



Water Services Bylaw

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PART A: GENERAL

1.0 SCOPE

- 1.1 The Local Government Act 2002 confers general bylaw making powers on Council and Part 26 of the Local Government Act 1974 confers specific powers on Council relating to issues addressed in this bylaw.
- 1.2 This bylaw:
- Protects public health and the security of the public water supply;
 - details the responsibilities of both the Council and the consumers with respect to the public water supply and other water related services;
 - ensures the safe and efficient creation, operation, maintenance and renewal of all public water services, sewerage and stormwater drainage networks;
 - ensures proper hazard management to prevent or minimise flooding and erosion;
 - minimises adverse effects on the local environment particularly freshwater ecological systems and beach water quality, and assists in maintaining receiving water quality;
 - ensures that watercourses are properly maintained;
 - ensures protection of Council's water services, sewerage and stormwater drainage assets and the health and safety of employees;
 - sets out acceptable types of connection to public water services, sewerage and stormwater networks.
- 1.3 This Bylaw applies over the Waitomo District.
- 1.4 Nothing in this Bylaw shall derogate from the requirements of the Waitomo District Plan.

2.0 INTERPRETATION

- 2.1 In this Bylaw unless the context otherwise requires:

ACCEPTABLE DISCHARGE means a stormwater discharge with physical and chemical characteristics which either:

(a) comply with the requirements of Council's consent to discharge, or;

(b) make the discharge a permitted activity under the Waikato Regional Council's Regional Plan.

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.

APPROVED or **APPROVAL** means approved in writing by Council, the Engineer or other authorised officer of Council.

AUTHORISED OFFICER means any officer appointed by Council to act on its behalf and includes an enforcement officer appointed under Section 177 of the Local Government Act 2002 with powers of entry as prescribed by Sections 171-174 of that Act.

BACKFLOW means the unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system.

BURIED SERVICES means all public mains, public sewers, rising mains, trunk valves, pump stations and other underground utilities under the responsibility of Council.

CONTAMINANT means any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat:

- (a) when discharged into water, changes, or is likely to change the physical, chemical, or biological condition of the water into which it is discharged; or
- (b) when discharged on to or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air on to or into which it is discharged.

COUNCIL means the Waitomo District Council.

CUSTOMER/CONSUMER means a person who uses, or has obtained the right to use or direct the manner of use of, water supplied by Council, or a person who either discharges, or has obtained a consent to discharge or direct the manner of discharge of stormwater, from any premises to the public stormwater services of the Council.

DETECTOR CHECK VALVE means a check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply.

DIRECT CONNECTION includes any underwater outlet or arrangement of pipes, hoses or fittings temporary or otherwise which renders possible back flow into Council's waterworks system.

DISTRIBUTING PIPE means any pipe conveying water supplied by Council from a storage tank or from a hot-water apparatus supplied from such tank and under pressure therefrom.

DISTRICT means the District of the Council.

DEVELOPMENT Means any lawful subdivision, building work, or stormwater drainage works.

DISCONNECTION means the physical cutting and sealing off of any of the Council water services, utilities, drains or sewer from use by any person.

DOMESTIC STORMWATER means either that stormwater which is discharged from premises used solely for residential activities, or stormwater of the same character discharged from other premises, provided that the contents of the stormwater are free from contaminants.

DOMESTIC WASTEWATER AND DOMESTIC SEWAGE means either wastewater, which is discharged from premises, used solely for residential activities, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge. Wastewater or sewage is used interchangeably throughout this document.

ENGINEER means the Group Manager Assets of Council or any other officer authorised in that behalf.

EXTRAORDINARY SUPPLY means 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.

FEES AND CHARGES MANUAL means the list of items, terms, and prices for services as approved by the Council.

FIRE SPRINKLER SYSTEM means the system of pipes fitted with sprinkler nozzles which open by extraordinary rise in temperature to automatically drench an area for the purpose of extinguishing fire and is maintained with a superimposed pressure so that an alarm is actuated when a nozzle opens allowing the pressure to fall to mains pressure.

FLOOD PLAIN Means a low lying area, normally adjacent to a catchment's main watercourses, which is expected or predicted to flood in a storm event usually described as a one in one hundred year frequency or probability.

LEVEL OF SERVICE means the performance standards for the supply of water as Council may determine from time to time.

MECHANICAL SPRINKLER or **SPRINKLER** means a revolving spray, sprinkler pipe, or contrivance to distribute water for garden or lawn watering, but does not include a hand-held hose, or a contrivance installed exclusively for the purpose of extinguishing fire.

OCCUPIER means any person who occupies any building or land and if the building or land is not occupied, means the owner.

ON DEMAND SUPPLY means a supply which is available on demand directly from the point of supply subject to the agreed level of service.

ORDINARY SUPPLY means a category of on demand supply used solely for domestic purposes.

PERSON means a natural person, corporation sole or a body of persons whether corporate or otherwise.

POINT OF DISCHARGE means the point where the customer's wastewater or stormwater drain connects to the Council's wastewater or stormwater reticulation system.

POINT OF SUPPLY means the point where the water pipe leading from the water main to the premises ends at a toby which marks the boundary of responsibility between the customer and Council and for water .

POTABLE WATER means water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values specified in drinking water standards issued under the Health Act 1956.

PREMISES means premises including 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

PRIVATE DRAIN means that section of drain between the customer's premises and the point of discharge through which wastewater is conveyed from the premises. This section of drain is owned and maintained by the customer or a group of customers.

PRIVATE PIPELINE means the pipe provided by a consumer to connect the public stormwater pipe or sewer to that consumer's premises.

PROHIBITED CHARACTERISTICS means wastewater, which is not acceptable for discharge into the sewer system.

PUBLIC DRAINAGE NETWORK Includes:

- (a) any pipe, drain, drainage channel, land drainage work or treatment facility, vested in or under the control of Council, which serves more than one freehold lot;
- (b) all drains, drainage channels, land drainage works or treatment facilities within legal road reserve or other public places;
- (c) any drain, drainage channel, land drainage work or treatment facility over which Council has exercised control for a period of not less than 20 years; and
- (d) any drain, drainage channel, land drainage work or treatment facility declared to be a public drain under section 462 of the Act.

PUSH-THROUGH WATER HEATER means a water heater with a stop-tap on the cold water inlet so designed that the hot water is discharged through an open outlet.

REGISTERED DRAINLAYER Means a tradesperson certified by the Plumbers, Gasfitters, and Drainlayer's Board under the Plumbers, Gasfitters, and Drainlayer's Act 2006 and regulations and holding such other certifications as Council may require from time to time.

RESTRICTED FLOW SUPPLY means a type of water supply connection where a small flow is supplied through a flow control device, and storage is provided by the customer to cater for the customer's demand fluctuations.

RESTRICTOR means a flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises.

RISING MAIN means a pipeline through which water or wastewater is pumped.

SERVICE OPENING means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a public sewer.

SERVICE PIPE means that section of the pipe conveying water from the street main to the consumer's premises, which lies between the main and a point 250mm distant from the consumer's property and includes:

- a) The ferrule or stoptap at the junction of the service pipe with the main;
- b) Any stoptap fitted at the end of the service pipe; and
- c) Any stoptap fitted on the service pipe between the end thereof and the main.

SERVICE VALVE (TOBY) means the valve at the customer end of the service pipe.

SEWER means the main public sewer and lateral connections that carry away wastewater from the point of discharge where the public sewer is owned and maintained by Council.

SEWERAGE SYSTEM means the physical components of collection, treatment and disposal of sewage and trade wastes, including all sewers, pumping stations, storage tanks, Sewage treatment plants, outfalls, and other related structures operated by Council and used for the reception, treatment and disposal of wastewater.

SEWER NETWORK means the pipework drainage system that conveys sewage.

STOP TAP includes stopcock, stopvalve, and any other device for stopping at will the flow of water in a line of pipes.

STORAGE TANK means any tank other than a flushing cistern having a free water surface under atmospheric pressure from which water supplied by Council is delivered for use.

STORMWATER DETENTION DEVICE Means any device to address stormwater quality, quantity, or volume including wetlands, ponds, sand filters, and catchpits.

STORMWATER DRAINAGE NETWORK Means a set of facilities and devices, either natural or man-made, which are used to convey run off, reduce the risk of flooding and to improve water quality.

STORMWATER POND See **STORMWATER DETENTION DEVICE**

SUPPLY PIPE means the pipe provided by the consumer to connect the service pipe to his premises.

TREATMENT PLANT means any plant or equipment not being a septic tank used for the breakdown of wastewater using mechanical and/or hydraulic methods.

TRUNK SEWER means a sewer, generally greater than 150mm in diameter, which forms a part of the principal drainage network of Council's sewerage system.

UNCONTROLLED CATCHMENT AREA means an area to which the public and domestic animals are not prohibited from entry and from which waters are drawn or likely to be drawn for public consumption.

WATER SUPPLY AREA means an area specified by Council as an area serviced by a reticulated water supply system that is intended to supply potable water to customers via on demand or restricted supplies.

WATERCOURSE Has the meaning given in Section 2 of the Land Drainage Act 1908, which includes all rivers, streams, and channels through which water flows.

Note: For the avoidance of doubt, a watercourse includes any watercourse or drainage network over private or public land.

WATER SUPPLY SYSTEM means 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.

WATER UNIT means the basis of measurement for a restricted flow supply where one unit equals a daily volume as determined by Council.

WET RISER MAIN means a vertical water main installed in a multi-storey building with outlets on each floor to which the fire brigade can connect a hose for fire fighting purposes and connected to a water supply.

100-YEAR FLOOD PLAIN Means the area that can be expected to be flooded in the event of flows that have been calculated from a 100-year design storm. The 100-year storm flows are assessed on the basis that the catchment is fully developed and that the existing drainage system is operating efficiently and is clear of all obstructions.

3.0 OFFENCES AND PENALTIES

3.1 Offences

- 3.1.1 No person shall do anything or cause any condition to exist for which a licence or approval from Council is required under this Bylaw without first obtaining that licence or approval and the failure to do so shall constitute a breach of this Bylaw.
- 3.1.2 No application for a licence or authority from Council and no payment of or receipt for any fee paid in connection with such application, licence or authority, shall confer any right, authority or immunity on the person making such application or payment.
- 3.1.3 Everyone commits an offence against this Bylaw who:
- (a) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw; or
 - (b) Omits, or neglects to do, or permits, or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done at the time and in the manner therein provided; or
 - (c) Does not refrain from doing anything which under this Bylaw he or she is required to refrain from doing; or
 - (d) Permits or suffers any condition of things to exist contrary to any provision contained in this Bylaw; or
 - (e) Refuses or neglects to comply with any notice duly given under this Bylaw; or
 - (f) Obstructs or hinders any officer of Council in the performance of any duty to be discharged by such officer under or in the exercise of any power, conferred by this Bylaw; or
 - (g) Fails to comply with any notice or direction given in this Bylaw.

3.2 Penalties

- 3.2.1 Every person convicted of an offence against this Bylaw shall be liable to the penalties as set out in Section 242 (4) of the Local Government Act 2002 and further if the offence is one to which Section 243 of the Local Government Act 2002 applies (and is therefore an infringement offence) shall be liable to infringement fees as prescribed by Regulations made under Section 259 (b) of

the Local Government Act 2002, or where any person is alleged to have committed an offence against this Bylaw; be proceeded against pursuant to any other enactment so empowering Council.

- 3.2.2 The continued existence of any work, building, land, premises or thing in such a state or form as to be in contravention of any provision of this Bylaw, shall be deemed to be a continuing offence under this Bylaw.

4.0 FEES AND CHARGES

- 4.1 The fees for any certificate, authority, approval, consent given, inspection made or service given by Council and any other matter described in this Bylaw shall be as set out in Council's Fees and Charges Manual from time to time.
- 4.2 Every application for approval shall include any fees required and no approval shall be issued until all required fees have been paid.

5.0 OTHER REQUIREMENTS

- 5.1 The provisions of this Bylaw do not remove the need for any resource consent or other consent required under the Resource Management Act 1991 or Building Act 2004. Where consents are required under this Bylaw and other acts or regulations, all shall be lodged with Council at the same time.

PART B: WATER SUPPLY

6.0 ORDINARY AND EXTRAORDINARY SUPPLY

6.1 Ordinary Supply

6.1.1 Any water supplied from the waterworks to properties situated within the District and used for any of the following strictly domestic purposes shall be deemed to be an "ordinary supply" for the purposes of this Part of this bylaw - that is to say, water for the use of the consumer and his wife and children and up to 4 other persons all of whom constitute and conduct themselves as one household, for drinking, for ordinary personal ablution, for cooking, washing linen or clothes, for washing or cleansing floors, windows, domestic or other furniture or utensils or any part of the consumer's dwelling house or premises, and for water closets, domestic garden hoses, baths and urinals except automatic flushing water closets and urinals.

6.2 Extraordinary Water Supply

6.2.1 Any water supplied from the waterworks and not used for the purpose of an ordinary supply as hereinbefore defined shall be deemed to be an "extraordinary supply" for the purposes of this Part of this bylaw. "Extraordinary supply" shall include water used for the following purposes:

- (a) Domestic - spa or swimming pool in excess of 10 m³ capacity;
- (b) fixed garden irrigation systems;
- (c) Commercial and business with demands that may be greater than a single domestic connection;
- (d) Industrial;
- (e) Agricultural;
- (f) Horticultural;
- (g) Viticultural;
- (h) Lifestyle blocks (peri-urban or small rural residential);
- (i) Fire protection systems other than sprinkler systems installed to comply with NZS 4517;
- (j) Temporary supply

6.2.2 Hoses - Council may by resolution restrict the use of water from the Council supply to be used through a hose unless such person shall be actually holding such hose in the hand during the time the water is flowing through it.

6.2.3 Sprinklers - Council may by resolution prohibit the use of sprinklers or determine the periods when sprinklers can be used and subject such sprinklers to be under the immediate personal care of some competent person at all times when in operation.

6.3 No obligation to give extraordinary supply

6.3.1 Council shall be under no obligation to give or continue any extraordinary supply of water.

6.4 Use of ordinary supply

6.4.1 No consumer or other person shall use or permit or allow to be used in, upon or in connection with any premises for any of the purposes defined in this Part of this bylaw as extraordinary supply, any water supplied from the waterworks as and for ordinary supply.

6.5 Use of extraordinary supply

6.5.1 No consumer or other person receiving an extraordinary supply for one purpose shall use or permit or allow to be used any part of such supply for any purpose other than the particular purpose for which he receives it.

6.6 Supply by meter

6.6.1 An extraordinary supply of water to any property may be metered except where, otherwise provided for herein and where the supply of water to any premises consists of both ordinary and extraordinary supply the Engineer may require that the whole of such supply be metered as an extraordinary supply, and in any case of doubt or dispute regarding the use of an ordinary supply such supply shall be metered as an extraordinary supply.

6.7 Restricted flow supply

6.7.1 Where restricted supply areas are established the water supply shall be restricted so as to deliver the agreed number of water units at a steady flow rate.

6.7.2 A storage tank(s) of at least 10m³ (10,000 l) capacity must be installed for each new development where a restricted supply is provided to ensure adequate back-up and firefighting capability.

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

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

6.8 Customer's responsibility

6.8.1 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.

6.9 List of breaches

6.9.1 The following are deemed breaches of the conditions to supply water:

- (a) An incorrect application for supply which fundamentally affects the conditions of a supply;
- (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; or
- (d) 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 wilfully 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 Council to maintain its stated levels of service).
 - (iv) Failure to prevent backflow.
 - (v) Failure to comply with water use restrictions or prohibitions introduced by 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 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 approval of Council.

7.0 CONTINUITY OF SUPPLY AND PRESSURE

7.1 Continuity of supply

- 7.1.1 Council does not guarantee the uninterrupted supply of water, whether in cases of ordinary or extraordinary supply and no allowance or compensation will be made or allowed on account of water being shut off, whether for the purpose of laying mains, effecting repairs, attaching new services, or for any other purpose or reason whatsoever.
- 7.1.2 All hospitals, schools, factories, office blocks, theatres, restaurants, hairdressing salons, hotels, motels, boardinghouses, blocks of flats and all consumers who, for the purpose of continuing a business or process, or for any other reason are dependant upon a constant supply of water, shall provide such storage tanks as are necessary to give effective continuity for their particular purpose.

7.2 Pressure

- 7.2.1 Council 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.

7.3 Prohibition or restriction of supply

- 7.3.1 Council may at any time, by resolution publicly notified and until a further public notice of the rescission of such resolution has been given, restrict or prohibit the use of water for any one or more of the purposes covered in the definition of extraordinary supply, and thereupon it shall be an offence against this Part of this bylaw for any person to use water in the manner so restricted or prohibited.
- 7.3.2 If at any time the Engineer considers that because of drought or for any other reason the available water supply is not sufficient to allow the unrestricted consumption of water and that extraordinary measures are necessary in order to conserve such available water supply, the Engineer may restrict or prohibit the use of water whether an ordinary or extraordinary supply for any specified purpose or for any specified period or may restrict the quantity which may be used. 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.
- 7.3.3 No consumer shall in case of any such restriction or prohibition be entitled to any payment or compensation whatsoever.
- 7.3.4 Any person offending against or failing to observe or comply with any of the provisions of any such resolution commits an offence against this Part of this bylaw.

7.4 Water supply before occupation of dwelling

- 7.4.1 No person shall occupy or permit the occupation of a building for residential purposes or human habitation unless such building shall be provided with an adequate and convenient supply of wholesome water for domestic purposes with approved pipes and fittings.

7.5 Application for supply

- 7.5.1 Any person who:
- a) Shall be desirous of obtaining a supply of water either ordinary or extraordinary in respect of any premises, or
 - b) Is receiving a supply to his premises and wishes a change of his premises - shall sign an application to Council for the same on an application form obtained at the office of the Council.
- 7.5.2 Every application shall state thereon the purpose for which the supply is required, and any other relevant information as may be required by Council, and shall be signed by the owner or lessee of the premises for which water is required.

7.5.3 Every application shall, if required by the Engineer, be accompanied by a satisfactory plan showing the work proposed to be carried out.

7.5.4 The applicant shall enter into such agreement as Council may require in relation to such supply and the Engineer may determine the method of supply by meter or otherwise.

7.6 Supplies from standpipes on hydrants

7.6.1 For approved purposes and subject to such conditions as the Engineer may prescribe, an extraordinary supply of water may be given by means of a standpipe to be placed upon a specified fire hydrant.

7.6.2 Application to the office of the Engineer shall be made for such supply and for the hire of a standpipe if supplied by Council.

7.7 Determination of size of service

7.7.1 The Engineer 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.

7.8 Issue of permit

7.8.1 Upon receipt of any such application in proper form the Engineer may, if he is satisfied that a permit should be issued, issue a permit.

7.9 Work not to be commenced without a permit

7.9.1 No person shall attach or connect or permit to be attached or connected with the waterworks, any pipe, stoptap, or other apparatus, nor alter or repair any existing pipe or fitting connected with the waterworks other than the rewashing of taps, unless:

- a) He/she is the holder of a permit issued by the Engineer, under the Drainage and Plumbing Regulations 1978 and subsequent amendments; or
- b) In the case of work which is not sanitary plumbing as defined by the Plumbers, Gasfitters and Drainlayers Act 1976 he/she has satisfied the Engineer of his ability to carry out such work and has received a permit from the Engineer to carry out such work, which permit the Engineer is hereby authorised to grant.

7.10 No deviation from permit

7.10.1 No person, without the prior consent of the Engineer, shall carry out any work otherwise than in accordance with the permit granted to him. All work shall be carried out in accordance with and subject to the provisions of the Drainage and Plumbing Regulations 1978 and the provisions of this Part of the bylaw.

8.0 CONNECTIONS, DISCONNECTIONS AND INSPECTIONS

8.1 No person to connect system

8.1.1 No person, other than an officer or an employee of Council shall, without express written authority signed by the Engineer, make any connection with or otherwise interfere with, any part of the waterworks system.

8.2 Disconnections required

8.2.1 Where any water fitting is to be permanently disconnected, the portion of pipe that supplies water to that fitting only, and is not required to supply water to any other fitting, shall also be disconnected in an approved manner.

8.3 Notice when supply not required

- 8.3.1 When any building or property supplied with water by Council becomes unoccupied or for any other reason a supply of water is no longer required, the owner or occupier as is appropriate shall give notice thereof in writing to the local authority.

8.4 Inspection of installations

- 8.4.1 It shall be lawful for the Engineer or other duly appointed officer of Council at any time of the day or night to enter upon any land, and at any time between the hour of 8 a.m. and 6 p.m. of any day, to enter into any building for the purposes of inspecting all or any of the fittings and other apparatus therein connected directly or indirectly with the waterworks, and any person resisting or refusing to allow any such entry or inspection commits an offence against this Part of this bylaw.

8.5 Point of supply

- 8.5.1 The point of supply to the consumer shall normally be a point 250mm distant from the street boundary but in places where such alignment is inconvenient for making a connection by reason of fences, walls or other causes, it shall be sufficient if the service pipe is laid by Council to a point as close as reasonably possible to such street boundary.
- 8.5.2 The extension to the boundary from the termination of the service pipe, and the supply pipe within the premises shall be provided by the owner or occupier at his own cost and expense, to the satisfaction and approval in all things of the Engineer.
- 8.5.3 In the case of an extraordinary supply requiring metering, the meter will be installed on the supply pipe between Council and the consumer.

8.6 Stoptaps to be provided

- 8.6.1 In addition to any stoptap fitted by Council on the service pipe, the consumer shall, except in the case of a fire sprinkler system, fit stoptaps as follows to the satisfaction of the Engineer:
- a) Where a building is set back from the street boundary, a stoptap shall be fitted on the supply pipe to control all outlets on the premises.
 - b) Where a building is on the property boundary a stoptap shall be provided inside the building as close as possible to the point of pipe entry to control all the outlets on the property.
 - c) In every building of more than 1 floor, at every floor level including sub-floor or basement level, one or more stoptaps to control the supply to all outlets on such floor.

All stoptaps shall be kept readily accessible at all times and exterior stoptaps shall be protected by strong durable boxes of earthenware, concrete, cast iron, or other approved material with metal lids as may be approved by the Engineer.

8.7 Only One Point Of Supply

- 8.7.1 Except with the written consent of the Engineer, no premises shall be supplied with more than 1 service pipe and where this consent is given, only under such conditions as the Engineer prescribes.

8.8 One Pipe Not To Serve More than One Rateable Unit

- 8.8.1 Except with the written consent of the Engineer no water shall be supplied to any building or premises from any pipe or water supply fitting or appliance laid or installed on or in connection with any other building or premises. Consent will only be given when multiple premises are located on one rating unit.

8.9 Responsibility for maintenance

- 8.9.1 Council shall own and maintain the service pipe and fittings up to the point of supply.
- 8.9.2 The customer shall own and maintain the supply pipe beyond the point of supply.

8.10 Rights of access to point of supply

8.10.1 Where the point of supply is on private property the customer shall allow Council access to, and about the point of supply between 7.30 am and 6.00 pm on any day without notice for:

- (a) Meter reading; or
- (b) Checking, testing and maintenance work with notice being given whenever possible.

8.10.2 For access outside the specified hours (such as for night time leak detection) Council shall give reasonable notice to the customer.

8.10.3 Where access is not made available for any of the above times and a return visit is required by Council, an appropriate charge may be made.

8.10.4 In an emergency the customer shall allow Council free access to, and about, the point of supply at any hour without notice.

8.11 Unmanaged risk

8.11.1 Council may fit a backflow prevention device on the Council side of the point of supply where the customer cannot demonstrate that the risk of backflow is adequately managed. The installation of a backflow prevention device will be at the customer's cost.

8.12 Inspection

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

9.0 FITTINGS AND MATERIALS, AND INSTALLATIONS

9.1 Work in Streets and Public Places

9.1.1 Except with the written consent of the Engineer, no person shall carry out work in any street, private street or public place. Any person having obtained such consent shall carry out and complete the same in accordance with the conditions as may be prescribed by the Engineer and without unnecessary delay, and shall well and properly refill all trenches and shall remove all waste materials from each street, private street or public place as soon as possible. The Engineer may specify the hours in which work in such street, private street or public place may be undertaken.

9.2 General

9.2.1 All materials, fittings and appliances used for the supply and distribution in any premises of water supplied by Council shall be of such design and quality as to prevent waste, undue consumption, misuse, or contamination of water, or the setting up of water hammer in any part of the system. They shall in every case be of approved design and materials for durability and ready maintenance. All such fittings shall be capable of standing a test pressure of 180m head of water (1.8 MPa) and suitable for a working pressure equivalent to 90m head of water (0.9 MPa), or such other pressures as the Engineer shall prescribe.

9.3 Pipes

9.3.1 Pipes used for water supply and distribution in any premises shall be those approved by the Engineer, and shall in every case be capable of standing a test pressure equivalent to 180m head of water (1.8 MPa) and be suitable for a working pressure equivalent to that of 90m head of water (0.9 MPa) or such other pressures as the Engineer shall prescribe. Where such pipes are made of corrodible material they shall be efficiently protected against external corrosion and, unless they form part of a closed circuit from which water is not drawn, against internal corrosion.

9.3.2 Every pipe shall be adequately supported and shall be so aligned as to avoid air locks.

9.4 Pipes and Fittings to Be Accessible

- 9.4.1 Every pipe and fitting within a building shall, so far as is reasonably practicable, be so placed as to be readily accessible for examination, repair or replacement, provided that this shall not prohibit the enclosing of any pipe in a properly designed chase or duct so constructed that the pipe is reasonably accessible for examination, repair or replacement.

9.5 Pipe Carried Through Brick or Concrete

- 9.5.1 Where in the opinion of the Engineer it is necessary that a supply pipe be laid under or carried through any brick or concrete work or laid in any other inaccessible position, such supply pipe shall be carried through an exterior sleeve pipe of approved material and of sufficient length to bring any leakage or waste within easy observation in such manner as to facilitate the carrying out of any necessary repairs to such supply pipe. Where a supply pipe enters a building or basement from the service connection through a sleeve pipe or clearance hole, such supply pipe shall be effectively sealed into the opening with an approved caulking compound and so maintained as to prevent the entry of surface or seepage water.

9.6 Pipes above Ground Level

- 9.6.1 Every external service pipe fixed above the level of the ground shall be properly protected by the owner of the premises as and when required by the Engineer.

9.7 Depth of Burial of Pipes

- 9.7.1 Unless otherwise approved in special cases the minimum cover from the surface to the top of the pipe shall be as follows:-

All pipes over 50mm : - 750mm in all locations.

All pipes under 50mm: - 500mm within public and private street boundaries

Plastics or other metal

pipes up to 50mm :- 500mm within public and private street boundaries

9.8 Pipes for Fire Fighting Purposes

- 9.8.1 Pipes of material known generally as plastic, and including PVC, polythene, rigid PVC and all others which are mechanically affected by the action of heat shall not be fitted for use on any supply which is or may be required for fire fighting purposes in any premises.

9.9 Quick Closing Valves Not To Be Used

- 9.9.1 Quick-closing valves of any kind shall not be used on any piping directly connected to the service pipe, that is, in any position where they are required to close against mains pressure. In circumstances specially approved they may be used, provided a suitable air chamber is fitted in the supply pipe at the stoptap or next to the fitting as may be required in the particular case. In special circumstances non-concussive types of valve may be used as approved by the Engineer.

9.10 Float Valve Installation

- 9.10.1 Every ballcock or float-operated valve fitted to a storage tank shall be securely and rigidly fixed thereto above the top water line, and shall be supported independently of the inlet pipe (unless such inlet pipe is itself rigid and rigidly fixed to the tank) in such a position that no part of the body of the valve would be submerged if the tank were charged to an amount above its overflowing level of twice the diameter of supply pipe and in no case less than 25mm.

- 9.10.2 Where a ballcock is permitted to be provided with a pipe so arranged as to discharge water into a tank below its overflowing level, effective means such as an air hole shall be provided in the outlet chamber of the ballcock above such level to prevent siphonage of water back through the ballcock. Silencing pipes will be permitted only in break pressure tanks such as flushing cisterns and supply tanks for hot water systems.

- 9.10.3 No ballcock shall be fitted directly to any thermal storage electric water-heater.

9.11 Storage Tanks

- 9.11.1 Every tank used for the storage of water, other than a flushing unit shall be made of materials approved by the Engineer and every such tank shall be made and shall at all times be maintained in an efficient and watertight condition.
- 9.11.2 If placed inside any building every such tank shall have fixed thereunder, to the satisfaction of the Engineer, a tray fabricated of suitable material with an overflow pipe of the same material not less than 40mm nominal diameter discharging in a conspicuous position clear of the building and within the boundary of the premises. If the tray is of metal dissimilar to that of the tank or piping, to avoid corrosion it shall not be in direct contact with the tank or piping, but shall be separated by suitable material which is not an electrical conductor. The overflow pipe shall be of the same material as the tray.
- 9.11.3 Every such tank shall be enclosed and ventilated so that the water therein may not be liable to contamination from any cause whatsoever and shall be placed in such a position that easy access may be had thereto for the purposes of inspection and cleansing. Adequate scour valves shall be fitted to permit periodic cleansing.
- 9.11.4 No such tank shall be buried in, or placed below the ground except with the prior written consent of the Engineer, and then only provided that the supply is metered and in accordance with any conditions prescribed by the Engineer.
- 9.11.5 Every such tank shall be provided with an efficient and approved overflow pipe not less than 40mm nominal diameter, so as to discharge in a conspicuous position outside the building and within the boundary of the premises together with the drain from the tray where fitted.

9.12 Flushing Cisterns

- 9.12.1 Every water closet flushing cistern shall comply with NZS245 (including subsequent amendments) in all matters not otherwise referred to in this Part of this bylaw. Cisterns shall have an efficient waste preventing apparatus of the valveless type operating on the syphonic principle. The underside of the bend in the syphon pipe, or the top of the straight discharge pipe in the dome pattern shall be at such a height that no water runs down the flushpipe unless there is a substantial leakage from an orifice in cistern of sufficient magnitude to give warning and necessitate repairs being effected. The orifice level shall be no less than 6mm above the top of the overflow pipe. The syphon or dome and discharge pipe shall be of suitable corrosion resistant material. The operating apparatus shall be so constructed that the discharge through the flushpipe ceases automatically upon completion of the required flush irrespective of the position of the starting lever.

9.13 Flush Valves

- 9.13.1 Flush valves shall be installed only by special permit from the Engineer; they shall be of approved waste-preventing type discharging not more than 13.5 litres per flush and supplied by a separate storage tank. They shall be incapable of delivering more than 13.5 litres per flush regardless of any manipulation of the operating lever. The flushvalve shall be so constructed as to seal automatically upon the termination of the prescribed flush, irrespective of the position of the starting lever.

9.14 Supply to Water Heaters

- 9.14.1 The supply of cold water to water heaters other than push-through heaters or approved valve type of gas water-heater, or heat exchanger or other type under mains pressure, shall be by one of the following means:
- a) Through a supply tank which shall comply with Part of this bylaw covering tanks and float valves.
 - b) Through a pressure-reducing valve and separate non-return valve. The pressure-reducing valve and checkvalve and strainer shall be fitted between two isolating stopvalves. The whole arrangement is to be the approval of the Engineer.
 - c) A mains pressure water-heater shall be supplied through a checkvalve installed between 2 isolating stopvalves and with such safeguards as shall be determined by the Engineer.

9.15 Mixing Valves

- 9.15.1 No mixing valve in which hot water and cold water are mixed shall be supplied with cold water directly from a supply pipe at mains pressure unless:
- a) Such valve forms part of an electric or gas water-heater which is not subjected to a working pressure higher than that for which it was designed.
 - b) The draw-off point is not controlled by a separate stoptap or the cold supply is used in conjunction with a mains pressure hot-water cylinder in which case a checkvalve shall be placed on the cold supply.

9.16 Protection of Ballcocks

- 9.16.1 Every stoptap, ballcock or other fitting installed in an exposed position shall be protected against damage by an approved guard, and if considered necessary by the Engineer shall be fitted in a separate compartment protected by a securely fixed cover.

9.17 Water Troughs

- 9.17.1 Every pipe supplying water to a watering trough for animals shall be fitted with a ballcock or some other effective means of controlling the inflow of water so designed as to prevent overflow and having an air gap as required and specified in this Part of this bylaw and fixed in a separate compartment and protected by a securely fixed cover.
- 9.17.2 Properties where the water supply is connected to water troughs are regarded as receiving extraordinary supplies and backflow prevention devices shall be fitted to the point of supply.

10.0 PREVENTION OF CONTAMINATION

10.1 No Connection to Other Supplies

- 10.1.1 In any system of piping supplied with water by Council no direct connection with any other sources of supply of water shall be made.
- 10.1.2 No direct connection shall be made or maintained to any drainage system, drainage or sanitary fitting, or to any fittings or apparatus including steam boilers used for the reception or conveyance of any liquid, gas, or drawn water.

10.2 Backflow prevention

- 10.2.1 It is the customer's responsibility to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from Council's water supply from returning to that supply.
- 10.2.2 These include:
- (a) Backflow prevention either by providing an adequate air gap, or by the use of an approved backflow prevention device;
 - (b) The prohibition of any cross-connection between the Council water supply and
 - (i) Any other water supply (potable or non-potable)
 - (ii) Any other water source
 - (iii) Any storage tank
 - (iv) Any other pipe fixture or equipment containing chemicals, liquids, gases or other non-potable substances.

10.3 Overflow Pipes

- 10.3.1 Overflow pipes, if fitted to baths and water-using fittings or apparatus other than a washhand basin, shall be arranged to discharge in the open air in an approved conspicuous position, and they shall not be led into waste pipes or drains.

10.4 Fittings to Be In Good Repair

10.4.1 No person shall allow any pipe, tap, or other fitting on his premises connected with the water supply to be out of repair or in any way defective so that water is wasted, misused, or contaminated, or water hammer is caused.

10.5 Deficient Pipes

10.5.1 Where, in the opinion of the Engineer, any pipe, cock, appliance, or fitting in connection with any water service of any premises has deteriorated, or is of inferior quality or workmanship, or is causing or is likely to cause waste of water, or is insufficient for the proper supply of water, it shall be lawful for the Engineer to give to the owner or occupier of such premises notice in writing requiring him to carry out such works as shall be specified in that behalf in such notice, and failure by such owner or occupier to comply with the requirements of such notice within the time specified therein shall be an offence against this Part of this bylaw.

10.6 Existing Pipes and Fittings

10.6.1 Any existing pipes or fittings in any premises connected to Council 's water supply at the date of this is Part of this bylaw or in any property which may subsequently be connected to the water supply may remain in use provided that upon inspection by the Engineer they are found to be satisfactory.

10.7 Water Used For Cooling

10.7.1 Air conditioning or industrial plant using an extraordinary supply for cooling purposes shall be provided with water conservation equipment so that the consumption is limited to that required to make up reasonable losses due to evaporation, wind, flushing, and similar effects. The use of water once through a cooling system that is without the use of recirculating equipment is prohibited without the written permission of the Engineer.

11.0 METERS

11.1 Installation of Meters

1.1.1 Where supplies are universally metered meters for supplies, and restrictors for restricted flow supplies, shall be supplied, installed and maintained by Council, and shall remain the property of Council. The installation of a water meter is at the customer's cost.

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

11.1.3 Any meter which was installed by the consumer prior to the coming into operation of this Part of this bylaw shall continue to be maintained by him until it is, in the opinion of the Engineer, no longer fit for use, when it will be replaced by a local authority meter.

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

11.1.5 Approved high pressure isolating valves shall be fixed on either side of the meter as well as a backflow prevention device on the supply side of the meter.

11.2 Protection of Meters

11.2.1 Where required by the Engineer the consumer shall:

- a) Provide an approved site within the premises for the meter;
- b) Take sufficient precaution to protect the meter from damage at all times;
- c) Enclose the meter in a suitable box or other enclosure and shall in cases where natural support is absent provide suitable wall brackets or other support; and
- d) Ensure that the meter shall be readily accessible at all times.

11.3 Testing Of Meters

11.3.1 Should a consumer dispute the accuracy of a meter he may apply to the Engineer 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 shall pay to Council the cost of replacing the meter, in addition to the testing fee.

11.3.2 Should any meter which is owned by the consumer be out of repair or cease to register, or register inaccurately, the consumer, on receiving written notice to that effect, shall forthwith have the meter put in order, have it tested, and shall obtain a certificate of its accuracy before refixing the same. All costs incurred in removal, repairs, and re-installation shall be borne by the consumer.

11.4 Method of Testing Meter

11.4.1 The test will be made by running a measured quantity of not less than 2000 litres through the meter and the meter shall be deemed to be correct if it registers within 4 percent either less or more than the measured quantity. In addition, the meter shall be capable of registering small flows from 2 percent of normal flow and upward.

11.5 Costs of Testing

11.5.1 The consumer shall bear the costs for testing meters owned by that consumer.

11.6 Meter Accounts Adjusted

11.6.1 Should any meter after being tested be found to be reading incorrectly the Engineer shall make an adjustment in accordance with the results of such test after due allowance for permissible tolerances, and the consumer shall pay accordingly to such adjustment.

11.7 Meter Tampered With

11.7.1 Should any meter have its seal or dial broken or appear to the Engineer to have been tampered with, the Engineer may declare the reading void and estimate the consumption in any manner he thinks fit, and the consumer shall pay according to such estimate, and may be required also to pay for the repair to the meter and for all attendant charges.

11.8 Estimating Consumption When Meter Out Of Repair

11.8.1 Should any meter be out of repair or cease to register (except as in clause 12.1 hereof) the Engineer shall estimate the consumption for the period since the previous reading of such meter (based on the average of the previous four periods charged to the consumer), which decision shall be final, and such consumer shall pay according to such decision:

Provided that when, by reason of a large variation of consumption due to seasonable or other causes, the average of the previous four periods would be an unreasonable estimate of the consumption, the Engineer 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 such decision.

12.0 CHARGES

12.1 Charges for Service Pipes, etc

12.1.1 The charges payable by the consumer for tapping the main pipe and for laying the service pipe, installing a meter, testing a meter where required, keeping such service pipe and meter in repair and renewing when necessary, disconnection and reconnection where required, and road restoration shall be of such amount as may from time to time be determined in the fees and charges manual or as may be agreed on with any person receiving that supply.

12.2 Charges for Ordinary Supply

12.2.1 Charges for an ordinary supply of water shall be either by water rates, or uniform annual charges, or a charge fixed in accordance with the quantity of water consumed.

12.3 Charges for Extraordinary Supply

12.3.1 Charges for an extraordinary supply of water (whether according to the quantity consumed or otherwise) shall be of such amount as may from time to time be fixed in Council's fees and charges manual, or may be agreed on with any person receiving that supply; minimum charges for such extraordinary supply may likewise be specified in the said fees and charges manual or agreement.

12.4 Reading of Meters and Accounts

12.4.1 Meters will be read and accounts rendered at such intervals as Council may from time to time decide.

12.5 Water Supplied by Standpipe

12.5.1 Where a supply of water is given by means of a standpipe, the applicant will be responsible for the full cost of any subsequent repairs found necessary following the use of such standpipe. Water used shall be paid for at normal rate for extraordinary supply or as determined by prior agreement. The consumer shall also pay such hire charges as required by Council in the event of using a local authority standpipe.

12.5.2 Only standpipes fitted with a suitable backflow prevention device shall be used.

12.6 Meter Supply to Non-Rateable Properties

12.6.1 The charges for water supplied to a non-rateable property in the District shall be by meter of such amounts as may from time to time be fixed by resolution of Council, or as may be agreed on with any person receiving that supply; minimum charges for such extraordinary supply may likewise be specified in the said resolution or agreement.

12.7 Water Charged at Annual Charge

12.7.1 When an extraordinary supply of water is granted to a consumer for any purpose at an annual charge, it shall be lawful for Council if it thinks fit, to affix a meter to such supply, and the charge shall be determined by the provisions of this Part of this bylaw relating to the purpose for which the water is being used.

12.8 Supplies to Local Authorities

12.8.1 The charges to be made for water supplied to other local authorities shall be of such amounts as may from time to time be fixed by resolution of Council or as may be agreed on with any local body receiving that supply.

12.9 Water for Extinguishing Fires

12.9.1 Unmetered connections which may be provided for fire protection systems shall be used for no other purpose and shall be independent of any other service connection to the property.

12.9.2 In any case in which, in the opinion of the Engineer, a fire connection is so constructed or so located that it is likely that water will be drawn from it or from any part of it by any person for purposes other than fire fighting, the Engineer may cause a water meter to be installed on such fire service or on such part. In every such case, whenever water has been used for fire fighting purposes, the Engineer shall estimate the quantity of water so used and a sum based on such estimate at the appropriate charge rate, shall be allowed against the cost of such amount of water charged to the owner's account.

12.9.3 A fire sprinkler system shall be constructed and installed and thereafter maintained in good order to the satisfaction of the Engineer, and shall be so designed and fixed so that water cannot be drawn from there for any other purpose.

12.9.4 In the case of premises outside the District, a connection for a sprinkler system may be provided from a Council main, with the prior consent of Council.

- 12.9.5 Hose reels used solely for fire protection purposes may be installed only under conditions prescribed by the Engineer.
- 12.9.6 The cost of making, repairing, and renewing the connection from the main to the consumer's premises shall be paid and borne by the consumer.
- 12.9.7 An annual license fee of such amount fixed by resolution of Council shall be paid by the consumer to the local authority in respect of such installation.
- 12.9.8 Water used for the purpose of extinguishing fires will not be charged for.

12.10 Incorrect Accounts

- 12.10.1 Where a situation occurs, other than as provided for in Clause 11.8, 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 Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.
- 12.10.2 Where an adjustment is required, in favour of Council or the customer, this shall not be backdated more than 12 months from the date the error was detected.

12.11 Change of ownership

- 12.11.1 In the event of a premises changing ownership Council shall record the new owner as being the customer at that premises. Where a premises is metered the outgoing customer shall give Council ten working days notice to arrange a final meter reading.

13.0 SUPPLY OUTSIDE DISTRICTS

13.1 Application of Bylaw

- 13.1.1 Where Council supplies water outside the District and in the area of another local authority, then for that supply all of the provisions of the empowering Act relating to waterworks shall apply and all the provisions of this Part of this bylaw shall apply equally to all place, persons and things outside the District as they apply to the same within the District.

14.0 FIRE PROTECTION

14.1 Fire hydrants

- 14.1.1 New Zealand Fire Service personnel may connect to, and draw water from fire hydrants for the purpose of fighting fires, training, and hydrant testing.
- 14.1.2 Only fittings with a suitable backflow device attached shall be used to withdraw water.

14.2 Approved users of fire hydrants

- 14.2.1 Except as provided in 14.1.1 only persons who have approval to draw water from fire hydrants may connect to, and draw water from fire hydrants and shall comply with all conditions of that approval. Council may cancel any approval without notice for any breach of the conditions of approval or to implement water restrictions.
- 14.2.2 Council may without prejudice to other remedies available and subject to the provisions of sections 164-168 and 172 of the LGA 2002 remove and hold any equipment used to connect to, and/or draw water from any fire hydrant without approval, or in breach of the conditions of any approval, and assess the value of water so drawn and any other associated costs and recover it as a debt.

14.3 Fire protection connection metering

14.3.1 Where the supply of water to any premises is metered, the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the meter provided that:

- (a) The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
- (b) A Council approved detector check valve has been fitted on the meter bypass.

14.3.2 Any 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 NZS 4517.

14.3.3 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, Council may require the supply to be metered.

14.4 Fire hose reels

14.4.1 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 NZS 4503.

14.5 Charges

14.5.1 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, Council shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.

14.6 Ongoing testing and monitoring

14.6.1 Customers intending to test fire protection systems in a manner that requires a draw-off of water shall obtain the approval of Council beforehand. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by Council.

15.0 PROTECTION OF WATER SUPPLY

15.1 Water Supply System

15.1.1 Except as set out elsewhere in this Part or to operate the service valve no person shall make any connection to, or otherwise interfere with, any part of the water supply system without prior approval of Council.

15.1.2 Unless the prior approval of Council has been obtained no person may install any 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 Council to maintain its stated levels of service on any piping beyond the point of supply.

15.2 Spillages and adverse events

15.2.1 The occupier of any property shall take all reasonable steps to prevent entry into the water supply of any substance that may compromise the water supply services or be hazardous to the health and safety of Council staff, customers and the public.

15.3 Notification of spillage or adverse event in water supply

15.3.1 The occupier shall notify the Council immediately in the event of leakage, spillage or other mishap described in Clause 15.2.1.

15.4 Working around buried services

- 15.4.1 Any person proposing to carry out excavation work shall view any as-built information available to establish whether or not any part of a water supply system is located in the vicinity.
- 15.4.2 At least five working days notice in writing shall be given to District Council of an intention to excavate in the vicinity of any part of a water supply system. Where appropriate the Council may mark out to within $\pm 1\text{m}$ on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary. The Council may charge for this service.

15.5 Standard of excavation work

- 15.5.1 When excavating and working around buried services due care shall be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate Council specifications.

15.6 Reporting and any damage to services

- 15.6.1 Any damage which occurs to a Council service shall be reported to Council immediately.
- 15.6.2 The person causing the damage shall reimburse Council with all costs associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

16.0 PROTECTION OF CATCHMENT AREAS

16.1 Prohibitions

- 16.1.1 No person shall pollute or cause to be polluted any water that is part of the waterworks in any controlled catchment area, or in any part of the waterworks prior to the withdrawal of water therefrom by some pipe lawfully connected therewith.
- 16.1.2 In any controlled catchment area or any part of the waterworks prior to the withdrawal of any water therefrom by some pipe lawfully connected therewith, no person shall:
- a) Camp;
 - b) Take, depasture, or allow to stray any livestock including horses, cattle, sheep or goats;
 - c) Bathe or wash any linen or other thing; or
 - d) Deposit any dirt, rubbish, foul liquid, or matter of any kind.
- 16.1.3 In any controlled catchment area or land held by Council as a water reserve, no person shall without first obtaining a permit in writing from Council:
- a) Enter;
 - b) Hunt, trap, shoot or fish;
 - c) Light or maintain any fire;
 - d) Take any dog;
 - e) Damage or destroy any trees, shrubs, or other existing cover, or interfere with any property;
 - f) Take any firearm or weapon of any kind which may be used for the destruction of birds and animals; or
 - g) Use any pesticide or toxic substances for any purpose whatsoever.
- 16.1.4 In granting any such permit Council may impose such conditions as it shall consider necessary or advisable, and every person to whom, any such permit shall have been issued who shall fail to comply with every condition thereof commits an offence against this Part of this bylaw.
- 16.1.5 No person shall burn, bury or otherwise dispose of any refuse or other matter except to the satisfaction of the custodian.

16.2 Carcasses to be Removed

16.2.1 Any person who kills any animal on any controlled catchment area or land held by Council as a water reserve shall remove the carcass thereof from such area, or shall dispose of the carcass as directed by and to the satisfaction of the Engineer.

16.3 Permits to be Presented

16.3.1 No person to whom any permit shall have been issued as aforesaid shall enter or leave any controlled catchment area or land held by Council as a water reserve without presenting such permit for inspection by the custodian and notifying the custodian of his intention of entering or leaving such area as the case may be.

16.3.2 Every person on any controlled catchment area or land held by Council as a water reserve shall upon demand forthwith produce any such permit as aforesaid for inspection by the custodian.

16.3.3 No permit issued as aforesaid shall be capable of being transferred.

16.3.4 It shall be lawful for Council at any time by notice in writing delivered to the holder to revoke or suspend such permit for such time as shall be stated in such notice.

16.4 Against Interference and Obstruction

16.4.1 In any controlled catchment area or any land held by the local authority as a water reserve:

- a) No person whether he is a holder of any permit issued under the provisions of this Part of this bylaw or not (other than a duly appointed officer of the local authority), shall commit or cause or permit to be committed any act which may interfere with or be likely to interfere with the free and lawful exercise of any rights vested in any other person in any such area.
- b) Every person shall upon the request of the custodian or other officer of the local authority immediately leave the controlled catchment area or land held by the local authority as a water reserve, but shall nevertheless be liable also to be prosecuted for the breach of any of the provisions of this Part of the bylaw, and the failure so to leave shall constitute a further offence.
- c) No person shall obstruct or hinder any duly appointed officer of the local authority in the exercise of any powers vested in him under the provisions of this Part of this bylaw.

PART C: STORMWATER

17.0 GENERAL PROTECTION OF PUBLIC STORMWATER DRAINAGE NETWORKS

17.1 Nuisances/Damage

17.1.1 No person shall:

- (a) Allow any material, chemical or other substance that causes or is likely to cause a nuisance directly or indirectly into the public stormwater drainage network; or
- (b) permit any material, chemical or other substance, likely to cause a nuisance on entering the public stormwater drainage network, to be located so that it is likely to enter the public stormwater drainage network (directly or indirectly) in any storm event up to and including the 100 year event or other natural action; or
- (c) Do anything that damages or is likely to cause damage to any public stormwater drainage network.

17.2 Prohibited Discharges

17.2.1 No person shall discharge wastewater and trade wastes to the public stormwater system.

17.3 Contaminated Stormwater

17.3.1 No person shall discharge contaminants or contaminated run off to the stormwater services.

17.3.2 No person shall discharge stormwater to the wastewater system unless such discharge is authorised by a bylaw or by Council.

17.4 Obstructions to stormwater drainage networks, watercourses or flood plains

17.4.1 No person shall:

- (a) Obstruct any watercourse in a manner that adversely affects or may affect the efficiency and safety of a public stormwater drainage network; or
- (b) Erect any structure or deposit anything (materials, rubbish or other debris) in a place or manner in a 100 year flood plain, that is likely to cause a nuisance.

17.5 Access to Stormwater Systems

17.5.1 A land owner/occupier shall allow the Council access to and about all facets of all public and private stormwater systems for the purposes of monitoring, testing and maintenance work between 7.30am and 6pm on any day. The Council shall give a minimum of 24 hours notice to any land owner/occupier of an intended entry.

17.5.2 In an emergency the customer shall allow Council free access to, and about, the point of supply at any hour without notice.

18.0 APPROVAL TO CONNECT TO, OR DISCONNECT FROM A PUBLIC STORMWATER DRAINAGE NETWORK

18.1 No person may make a connection to, or otherwise interfere with the public stormwater drainage network without prior approval of Council and:

- (a) Council will consider whether to approve a connection or other work on the public stormwater drainage network following receipt of a properly completed standard Council application form;
 - (b) Council may refuse connection to, or other work on the public stormwater drainage network;
 - (c) If approval is given, this will be subject to any terms and conditions, including payment of any fees or charges, attached to the approval;
 - (d) Failure to comply with any of the terms and conditions constitutes interference with the public stormwater drainage network without prior approval and is a breach of this bylaw; and
 - (e) Any such connection or interference shall be carried out by a registered drainlayer in accordance with best practice, relevant specifications and shall be inspected by Council.
- 18.2 Approval may be given subject to any conditions and requirements that Council or any authorised officer may think appropriate and to be complied with, to their satisfaction.
- 18.3 Any new connection shall be dimensioned from the immediate downstream manhole to the centre of the newly installed connection, and an as-built plan showing the connection shall be provided to Council within 7 days of installation and acceptance by Council.

19.0 POINT OF DISCHARGE

19.1 General

- 19.1.1 The point of discharge from a premise shall be the point on the public stormwater drainage network which marks the boundary of responsibility between the owner and Council. Unless otherwise approved there shall be one point of discharge only for each premise.
- 19.1.2 Where a private stormwater pipeline discharges into a public stormwater network on that same private property, the point of discharge shall be the upstream end of the pipe fitting which forms the junction with the public stormwater pipe.
- 19.1.3 For single dwelling units the point of discharge shall be located 1 metre inside the boundary or as close to this point as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. The approval of other positions must be by Council and recorded on the drainage plan.
- 19.1.4 The typical layouts at a point of discharge are as shown in the attached Schedules 1 to 4 and figure 3.

19.2 Discharging into Neighbouring Properties

- 19.2.1 No person shall allow stormwater from the person's property to discharge onto a neighbouring property via surface flow, other than what would naturally occur from pervious areas and from designated overland flow paths. Water from impervious areas required approved, managed discharge.
- 19.2.2 No person shall obstruct the stormwater flow from a neighbouring property that would occur naturally from pervious areas and overland flow paths.

20.0 WORK AFFECTING PUBLIC STORMWATER DRAINAGE NETWORKS

20.1 General

- 20.1.1 No person shall carry out any excavation or other work in the vicinity of a public stormwater drainage network so as to damage or be likely to damage the infrastructure or adversely affect its operation
- 20.1.2 No building may be constructed over an existing connection to a public stormwater pipeline. Any such connection must be capped off. The new connection must be sited a minimum horizontal distance equivalent to twice the depth of invert to the stormwater pipeline outside the footprint (including decks) of the proposed building.
- 20.1.3 Any damage or blockage to any private or public stormwater pipeline affecting or likely to affect the efficient operation of the stormwater drainage network shall be reported to Council immediately.
20. 1.4 With respect to building or loading over buried services, or excavation near public stormwater pipelines, the restrictions described in 20.1.6 to 20.1.8 of this section shall apply.
20. 1.5 Other restrictions may be applied by Council for the protection of the public stormwater drainage network after consideration of proposed work methods, depth of excavation, soil physical properties, and other site specific factors.
20. 1.6 No building shall be built over a public stormwater pipeline without prior approval of Council, and no work shall be carried out on or around any pipeline except as set out in the HCC Standards for Engineering Design and Construction.
20. 1.7 No person shall, without the prior written approval from Council:
- (a) cause the crushing load imposed on a public stormwater drainage pipeline to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by Transit New Zealand Bridge Manual); or
 - (b) remove any existing cover material or place any additional material over or near a public stormwater drainage pipeline; or
 - (c) cover any service opening such as manholes, catchpits or other surface infrastructure in any way.

Note: Removal of any covering material or adjustment of the opening shall be at the property owner's expense.

20. 1.8 No person shall without obtaining prior approval from Council excavate, or carry out piling or similar work closer than:
- (a) 5 metres from the centre line of any main or trunk stormwater drainage pipeline; or
 - (b) 2.5 metres from the centre line of any public stormwater drainage pipeline.

20.2 Site development and management

- 20.2.1 Council or an authorised officer may require the installation or construction of private stormwater detention tanks or other devices to retard the flow of stormwater or for other purposes together with an approved maintenance plan, to its satisfaction during the development of a property.
- 20.2.2 It is the responsibility of the owner to properly maintain in good working order at all times, the private stormwater drainage network on the property. This includes all pipes, gutters, stormwater detention devices or other components as well as the drainage network itself.
- 20.2.3 Where a building is at an elevation below the carriageway of the adjacent road or access way, the vehicle crossing to the site shall be constructed with an over vertical curve to ensure that

run-off from the carriageway does not enter the property via the vehicle crossing. The internal vehicle drive and parking areas shall be designed and constructed to direct run-off away from the buildings.

- 20.2.4 No person shall commence any development work until such time as adequate silt control measures to prevent the discharge of silt laden water directly or indirectly to any watercourse to the satisfaction of the Council or any authorised officer have been installed using best practice,. These control measures shall be maintained and regularly cleaned out until ground cover has been reinstated on the site.

20.3 Open Watercourses

- 20.3.1 All open watercourses (and any sections piped by the owner) in the district are the responsibility of the owner of the property through which they flow, except for the particular sections of watercourses where Council has agreed with the property owner to remove obstructions, but the control of erosion will remain the responsibility of such property owner.
- 20.3.2 All privately owned open watercourses, stopbanks and other defences against stormwater are to be maintained by or at the expense of the owner to ensure free flow of water.
- 20.3.3 Except where specifically provided for in easement documents, all material resulting from the cleaning of a public watercourse shall be the responsibility of the property owner to remove or otherwise dispose of.

20.4 Piping of open watercourses

- 20.4.1 The piping of open watercourses limits the flow during high intensity rainfall events. For a piped stormwater system to work effectively overland flow paths is a requirement. Therefore the piping of open watercourses is discouraged. In a situation where a property owner wishes to pipe a watercourse that crosses a private property the following shall apply.
- 20.4.2 No person shall carry out stormwater drainage works without:
- (a) prior written approval from Council, and
 - (b) a building consent or resource consent if required.
- 20.4.3 Every application to carry out stormwater drainage works shall include drawings and specifications for the proposed works. The drawings shall show, to the satisfaction of Council, the proposed works and their effects on the subject site and surrounding land.
- 20.4.4 All proposed stormwater drainage works shall be designed, constructed and operated:
- (a) in compliance with any relevant Catchment Management Plan or discharge consent including its recommendations or conditions for the area concerned; and
 - (b) to Council's standards for corresponding public drainage works where they serve or may serve land or buildings in different ownership; and
 - (c) to Council's Stormwater Drainage Policies; and
 - (d) to minimise sediment discharge to any stormwater drain; and
 - (e) in compliance with any written conditions imposed by Council when approving the works, and with any relevant building or resource consent; and
 - (f) to be consistent with foreseeable catchment-wide works (for example, extending a pipe upstream or downstream) so as to give a benefit to the catchment as a whole.
- 20.4.5 Such stormwater drainage works shall remain the responsibility of the owner of the land on which the works occur unless and until they are taken over and vested in Council. The cost of all work involved will be the owner's cost unless specific agreement for alternative cost sharing is approved in writing by Council.

21.0 STORAGE OF HAZARDOUS MATERIALS

- 21.1 The occupier shall not store any hazardous or other material, in a manner likely to adversely affect watercourses, or public health and safety and shall take all reasonable steps to prevent entry of materials via leakage, spillage or other mishap into watercourses or the stormwater network.
- 21.2 The occupier shall immediately notify Council of any hazardous material entering watercourses or the public stormwater drainage network.

22.0 BREACHES

22.1 List of breaches

- 22.1.1 The following are deemed breaches of the conditions to provide a stormwater service connection:
- (a) Failure by the customer to meet and comply with the conditions of providing a service connection;
 - (b) Failure to meet any obligation placed on the customer under all current Acts and Regulations;
 - (c) Frustration of Council's ability to adequately and effectively carry out its obligations, including complying with discharge permits. In the event of a breach, Council 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, Council reserves the right to undertake 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.

22.2 Defect Notices

- 22.2.1 In the event of a breach of any provision of this Bylaw, Council may serve a defect notice on the customer advising of its nature and the steps to be taken within a specified period, to remedy it.
- 22.2.2 If the customer has not remedied the breach after the specified period, Council may carry out any remedial work required in order to make good the breach, and recover from the person committing the breach all reasonable costs incurred in connection with the remedial work, including a re-inspection fee.

PART D: WASTEWATER

23.0 INTRODUCTION

- 23.1 Matters regulating the acceptance of trade waste into the wastewater drainage system are contained in Council's Trade Waste Bylaw 2006.

24.0 COUNCIL OPERATING PROCEDURES

- 24.1 Council may from time to time, by ordinary resolution:
- (a) Adopt system operating procedures to protect the wastewater drainage system from damage and misuse including the setting of the nature and levels of characteristics of any wastewater to be discharged into Council's sewerage system;
 - (b) Set the terms and conditions upon which wastewater discharged from any premises will be accepted into Council's wastewater drainage system.
- 24.2 Any customer who discharges wastewater into Council's wastewater drainage system must sign a Customer Service Agreement and at all times comply with Council's operative Terms and Conditions for the Acceptance of Wastewater Drainage as from time to time fixed by resolution of Council.
- 24.3 Council may, from time to time by way of an ordinary resolution, amend, extend, rescind, or vary any resolution made in accordance with the provisions of clause 24.1.

25.0 WORK AFFECTING PUBLIC WASTEWATER DRAINAGE NETWORKS

- 25.1 No person shall carry out any excavation or other work in the vicinity of a public wastewater drainage network so as to damage or be likely to damage the infrastructure or adversely affect its operation
- 25.2 No building may be constructed over an existing connection to a public s wastewater pipeline. Any such connection must be capped off. The new connection must be sited a minimum horizontal distance equivalent to twice the depth of invert to the wastewater pipeline outside the footprint (including decks) of the proposed building.
- 25.3 Any damage or blockage to any private or public wastewater pipeline affecting or likely to affect the efficient operation of the wastewater drainage network shall be reported to Council immediately.
- 25.4 With respect to building or loading over buried services, or excavation near public wastewater pipelines, the restrictions described in 25.1.6 to 25.1.8 of this section shall apply.
- 25.5 Other restrictions may be applied by Council for the protection of the public wastewater drainage network after consideration of proposed work methods, depth of excavation, soil physical properties, and other site specific factors.
- 25.6 No building shall be built over a public wastewater pipeline without prior approval of Council, and no work shall be carried out on or around any pipeline except as set out in the HCC Standards for Engineering Design and Construction.
- 25.7 No person shall, without the prior written approval from Council:

- (a) cause the crushing load imposed on a public wastewater drainage pipeline to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by Transit New Zealand Bridge Manual); or
- (b) remove any existing cover material or place any additional material over or near a public wastewater drainage pipeline; or
- (c) cover any service opening such as manholes, catchpits or other surface infrastructure in any way.

Note: Removal of any covering material or adjustment of the opening shall be at the property owner's expense.

25.8 No person shall without obtaining prior approval from Council excavate, or carry out piling or similar work closer than:

- (a) 5 metres from the centre line of any main or trunk wastewater drainage pipeline; or
- (b) 2.5 metres from the centre line of any public wastewater drainage pipeline.

26.0 ACCEPTANCE OF DISCHARGE

26.1 Approval to Connect

26.1.1 No person, other than the authorised agents of Council may, without written approval of Council, make any connection to or otherwise interfere with any part of the wastewater drainage system including buried services.

26.2 Acceptable Discharge Characteristics

26.2.1 The nature and levels of the characteristics of any wastewater discharged into the Council wastewater drainage system must comply at all times with the characteristics adopted by Council from time to time, provided however, that those characteristics may be varied by Council as part of an approval given to a customer or customers to discharge a wastewater which does not meet the normal characteristics.

26.3 Domestic Wastewater

26.3.1 Every dwelling/house is entitled to have its wastewater accepted by the Council subject to the premises being within an area which is served by public sewers.

26.3.2 Every new dwelling house situated within a residential area that is served by a public sewerage system must be connected to that system if the boundary is situated within 30m of a public sewer. Connection of all existing dwelling houses situated within 30m of a public sewer and not currently connected, will be considered by the Engineer on a case by case basis.

27.0 DISCHARGES

27.1 Flow Rate

27.1.1 Council may set a maximum daily flow rate which can be discharged from any premises into the wastewater drainage system.

27.1.2 No person may discharge wastewater into the sewer at an instantaneous flow rate exceeding the rate determined by Council from time to time.

27.2 Prohibited Characteristics

27.2.1 No person may discharge into the Council sewer any wastewater with the characteristics which Council has resolved to prohibit from discharge into the wastewater drainage system.

27.3 Prevention of Inflow and Infiltration

27.3.1 The customer must prevent any stormwater or groundwater (including water from roof downpipes, surface water run-off, overland flow, and sub-surface drainage) from entering the Council sewer.

27.3.2 Every person who becomes aware that any hazardous material, product, or waste, has entered the wastewater drainage system must immediately notify Council of the details. This requirement is in addition to any other obligation that person has to notify other authorities of release of a hazardous substance.

28.0 BREACHES AND REMEDIES

28.1 Defect Notices

28.1.1 In the event of any default or breach by a customer in respect of the customer's obligations relating to the sewer, whether under this Bylaw or any act or regulation, Council may, without prejudice to any other recourse or remedy that may be available, and having regard to public health and safety and the risk of damage to the sewer, in its absolute discretion:

- (a) undertake any remedial work required in order to make good the breach or default and recover from the customer all costs incurred in connection with the remedial work; or
- (b) give notice to the customer to rectify the default or breach and that notice may include a period within which the default or breach is to be remedied.

28.2 Remedial Work

28.2.1 If the default or breach is not remedied in a reasonable time, or within the time specified in the notice given under the foregoing clause, Council may:

- (a) instruct the customer to carry out the necessary remedial works within a specified time;
- (b) if the customer fails to do so within the specified time carry out any remedial works required;
- (c) recover all costs incurred including solicitor and client costs;
- (d) charge a re-inspection fee;
- (e) undertake any one or more of them as the Council sees fit.

28.3 Remedies

28.3.1 In addition to any legal penalties arising from any breach, offence, or dispute Council may seek to recover all costs arising from and associated with any such breach, offence or dispute.

Figure 1 –Typical Point of Supply for individual customers. Variations may apply for customers on right of ways or for commercial or industrial customers.

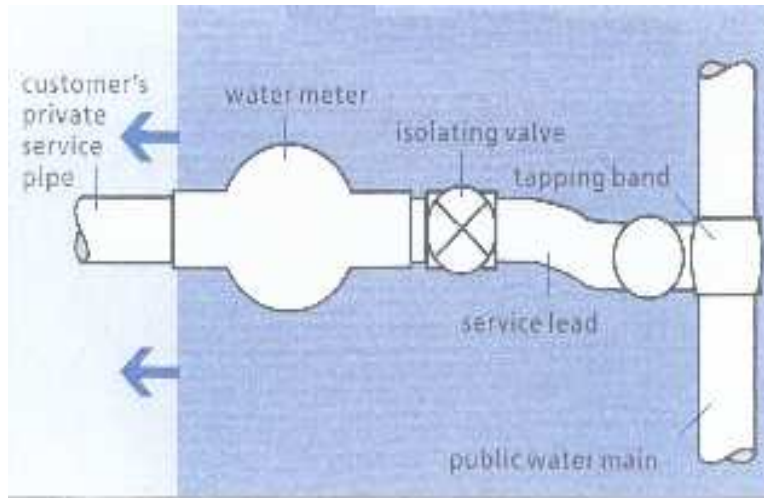


Figure 2 –Typical Wastewater Connection

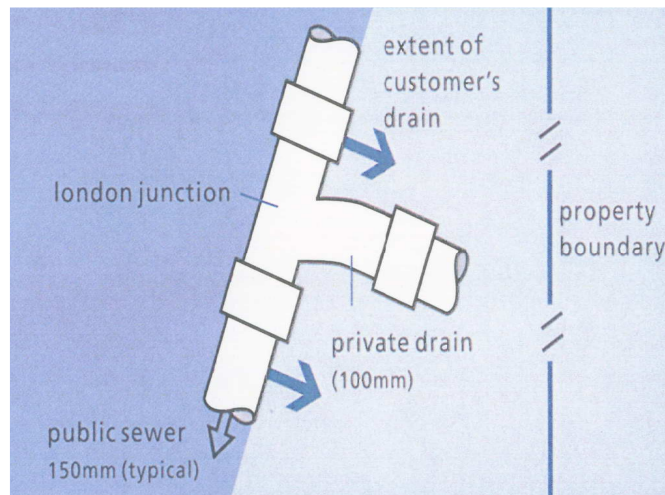
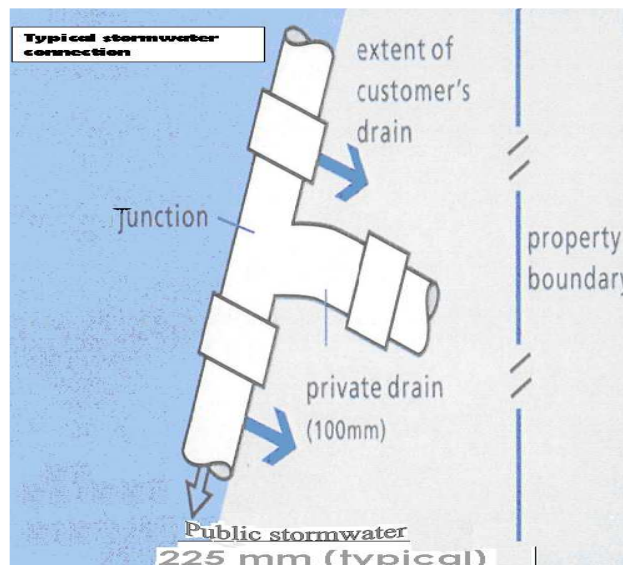


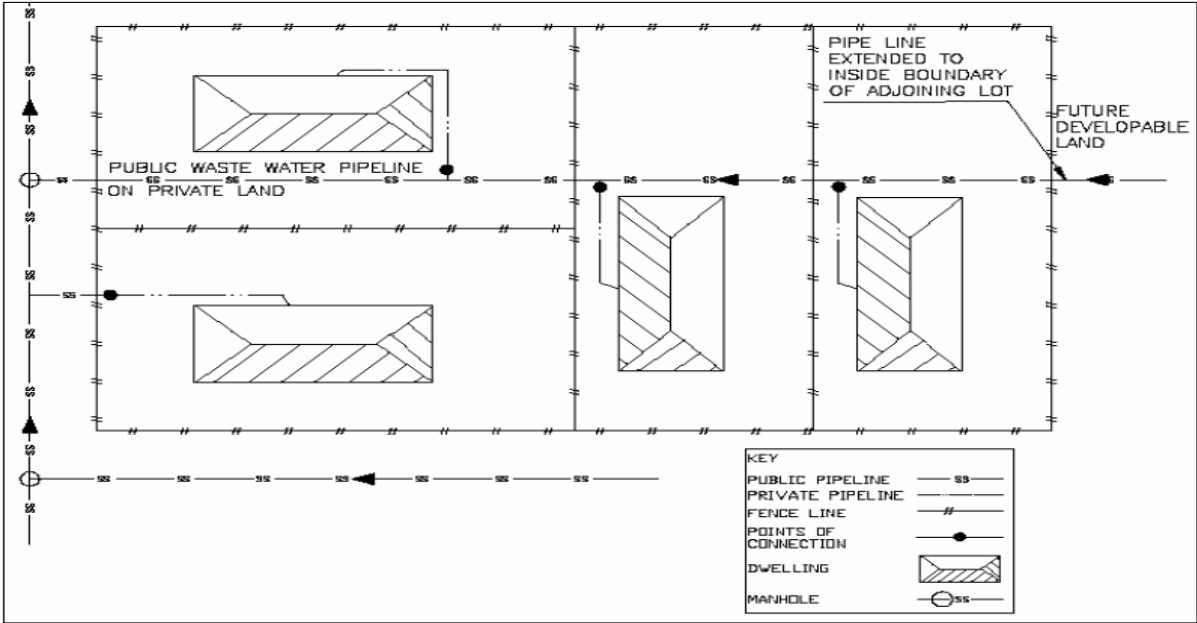
Figure 3–Typical Stormwater Connection.



SCHEDULES

SCHEDULE 1

Points of Discharge



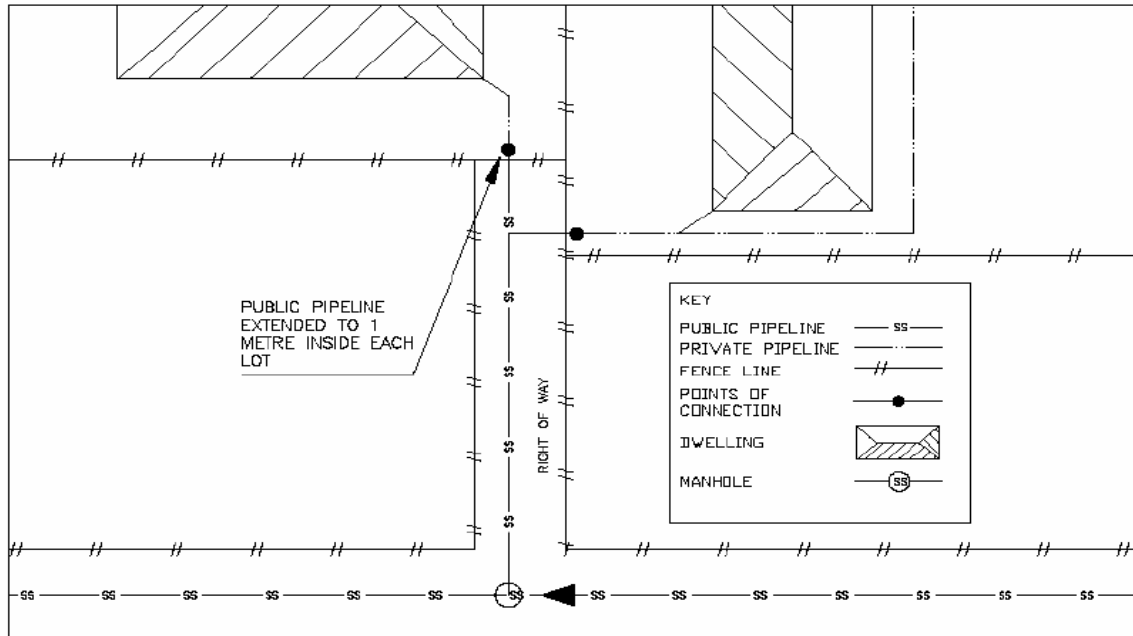
NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines.

Explanatory Notes

1. All pipelines on public land are deemed public stormwater pipes and shall be constructed in accordance with HCC Standards for Engineering Design and Construction.
2. Public stormwater pipes may be located on private property.
3. Each new lot shall have the public connection extended to a point one metre inside the lot at the lowest point of the lot. Except in the case of one lot into two infill developments this connection shall be within the body of the lot in the case of rear lots.
4. Where appropriate and where required by Council, public stormwater pipes shall be extended through a lot to service upstream developments.

SCHEDULE 2:

Rear Lots On Joint Owned Accessways (for two or more dwelling units)



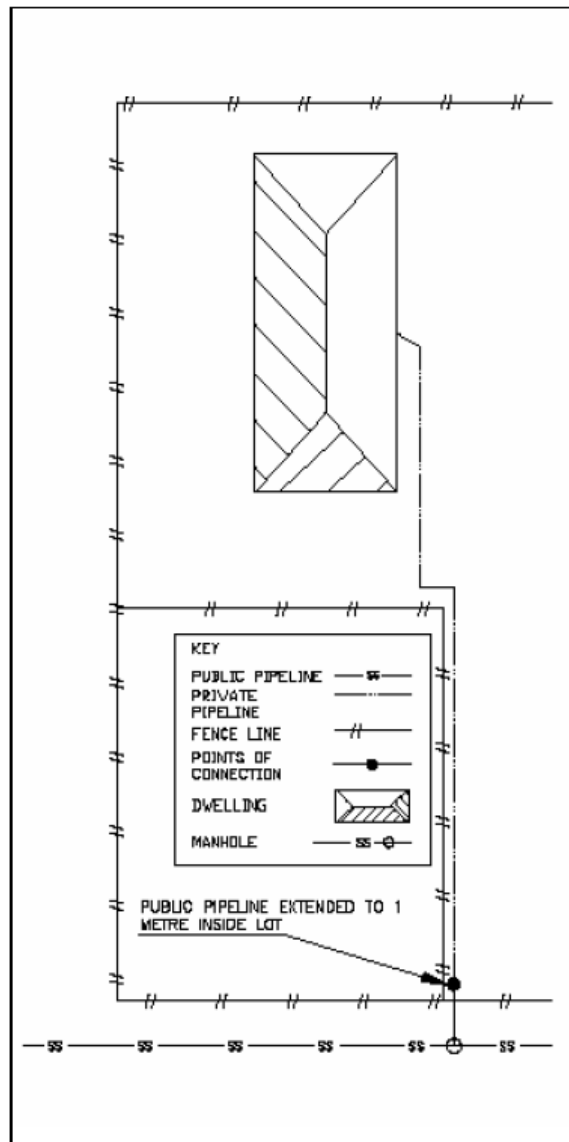
NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines.

Explanatory Note

1. If the length of public line exceeds twenty-five metres, the line must be terminated within a manhole.

SCHEDULE 3

Single Rear Lot – Typical One Lot into Two In-Fill Development



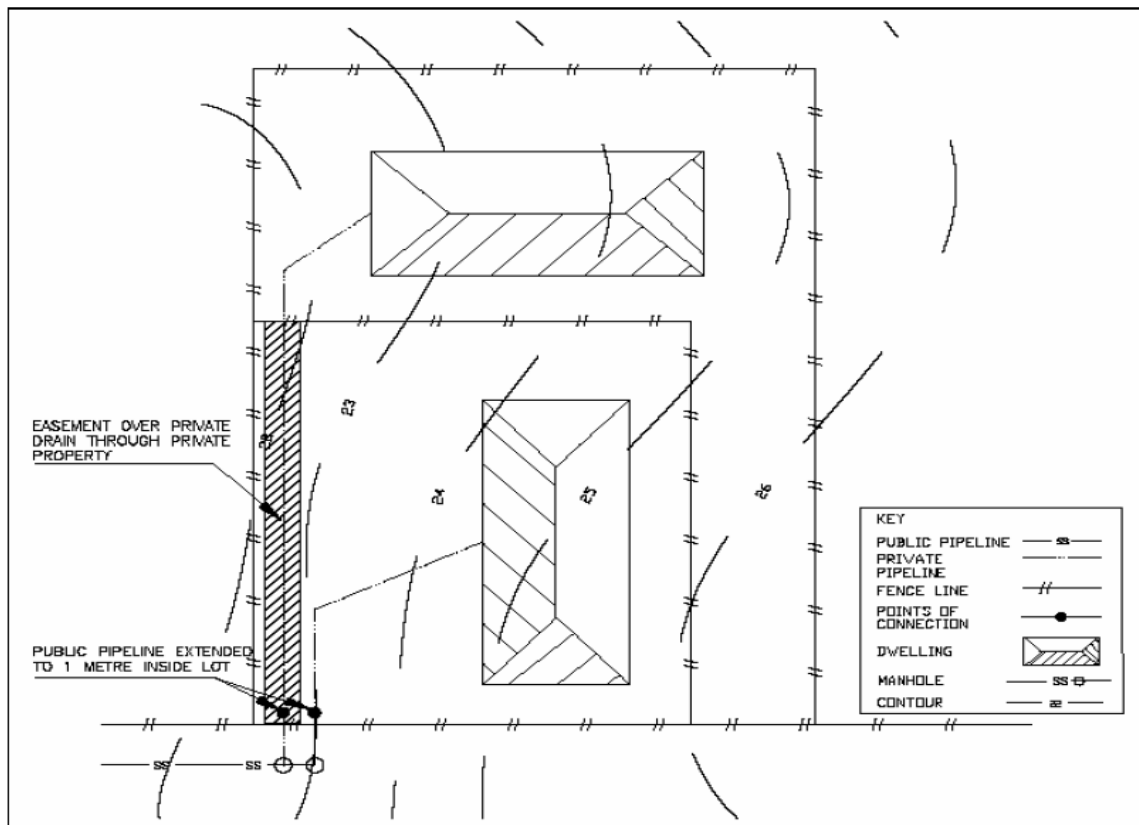
NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines

Explanatory Note

1. Public stormwater pipe terminates one metre inside the lot boundary.

SCHEDULE 4

Private Easements



NB: While wastewater pipelines are depicted above, the same provision applies to stormwater pipelines

Explanatory Notes

1. Where an in-fill development of one lot into two cannot service the rear site through the proposed access strip, because of elevation or gradient difficulties, the private stormwater pipelines through the front may be covered by a drainage easement in favour of the rear lot, provided that the lot is capable of having only a single dwelling unit constructed on it.
2. Similarly if the services are situated in the proposed rear lot then the front lot may be serviced by a private stormwater pipeline covered by drainage easement. Again this only applies where a single dwelling unit is possible on the created site.

