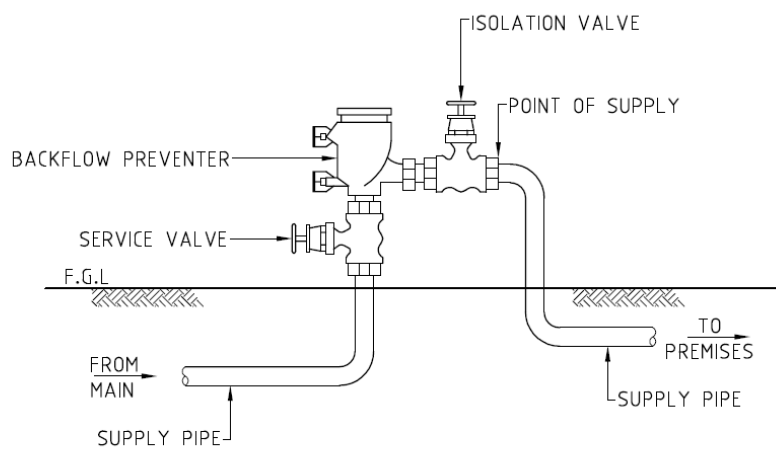
### NOTE

- (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.

## APPENDIX 2 – EXAMPLES OF POINT OF SUPPLY RETICULATION DETAILS (FIGURES 5-6)



**FIG. 5**                    METERED SUPPLY WITH REDUCED PRESSURE  
BACKFLOW PREVENTER  
OWNED AND MAINTAINED BY THE WSA\*



**FIG. 6**                    UNMETERED SUPPLY WITH VACUUM BREAKER  
BACKFLOW PREVENTER  
OWNED AND MAINTAINED BY THE WSA\*

\* THE BUILDING CODE MAY REQUIRE THE CUSTOMER TO INSTALL ADDITIONAL BACKFLOW PREVENTERS WITHIN THE SITE, WHICH WILL REMAIN THE RESPONSIBILITY OF THE CUSTOMER.

### 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.

## **APPENDIX 3 – REFERENCED DOCUMENTS**

Reference is made in this document to the following:

### **New Zealand Standards**

- NZS 4503:2005 Hand operated fire-fight equipment
- NZS 4517:2002 Fire sprinkler systems for houses
- NZS 9201.7:2007 Model general bylaws – Part 7 – Water Supply

### **New Zealand Publicly Available Specification**

- SNZ PAS 4509:2003 New Zealand Fire Service fire fighting water supplies code of practice

### **International Publications**

- OIML R 49-1:2006 Water meters for the metering of cold potable water and hot water  
Part 1 Metrological and technical requirements. Paris: Bureau International de Métrologie Légale
- OIML R 49-2:2006 Water meters for the metering of cold potable water and hot water  
Part 2 Test methods. Paris: Bureau International de Métrologie Légale
- OIML R 49-3:2006 Water meters for the metering of cold potable water and hot water  
Part 3 Test report format. Paris: Bureau International de Métrologie Légale

### **British Standard**

- BS EN 14154-3:2005 Water meters. Test methods and equipment

### **Other Publications**

- Ministry of Health. Drinking Water Standards for New Zealand, 2005.

### **New Zealand Legislation**

- Building Act 2004
- Building Regulations 1992 Schedule 1 (New Zealand Building Code)
- Health Act 1956
- Local Government Act 1974
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991
- Summary Proceedings Act 1957
- Water Supplies Protection Regulations 1961

## **APPENDIX 4 – FIRE HYDRANT LOCATIONS**

List of fire hydrants that registered water tanker users can access.

### **RICHMOND AREA**

Only hydrants off the Waimea mains considered.

- Sandeman Road - off Lower Queen Street, 200mm main, 4 hydrants available, and there is a good turning circle at end of Sandeman Road with 11m between kerbs.
- Ravensdowne, Lower Queen Street, - hydrant on the 450mm main outside Ravensdowne. There is a good parking bay for tankers, but the hydrant is located very close to the road edge line, and is therefore not very safe.

### **BRIGHTWATER**

The only area suitable for tankers to park is at the stock saleyards in River Terrace Rd. There is one hydrant adjacent to the saleyards, located near the road edge.

### **WAKEFIELD**

The hydrant in front of the pump station in Pigeon Valley Road (beside the fire station), is the most suitable hydrant in Wakefield.

### **TAPAWERA**

A suitable hydrant is located behind the Fire Station in the old council depot.

### **MURCHISON**

A suitable hydrant is located in the Fulton Hogan Depot (the old council depot).

### **MAPUA**

There are no hydrants considered safe for tankers to use. There is a hydrant in front of the fire station which the brigade use to fill their tanker, but it is not appropriate for tanker operators to use this hydrant as it would hinder fire brigade operations and access. Tanker operators have made use of two hydrants in Aranui Road opposite the tavern, but the tanker has to park on the footpath. There is a long parking area in Aranui Rd along from the tavern in front of Aranui Park which may be suitable for tanker parking, but is on the opposite side of the road from the watermain.

### **MOTUEKA**

The only location considered suitable is in Old Wharf Road outside the Recreation Centre. There is good width between the kerbs but there is no existing hydrant here. The existing hydrant at the Recreation Centre is now inaccessible following building additions; it is located around behind the building. So an additional hydrant in front of the Recreation Centre is desirable.

### **RIWAKA**

The truck weighbridge area on Main Road Riwaka near Packing Shed Corner may be a suitable location for tanker filling; however there is no existing hydrant here.

### **COLLINGWOOD**

There is a hydrant located just along the road from the treatment plant in front of the workshops which may be suitable for tanker use.

## APPENDIX 5 - STAGES OF WATER RESTRICTIONS

Stage 1	Conserve water wherever possible
Stage 2	No use of permanently installed irrigation systems, dripper irrigation systems or soak hoses. (Hand-held hosing permitted)
Stage 3	Hand-held hosing only on odd and even days of the week corresponding to the street number.
Stage 4	Hand-held hosing of productive gardens only on odd and even days of the week corresponding to the street number.
Stage 5	Hand watering of productive gardens only on odd and even days of the week corresponding to the street number.
Stage 6	Water only to be used for personal hygiene use.