

**PAPAKURA DISTRICT COUNCIL
WATER SUPPLY BYLAW**

Explanatory Note

Water is a precious taonga. As such, Council supports and strives to utilise measures that ensure it remains or is regenerated to a waiora (pristine) state. In the spirit of partnership the views of Kaitiaki will continue to be sought in matters relating to the sustenance and protection of our waterways.

The Local Government Act 2002 defines the responsibility of the Council where it has declared parts of its district to be a water supply area, and its subsequent role as a distributor of potable water for domestic, commercial, industrial and firefighting purposes.

The Bylaw defines the responsibilities of various classes of consumer. It monitors the operations of the water supply system and develops preventative maintenance procedures to ensure the system is adequately protected from damage and contamination while at the same time providing conservation measures.

The Bylaw covers those functions for which the Council or its nominated water supply authority may prescribe fees and charges for the supply of water and associated services.

It also covers those functions which relate to the supply, continuity, connections and disconnections, fittings and materials, prevention of contamination and wastage of water, metering, fees and charges to ensure the continued operation and management of water supply reticulation appropriate to the needs of the Papakura District.

Contents

- 1 ROLES OF PAPAKURA DISTRICT COUNCIL AND UNITED WATER
- 2 INTERPRETATION
- 3 SUPPLY OF WATER
- 4 CONTINUITY OF SUPPLY AND PRESSURE
- 5 APPLICATION
- 6 CONNECTIONS, DISCONNECTIONS AND INSPECTIONS
- 7 POINTS OF SUPPLY
- 8 RESTRICTION OF SUPPLY

9	FITTINGS, PIPES, MATERIALS AND BURIED SERVICES
10	PREVENTION OF CONTAMINATION
11	PREVENTION OF WATER WASTAGE
12	METERS
13	SUPPLY FROM FIRE HYDRANT
14	RATES AND CHARGES
15	RURAL WATER SUPPLY
16	BREACHES AND REMEDIES

1 Roles of Papakura District Council and United Water

1.1 Papakura District Council owns the potable water distribution system and the wastewater reticulation, treatment and disposal system. Both of these are operated under a Franchise Agreement which came into effect in April 1997 and is for an initial period of 30 years with a 20 year right of renewal. The franchise holder is responsible for supplying water and wastewater services to residents within urban areas of the Papakura District. The current franchise holder is published annually in the Long Term Council Community Plan (LTCCP).

The franchise agreement is a document which sets performance standards including water and wastewater system performance, commercial fairness, insurances, forward planning and reporting.

2 Interpretation

2.1 In this Bylaw unless the context otherwise requires:

air gap separation means a minimum vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.

backflow means the unplanned reversal of flow of water or mixtures of water into the water supply system.

council means the local authority which is the subject of the Terms and Conditions or Bylaw.

customer means any person or entity in the Papakura District receiving or (as the

context requires) wishing to have a contract (with the WSA) to receive potable water supplies from the WSA.

detector check valve is 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.

disconnection means complete removal of water supply to a customer, by way of closure and locking of supply valve or by removal and blanking of a portion of the supply pipe work.

level of service means the measurable performance standards on which the WSA 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.

person includes a corporation sole and also a body of persons whether corporate or uncorporate.

point of supply means the point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the customer and the WSA, irrespective of boundaries.

potable means it complies with the Health Criteria of the Drinking Water Standards for New Zealand.

premises means:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or
- (b) A building 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 means published on one occasion in one daily newspaper circulating in the WSA water supply area; or under emergency conditions in the most effective way to suit the particular circumstances.

restriction means the reduction of service supply to a customer by way of insertion of a flow restrictor in the water supply line. This would normally result in a substantial reduction in supply pressure leading to an inability to use flow affected equipment.

restrictor means a control device fitted to the service pipe to regulate the flow of water to a customer's premises.

roading authority means either a Territorial Authority or Transit New Zealand.

schedule of rates and charges means the list of items, terms and prices for services associated with the supply of water as approved by the WSA.

service pipe means that section of water pipe between a watermain and the point

of supply. This section of pipe is owned and maintained by the WSA.

storage tank means any tank, having a free water surface under atmospheric pressure to which water is supplied across an air gap separation.

supply pipe means that section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises. This section of pipe is owned and maintained by the customer.

unit is the basis of measurement for a restricted flow supply. One unit equals a volume of
1.0 m³/day.

water supply area. As defined by section 376 of the Local Government Act 1974.

water supply authority (WSA) refers to any agent given the due delegation by Council to take responsibility for the supply of potable water.

3 Supply of Water

- 3.1 In relation to the publicly owned distribution system, every person paying to the WSA the appropriate rates or charges levied in respect of such properties, shall be entitled to a supply of water.

4 Continuity Of Supply And Pressure

- 4.1 The WSA does not guarantee the uninterrupted supply of water and no allowance or compensation will be made or allowed on account of water being shut off for any good purpose or reason.

Where practicable the WSA shall notify consumers of its intentions to interrupt the supply during a period of maintenance or replacement of pipes.

Storage tanks

- 4.2 A consumer for whose purpose an uninterrupted supply of water is essential, should provide such storage tanks as are necessary to give effective continuity of supply for that purpose.

Supply pressure

- 4.3 The WSA does not guarantee any specified maximum or minimum pressure in its distribution system and no allowance or compensation will be made or allowed on account of change of pressure in the supply.

5 Application

Water supply application

5.1 Consumers requiring a water supply connection for:

- (a) An ordinary supply of water; or
- (b) An extraordinary supply for any purpose whether or not they are receiving an ordinary supply; or
- (c) A change in extraordinary supply in respect of any property;

shall make application to the WSA.

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

Size of service supply

5.3 The WSA shall have the right to estimate the proposed consumption and to determine the size of main tapping, the size of meter and the size of service pipe required for the supply.

Charges at time of connection

5.4 The charges applicable at the time of connection may include (but are not limited to):

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

6 Connections, Disconnections And Access

Authorised connection

6.1 No person, other than an authorised officer of the WSA or a person authorised by the WSA shall make any connection into or otherwise interfere with any part of the water supply system.

Notice when supply not required

6.2 When a supply of water is no longer required, the consumer shall give notice in writing to the WSA to that effect.

Water supply may be restricted

- 6.3 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, in accordance with the requirements of the WSA.

Rights of access

- 6.4 Where the point of supply is on private property the customer shall allow the WSA access to, and about the point of supply 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 the WSA shall give notice to the customer. Where access is not made available for any of the above times and a return visit is required by the WSA, a rate may be charged as for "meter reading by appointment".

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

Maintenance of access

- 6.5 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.

7 Points Of Supply

Meter location

- 7.1 The limit of the WSAs responsibility for;
- (a) A metered street frontage property shall be to the consumer's side of the meter, including any tailpiece forming part of the meter assembly
 - (b) An unmetered property shall be to a stoptap fitted by the WSA

Details and drawings of standard connections shall be available from the offices of the WSA or on the WSA website or in the customer service charter handbook.

Individual service connection required

- 7.2 Every separate dwelling unit shall be provided with a separate supply pipe from the point of supply.

Common service supply

- 7.3 Provided that where dwelling units in the same ownership and title are severed into multiple titles each unit shall be served by a separate supply pipe from the point of

supply.

Temporary supply to other premises

- 7.4 No consumer shall permit or allow water supplied by the WSA to be supplied to other premises by means of a hose or other temporary connection without the prior written consent of the WSA.

8 Restriction Of Supply

Restricted water use

- 8.1 If at any time because of drought or other good reason, the available water supply is not sufficient to allow the unrestricted consumption of water, and that measures are necessary in order to conserve the water supply, the regionally agreed process will be followed. Council may by publicly notified resolution, inform the WSA, who will administer the drought restriction. Any such restriction or prohibition may apply to the whole of the district or if the circumstances so require to a portion only of the district.

No compensation payable

- 8.2 In case of any such restriction or prohibition a consumer shall not be entitled to any payment or compensation whatsoever.
- 8.3 In the case of an emergency (as reasonably determined by the WSA), the WSA may prohibit the use of any water supplied.

9 Fittings, Pipes, Materials And Buried Services

Materials, fittings

- 9.1 All materials, fittings and appliances utilised by a customer for the supply of water shall be of such design and quality as to prevent waste, undue consumption, misuse or contamination of water or the setting up of a water hammer, in accordance with current engineering standards.

Location of buried services

- 9.2 The WSA shall keep permanent records (as-builts) 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 cost of providing copies of this information.
- 9.3 Any person proposing to carry out excavation work shall view the as-built information to establish whether or not WSA 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 ± 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 WSA may charge for this service.

Damage to buried service

9.4 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 specification.

9.5 Any damage which occurs to a WSA service shall be reported 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 the WSA incurs as a result of the incident.

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

9.6 Following any work undertaken by the WSA on private property, due care shall be taken to ensure that bedding and backfill are reinstated to the appropriate WSA specification.

10 Prevention Of Contamination

Customer responsibility

10.1 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 WSAs water supply from returning to that supply.

These include:

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

Fire protection systems

10.2 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 WSAs normal minimum operating pressure.

Unmanaged risk

10.4 Notwithstanding 10.1 the WSA may fit a backflow prevention device on the WSA side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed.

11 Prevention Of Water Wastage

11.1 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.

Not to be used for driving machinery

11.2 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.

Cooling water

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

Overflow pipes

11.4 Overflow pipes from water fittings shall be arranged to discharge into the open air in an approved conspicuous position or other approved point of discharge.

Dual flush cisterns

11.5 All new or replacement water closet flushing cisterns shall be of a dual flush type complying with New Zealand Standard 245 or with Australian Standard AS 1218 except in cases where the Australian standard is inconsistent with its New Zealand counterpart or the New Zealand Drainage and Plumbing Regulations.

A dual flush cistern shall be installed in strict accordance with the manufacturer's instructions.

12 Meters

Meters installed

12.1 When a supply is required to be metered the meter will be authorised, installed and maintained by the WSA or a person authorised by the WSA. The consumer shall pay charges of such amounts as may from time to time be fixed by the WSA.

Branch fittings

12.2 Without the prior written authority of the WSA no branch fitting whatsoever shall be connected to the service pipe between the main and the meter.

Isolating valves

12.3 Approved high pressure isolating valves shall be fixed on each side of the meter, one valve by the WSA, the other by the customer.

Protection from damage

12.4 Every consumer shall:

- (a) Take sufficient precaution to protect the meter from damage at all times; and
- (b) Ensure that the meter shall be readily accessible at all times for reading and maintenance.

Accessibility to meters

12.5 Should a meter not be accessible by reason of obstructions, the WSA may give written notice to the consumer to remove any obstruction within a specified time.

12.6 If the consumer fails to comply with the notice the WSA may:

- (a) Make alternative arrangements for meter reading; or
- (b) Relocate the meter or install a new supply pipe and meter; and
- (c) Recover all costs incurred from the consumer as a debt.

Testing of meters

12.7 Should a consumer dispute the accuracy of a meter he may apply to the WSA to have the meter tested and if it is found to be over-reading there will be no charge for the test. If the meter is correct or under-reading the consumer will pay to the WSA the testing fee plus the cost of removing and reinstalling the meter if so required by the WSA.

Meter consumption adjustments

12.9 Should any meter after being tested be found to register a greater or lesser consumption than the quantity of water actually passed through the meter, the WSA shall make an adjustment in accordance with the results shown by the test and the consumer shall pay according to the calculated adjustment.

Damaged meters

- 12.10 If any meter shall have its seal or dial broken or appear to have been tampered with, the WSA may declare the reading void and estimate the consumption and make an adjustment in accordance with the results shown by the test and the consumer shall pay according to the such adjustment.

Meter consumption estimation

- 12.11 Should any meter be out of repair or cease to register, the WSA, shall estimate the consumption for the period since the previous reading of the meter and the replacement of the meter, based on the average of the previous four periods charged to the consumer. The consumer shall pay according to the calculated adjustment. Provided that if, by reason of a large variation of consumption due to reasonable or other causes, the average of the previous four periods would be an unreasonable estimate of the consumption, the WSA shall be entitled to take into consideration other evidence for the purpose of arriving at a reasonable estimate, and such decision shall be final and the consumer shall pay according to the determination.

Installation of sub-meters

- 12.12 Except by written agreement the WSA will supply, maintain, and charge by only one meter per service. For the purpose of assessing proportional water charges to tenancies or the like served by a common supply, the owner of the premises may install, maintain and read sub meters on the supply reticulation.

Fire sprinkler installations

- 12.13 Water intended for a fire sprinkler system shall not be used for any other purpose.

Fire hose reel connection

- 12.14 Hose reels for fire protection purposes may be provided on any property whether the supply is metered or not provided that where any supply to a property is metered the hose reels shall be connected to a metered supply.

13 Supply From Fire Hydrant

Fire hydrant application, permit

- 13.1 Any person wishing to obtain a supply of water from a fire hydrant shall:

- (a) Make application to the WSA for a permit to do so;
- (b) Specify the location(s) of the hydrants to be used;
- (c) Specify the estimated duration of the use of the fire hydrant;
- (d) Obtain an approved metered standpipe from the WSA.

- 13.2 The WSA may issue a permit upon payment of such fees as may be fixed by the

WSA.

Use of fire hydrants

- 13.4 The applicant shall be responsible for the full cost of any subsequent repairs following the use of the fire hydrant.
- 13.5 Any person found by a WSA officer to be using a fire hydrant without a permit or in non-compliance with the conditions of a permit shall be required to remove the standpipe following request by a WSA officer.

Installation of fire hydrants

- 13.6 Fire hydrants may only be installed with the written approval of the WSA. The location of the hydrant must ensure easy accessibility by emergency services.

14 Rates And Charges

- 14.1 The customer shall be liable to pay for the supply of water and related services in accordance with the WSA schedule of rates and charges prevailing at the time, on terms set out in the service supply contract.

15 Rural Water Supply

Storage tanks

- 15.1 Tanks placed inside a building and used for the storage of water, other than a flushing cistern shall be;
- (a) Maintained in an efficient and watertight condition; and
 - (b) Provided with suitable overflow tray fitted with an overflow pipe of similar material discharging in a conspicuous position clear of the building. The outlet of the overflow pipe shall prohibit the entry of vermin or birds

Protection and location of storage tanks

- 15.2 Storage tanks shall be provided with a cover to prevent the entry of vermin, dirt and to prevent condensation in the same space and located in such a position as to provide access for inspection and maintenance.

Bores

- 15.3 All persons using groundwater bores as a source of potable water must comply with the conditions of consent for the bore. Any new bores will require a resource consent from the Auckland Regional Council.

Water tankers

- 15.4 All persons using water tankers to supply potable water shall ensure that their preferred supplier complies with the appropriate regulations for the delivery of potable water.

16 Breaches and Remedies

Defect Notices

- 16.1 In the event of a breach of statutory or legal obligations, the WSA may serve a defect notice on the customer advising its nature and the steps to be taken within a specified period, to remedy it. If, after the specified period, the customer has not remedied the breach, the WSA may charge a re-inspection fee.

If however the breach is such that public health, or safety considerations, or risk of consequential damage to WSA assets is such that delay would create unacceptable results, the WSA may take immediate action to rectify the defect, and recover all reasonable costs as set out in 16.2

Remedial Work

- 16.2 At any time after the specified period of 16.1 has elapsed, the WSA may carry out any remedial work required in order to make good the breach, and to recover from the person committing the breach all reasonable costs incurred in connection with the remedial work.