

# WAIROA DISTRICT COUNCIL



## CONSOLIDATED BYLAW

### PART 5 – WATER SUPPLY BYLAW 2022

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## **1.0 INTRODUCTION**

### **1.1 TITLE**

This bylaw is the Wairoa District Council Water Supply Bylaw 2022 and may be referred to in this or other bylaws as the Water Supply Bylaw.

### **1.2 COMMENCEMENT**

This Bylaw shall come into force on the (date) 2022.

### **1.3 REPEAL**

This bylaw supersedes and repeals the Wairoa District Council Water Supply Bylaw 2011.

### **1.4 APPLICATION OF BYLAW**

This bylaw shall apply to the Wairoa District.

### **1.5 PURPOSE**

**1.5.1** The purpose of the Water Supply Bylaw 2022 is to enable the Council as Water Supply Authority to supply water to its customers.

**1.5.2** This bylaw will assist in achieving a holistic and integrated approach to three waters management in the district that is consistent with Council's District Plan, other Policies, Plans, Strategies and Objectives and also reflect the principles of Te Mana o Te Wai. The following overarching purposes have been set for all four water services bylaws (Water Supply, Stormwater, Wastewater and Trade Waste).

- 1. Meet Legislation Requirements.** Proactively meet all Council's statutory requirements relating to the provision of three waters services.
- 2. Te Mana o Te Wai.** Give effect to the fundamental concept of Te Mana o Te Wai as prescribed under the National Policy Statement for Freshwater Management 2020. This states that the hierarchy of obligations in Te Mana o Te Wai prioritises first, the health and well-being of water bodies and freshwater ecosystems; second, the health needs of people; and third, the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future.

- 3. Tangata Whenua Status.** Recognise the status of tangata whenua as Treaty Partners of the Council, and Kaitiaki for the purposes of this bylaw.
- 4. Integrated Approach.** Adopt an integrated and holistic approach, ki uta ki tai, to the Three Waters (water supply, wastewater including trade waste and stormwater) that recognises the interconnections between each of the waters and promotes their sustainable management.
- 5. Environmental Responsibilities.** Facilitate environmentally responsible practices by raising awareness of how the three waters services interact and affect the district's natural environment. Additionally, ensure that Council meet its own responsibilities in terms of resource consent requirements set by the Hawke's Bay Regional Council.
- 6. Sustainable Practices.** Encourage and incentivise the community and businesses to adopt practices that lead to the enhancement of the environment and the sustainable management of water resources including water and product stewardship, rainwater harvesting, waste minimisation and cleaner production.
- 7. Support Sustainable Growth.** Support the sustainable provision of three waters infrastructure to enable future growth while minimising or eliminating impacts on the environment.
- 8. Durable Infrastructure.** Develop and maintain durable and resilient infrastructure that achieves Council's levels of service in an efficient and cost-effective manner.
- 9. Safety and Health.** Ensure the protection, safety and health of Council staff and the community when using or operating the water supply system, and the wastewater and stormwater networks.
- 10. Obligations.** Define the obligations of residential occupiers and businesses including trade waste occupiers and the public at large in relation to the Council's water supply, wastewater and stormwater networks.
- 11. Discharge Controls.** Regulate wastewater and stormwater discharges, including trade waste, and hazardous substances, into the wastewater and stormwater networks.
- 12. Equitable Costs.** Provide a system for the equitable sharing of Council's water services costs between trade waste dischargers, other businesses, and domestic customers.

## 1.6 OBJECTIVES

Further to the overarching Purpose, the specific objectives for this bylaw are to:

- (a) Enable the Council to provide and manage public water supply services;

- (b) Protect the public water supply network from damage, misuse, and interference;
- (c) Protect the environment and the health and safety of the people using the public water supply;
- (d) Ensure the efficient use of water and improve water resilience during periods of water shortage/restrictions.
- (e) Support sustainable water demand management.

## 1.7 CONTEXT

Communities expect a safe and reliable water supply for their health and prosperity. Council has a responsibility to ensure that its water services, infrastructure and water taonga are managed in a manner that supports the wellbeing of current and future generations. The provisions in this Water Supply Bylaw play a key role in ensuring water is used wisely and in a sustainable manner.

Public water supplies are currently provided through four schemes located at Wairoa/Frasertown, Tuai, Blue Bay and Mahanga, as shown in the maps in Schedule 1. Both the Wairoa and Tuai public water supplies and distribution network are assessed every year by the Ministry of Health to achieve compliance. The Blue Bay and Mahanga water supply schemes do not provide potable water.

The **Wairoa and Frasertown** water point of abstraction is on the Waiau River to the north of Frasertown. The water treatment plant is in Frasertown and is reticulated through Frasertown and Wairoa township. This water supply is compliant with the Drinking Water Standard New Zealand (DWSNZ).

The **Tuai Village** water supply comes from the iwi owned Waimako Spring, which is sourced from Lake Waikaremoana. Following treatment at the Council's WTP, this water supply is compliant with the Drinking Water Standard New Zealand (DWSNZ).

The **Blue Bay** water supply is pumped from a bore at Blue Bay and is treated but does not achieve a potability standard. All customers require their own water tanks and treatment to achieve a potable supply. This water supply may be discontinued.

The **Mahanga** water supply provides water from two separate bores. One is located adjacent to Blake's Approach, and the second is 100 metres east of Blake's Approach. Each of these bores have their own reticulation network and storage tank and are not connected to each other at any point. These are referred to as the Lower Scheme and Upper Scheme respectively.

Each water take for the respective water supply schemes is covered by resource consent. Compliance with these resource consents is monitored and includes reporting to Hawke's Bay Regional Council.

## **1.8 DEFINITIONS**

Reference should be made to Part 1 Introductory Bylaw and to the legislation referred to for any other definitions not included in this clause. For the purpose of this bylaw, unless inconsistent with the context, the definitions below apply. In the event that a term contained in this bylaw is unclear, NZS 4404: Land development and subdivision, NZS 9201 Model General Bylaws - introduction and legislation such as the Local Government Act 2002 may be used to clarify terms or phrases.

**Approved** or **Approval** means approved in writing by the Council either by resolution of Council or by any Authorised Officer of Council.

**Authorised Officer** means any officer of the Council or other person authorised by the Council to administer and enforce its bylaws in accordance with the Local Government Act 2002.

**Backflow** means a flow of water or other liquid through any service pipe or supply pipe in a reverse direction to the normal supply flow.

**Backflow Prevention** means a backflow prevention device is used to protect potable water supplies from contamination or pollution due to backflow. See Clause 6.4.

**Buried Services** means Council owned assets and infrastructure that are located below ground.

**Conditions of Supply** means the terms and conditions determined by the Council in accordance with this bylaw.

**Council** means Wairoa District Council. or any officer authorised by Council or delegated to act on its behalf.

**Customer** means a person who uses or has obtained the right to use or direct the manner of use of water supplied by the Council to any premises.

**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.

**Developer** means a person undertaking development.

**Development** means building work, subdivision or change of use which requires a water supply connection.

**Extraordinary Supply** means a category of ‘on demand supply’ and includes all supplies other than ordinary (domestic) supply and may be subject to specific conditions and limitations, including restricted flow supply and metering.

**Fees and Charges** means the list of items, terms and prices for services associated with the supply of water as adopted by the Council in accordance with the Local Government Act 2002.

**Fire and Emergency New Zealand Personnel** has the same meaning as defined in the Fire and Emergency New Zealand Act 2017.

**Fire Protection System** means a pumping system designed to supply a sufficient flow of water to extinguish a fire, for example, a sprinkler.

**Hazardous Substances and Materials** means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, , or explosive materials, or any materials which when mixed with the water, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any person or harmful to the network.

**Hazardous Wastes or Hazardous Substances** means hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996.

**Land Use** means the use of land and buildings on a property for a particular activity.



**Level of Service** means the measurable performance standards on which the Council undertakes to supply water to its customers, as found in the Council’s Long-Term Plan.

**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 and is the supply of water to a customer which is used solely for domestic purposes.

**Permit** means a permit in writing given by the Council and signed by an authorised officer authorising a person to take water by tanker from the Council supply. See Schedule 6 for the application form.

**Permit Holder** means a person who holds a permit to take water by tanker from a Council supply.

**Person** means any natural person, the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate.

**Point of Supply** to an individual customer means the point on the supply pipe which marks the boundary of responsibility between the customer and the Council. The point of supply is described as the tail piece of a boundary box, meter, or Service Valve regardless of property boundaries. See the Schedule 3 diagrams.

**Potable** has the same meaning as in section 69G of the Health Act 1956.

**Premises** include the following:

- (a) A property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued; or
- (b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a Record of Title is available; or
- (c) A building or dwelling house to which a separate supply of water is provided; or
- (e) Individual units in buildings which are separately leased or separately occupied, or
- (d) Land held in public ownership (e.g. reserve) for a particular purpose.

**Public Notice** is as defined in section 5 of the Local Government Act 2002.

**Rainwater Tank** means the water tank used to collect and store rainwater runoff, typically from rooftops via pipes. It can have a dual purpose of detaining water temporarily during a rainfall event.

**Record of Title** means a record of title created under section 12 under the Land Transfer Act 2017.

**Restricted Flow Supply** means a type of water supply connection where a small flow is supplied by a flow control device.

**Restricted Works** means building works which are carried out closer than the specified distance to a Council asset as specified in Clause 2.2.2.

**Restrictor** means a flow control device fitted to the service pipe to limit the flow of water to a customer's premises. They reduce the amount of water available as a conservation tool or for unpaid water rates.

**Roading Authority** in respect of local roads, means the Council, and in respect of State Highways, means Waka Kotahi NZ Transport Agency.

**Service Pipe** means that section of water pipe between a water main and the point of supply and is owned and maintained by the Council.

**Service Valve or Toby** means the valve at the customer end of the service pipe and owned by the Council.

**Smart Meter** means a water meter that allows the remote collection of water flow data, and alerts to tampering, high flow and low flow issues.

**Storage Tank** means any tank having a free water surface and used for the storage of water.

**Supply Pipe** means that section of pipe between the point of supply and the customer's premises and owned and maintained by the customer.

**Water Main** means the principal pipe for conveying water in a reticulated water supply system.

**Water Meter** means a device to measure the flow of supplied water. See Smart meter.

**Water Supply Authority** means the Council, including its authorised agents.

**Water Supply Areas** are formally designated by Council as:

- (a) Urban Water Supply Area. See Clause 3.3.
- (b) Peri-Urban Water Supply Area. See Clause 3.3.
- (c) Settlement Water Supply Area. See Clause 3.4.

**Water Supply System** means all the components of the network from the point of abstraction to the point of supply. This includes, but is not limited to wells, infiltration galleries, intake structures, open raw and treated water storage ponds/lakes, falling mains, treatment plants, raw and treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow preventers and tobies.

**Water Unit** means a unit of water charging or an allocation of water on a restricted flow supply.

**Zone of Influence** means where a building or structure is located close to Council buried infrastructure and could affect the integrity of that infrastructure as detailed in Clause 2.2.3.

## **2.0 PROTECTION OF WATER SUPPLY SYSTEM**

### **2.1 PROTECTION OF COUNCIL ASSETS**

#### **2.1.1 Access to system**

No person, other than Council and its authorised agents, may make any connection to, or otherwise interfere with, any part of the water supply system without the written approval of the Council.

#### **2.1.2 Fire Hydrants**

- (a) The right to gain access to, and draw water from fire hydrants is restricted to:
- The Council or its agents specifically authorised to do so; and
  - Fire and Emergency New Zealand personnel.
- (b) Without prejudice to other remedies available, the Council may remove and hold any equipment used by an offender to gain access to, or draw water from, a fire hydrant.

#### **2.1.3 Dedicated Water Filling Points**

- a) No person may take water from dedicated filling points unless they hold a current Permit from the Council. See Schedule 6 for an application form.
- b) A Permit issued by the Council will have set conditions and charges.
- c) The Council may restrict or prohibit water take from filling points at its discretion, depending on prevailing conditions.
- d) Water filling points are metered.

## **2.2 PROTECTION OF BURIED SERVICES**

#### **2.2.1 Working around Buried Services**

No person may carry out restricted works or works within the zone of influence except in accordance with an approval granted by Council, and any conditions attached to that approval. See the Schedules for an application form.

**Note 1:** The Council shall keep accurate permanent records (as-builts) of the location of its buried services, where these are known, on public or private land. This information is available for inspection. Costs may be charged to provide copies of this information.

**Note 2:** As-built plans held by Council are correct to the best of the Council’s knowledge and information received from external parties. Council takes no responsibility for inaccurate information or unknown infrastructure. Council will not be liable for any damages or loss whatsoever from the use of information held by Council.

**2.2.2 Restricted Works**

(a) Restricted works are works of the following types which are carried out closer than the specified distance to the asset type set out in the following table, except for the work within the zone of influence as specified in Clause 2.2.3:

Type of Works	Type of water supply network	Specified distance from Council asset **
General excavation	Pipes 300mm in diameter and greater, including connected manholes and structures.	10 metres
	Pipes less than 300mm in diameter, including connected manholes and structures.	2 metres
Piling	Pipes 300mm in diameter and greater, including connected manholes and structures.	10 metres
	Pipes less than 300mm in diameter, including connected manholes and structures.	2 metres
Blasting	All pipes, including connected manholes and structures.	15 metres

**\*\* Restricted works lie within these distances from the Council asset, and must take into account the Zone of Influence in Clause 2.2.3.**

- (b) Every person carrying out restricted works must, before commencing the works:
  - (i) Notify Council of their intention in writing at least ten (10) working days prior, and
  - (ii) Obtain written approval from Council for the works, which may include conditions Council considers appropriate to protect the water supply network. The Council may charge for this service.
  
- (c) When excavating and working around Buried Services due care shall be taken to ensure the services are not damaged, and that bedding and backfill is reinstated according to the

Council Engineering Standards or other specifications advised in writing by Council. Excavation within road reserves also requires a permit process with the appropriate roading authority.

- (d) Council may, where appropriate, mark out to within  $\pm 0.5$  metres the location of its services.
- (e) A developer will meet the cost of diverting or sleeving the public pipe (including any ancillary structures) in accordance with Council standards unless approval to the contrary is provided by Council.
- (f) Any damage which occurs to a Council service shall be reported to the Council immediately. The person causing the damage will be required to reimburse the Council with all costs associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

### **2.2.3 Building Work within Zone of Influence**

- (a) No building or structure may be built over or near a public rising main, trunk main or other pipes, or within the Zone of Influence without specific Council approval and an agreed covenant in gross or encumbrance lodged on the property record of title, as detailed in Schedule 2.
- (b) If Council agrees to the building proposal over or near a Council pipeline, then a building consent can be applied for as required.
- (c) The Council will only give approval to construct a building/structure over or near infrastructure services if:
  - i. It is impractical to construct a new main or reposition the building, clear of the zone of influence; and
  - ii. The pipe runs approximately in a straight line both vertically and horizontally between manholes; and
  - iii. There are no connections under the building; and
  - iv. The pipe is sleeved, and additional inspection ports or manholes are installed as required by Council; and

- v. The condition of the pipe is checked by CCTV prior to construction and the pipe condition is approved as acceptable by the Council; and
- vi. The structure is designed to be self-supporting between foundations when the building/structure is constructed over the pipeline; and
- vii. The condition of the pipe is checked by CCTV again after construction has completed; and
- viii. Structures straddling or founded within the zone of influence are designed by a Chartered Professional Engineer as follows:
  - The structure must be designed so that there is no additional loading transmitted to the pipeline and no undermining or settlement of the structure occurs. This requires that no pile or footing of the structure may be closer than 1.0 metres from the outside of the pipe (measured horizontally).
  - Any pile or footing of the structure which is situated 1.0 metres from the outside of the pipe (measured horizontally) must be constructed to a depth greater than 300mm below the invert of the pipe.
  - Any pile or footing of the structure which is situated greater than 1.0 metres from the outside of the pipe (measured horizontally) must be constructed to a depth greater than 300mm below a 45° line projected from a point 1.0 metres horizontally outside of the pipe at the pipe invert and projected up to the footing.

- (d) A covenant in gross or encumbrance must be registered on the property record of title at the time of Building Consent, indemnifying the Wairoa District Council against any claims for damage caused by the presence, maintenance, replacement, or upgrade of the pipeline. The owner must acknowledge and bear all risks associated with building over or near the pipeline. They will also meet the cost of preparing and registering the covenant in gross or encumbrance, along with any engineering and surveying costs. See Schedule 2 for further details.

**Note:** Please refer to Section 451 of the Local Government Act 1974 for works regarding Council infrastructure.

#### **2.2.4 Loading or Material over Public Pipes**

- (a) No person may cause the crushing load imposed on a public water pipe to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by NZ Transport Agency Bridge Manual).
- (b) No person may place any additional material over or near a public water pipe without approval.
- (c) Service openings and other ancillary structures shall not be obstructed in any way. Removal of any obstructing material or adjustment of the structures shall be at the property owner's expense.

### **2.3 PROTECTION OF WATER SUPPLY SOURCE**

#### **2.3.1 General**

From time to time, Council may need to restrict activities in a catchment to protect the source of the water supply. Surface water and groundwater catchment areas may be vulnerable to contamination which could then affect the Council's water supply. Water catchment areas can be divided in to open and restricted catchments.

#### **2.3.2 Open catchments**

Open catchment areas, whether designated or not, will generally have no restrictions on activities, other than any provisions of the Regional or District Plan and any applicable National Environmental Standards.

#### **2.3.3 Restricted catchments**

- (a) When Council places a restriction on a water supply catchment, or any area held by the Council as a water reserve, the following applies:
  - i. No person may enter a restricted catchment, unless specifically authorised or permitted in writing by Council.
  - ii. Use of any pesticide or toxic substance for any purpose whatsoever is strictly regulated.



- iii. Every person found within a restricted catchment shall upon the request of an authorised officer of the Council immediately leave the area, and the failure to leave shall constitute a further offence.
- (b) Such restrictions will be publicly notified by the Council, and physical notices will be placed in situ as possible.
- (c) The provisions of section 2 of the Wairoa District Council Public Safety Bylaw 2019 relating to restrictions in public places shall apply to catchment areas.

#### **2.3.4 Dumping, Spillages and Adverse Events**

- a) The dumping of organic and inorganic refuse including Hazardous Substances and Materials and/or the containers in which hazardous substances are supplied, stored or transported is strictly prohibited in any catchments.
- b) In the event of a spillage, or other event which has released or is likely to release Hazardous Substances and Materials into the waters of the catchment, the Council must be advised of the details immediately. This requirement shall be in addition to notification procedures for other authorities.

### **3.0 TYPES OF WATER SUPPLY**

Water supplied to a customer may be classified by the Council as either 'On-Demand' or 'Restricted flow supply.'

#### **3.1 ON-DEMAND SUPPLY**

##### **3.1.1 General**

- (a) Where water supply is classified as 'On-Demand', every premises shall be entitled to a supply of water subject to:
  - (i) the premises being within an area served by an urban, peri-urban or settlement water supply (see Schedule 1 maps); and
  - (ii) the supply is metered with a Smart meter; and
  - (iii) the exclusion of its use for garden watering or any other specified use under any water restrictions made by Council from time to time; and

- (iv) payment of the appropriate charges in respect of that premise; and
  - (v) any other charges or costs associated with subdivision or development; and
  - (vi) any other relevant conditions of this bylaw.
- (b) For On-Demand supplies, there are two types of supply defined as Ordinary Supply and Extraordinary Supply, as follows:

### **3.1.2 Ordinary Supply**

- a) An Ordinary Supply is the supply of water to a customer which is used solely for domestic purposes in a dwelling / house, which may include use in a fire sprinkler system as part of compliance with NZS 4517.
- b) Except for emergency restrictions (Clause 7.5) and maintenance and repair (Clause 7.6), ordinary supplies include the use of a hose for:
  - (i) Washing down a car, boat or similar;
  - (ii) Garden and lawn watering by hand;
  - (iii) Garden and lawn watering by a portable sprinkler and subject to any restrictions that may have been imposed;
  - (iv) Fixed garden irrigation systems.
  - (v) Domestic fire sprinkler systems;
  - (vi) Ornamental fishponds.

**Note:** For use from a Fire Protection System under NZS 4517 to be classified as an ordinary use, the customer should comply with the conditions set under Clause 4.2.

### **3.1.3 Extraordinary supply**

- (a) Council is under no obligation to provide an Extraordinary Supply of water as defined by this bylaw.
- (b) Water supplied for extraordinary use includes:
  - (i) Domestic – spa or swimming pool of more than 10 m<sup>3</sup> capacity;
  - (ii) Commercial and business;
  - (iii) Health and medical facilities;
  - (iv) Industrial;

- (v) Agricultural, horticultural and viticulture; including stock watering and irrigation;
- (vi) Lifestyle blocks (including peri-urban and small rural-residential uses, and stock watering;
- (vii) Fire Protection Systems; other than sprinkler systems installed to comply with NZS 4517;
- (viii) Temporary supply;
- (ix) Any other use specified by the Council from time to time by publicly notified resolution.

### **3.2 RESTRICTED FLOW SUPPLY**

- (a) Restricted flow shall be available as an option to Council for all premises, in response to non-payment of water charges or under special conditions set by the Council;
- (b) The water supply shall be restricted so as to deliver the allowed number of water units supplied at a steady flow rate;
- (c) The Council may charge for the restricted flow supply by either:
  - (i) The volume passing through a meter; or
  - (ii) The agreed number of water units.

### **3.3 URBAN AND PERI URBAN WATER SUPPLY AREAS**

- (a) The Urban Water Supply Area applies to most of Wairoa township and Frasertown and is serviced by the reticulated water supply system. It provides on demand supplies with full firefighting capability from fire hydrants. See the Schedule 1 map.
- (b) The Peri-Urban Water Supply Area applies around the outskirts of Wairoa township and Frasertown and is serviced by the reticulated water supply system providing On-Demand supplies. The peri-urban areas are defined as having no fire hydrants and so are limited as to their firefighting capability. The urban areas have fire hydrants available. See the Schedule 1 map.
- (c) Within the Urban and Peri-urban Water Supply Areas, a premise may provide a rainwater tank for stormwater collection/control and domestic uses other than drinking water. See Clause 3.5 below and Clause 4.4.

### 3.4 SETTLEMENT WATER SUPPLY AREAS

Settlement water supply areas that are serviced by a reticulated water supply system are:

- Frasertown with a potable water supply, generally with fire hydrants available.
- Tuai with a potable water supply, generally with fire hydrants available.
- Blue Bay with a non-potable water supply, generally with fire hydrants available.
- Mahanga with a non-potable water supply, generally with fire hydrants available.

See the Schedule 1 maps which show these areas.

### 3.5 INDIVIDUAL ON-SITE WATER STORAGE

- (a) Water storage for individual premises which are not connected to a potable Council water supply, should include water storage tank(s) with sufficient capacity for domestic use.
- (b) Water storage for individual premises which are not serviced by Council fire hydrants should consider onsite water storage for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.
- (c) Rainwater tanks shall be installed in accordance with Clause 4.3.7.8 of NZS4404:2010 Land Development and Subdivision Infrastructure.
- (d) Council provides a water testing service to check the potability of water for a set charge.

**Note 1:** There are significant differences between people in the use of domestic water. The premises occupancy, roof area for rainwater collection, and the number of weeks without rain each year need to be considered. A storage tank of 30,000 litres may be adequate.

**Note 2:** Water storage for domestic use should be calculated and piped separately from water storage for firefighting purposes. Alternative firefighting water sources can be a dam, pool, or river.

**Note 3:** Also see the requirements in the Council Stormwater Bylaw for a stormwater management device.

**Note 4:** Tanks located near property boundaries may be subject to the Rules of the District Plan regarding setbacks and height to boundary requirements.

## **4.0 CONDITIONS OF SUPPLY**

### **4.1 APPLICATION FOR WATER SUPPLY CONNECTION**

#### **4.1.1 General**

No person may, without Council's approval:

- (a) Connect to the water supply network;
- (b) Install a dedicated fire protection connection;
- (c) Disconnect from the water supply network;
- (d) Carry out any other works on, or in relation to, the water supply network;
- (e) Open any manhole, chamber, access point, or valve on, or otherwise tamper with, the water supply network.

#### **4.1.2 Application**

- (a) Every application for a supply of water must be made in writing on the prescribed form or online, together with the appropriate charges. The applicant must provide all the details required by the Council, including whether the connection is for residential, commercial, fire use. Charges applicable may include a payment to Council or an approved contractor for the cost of the physical works for the connection.
- (b) On receiving an application, the Council will, either:
  - (i) Approve the application and inform the applicant of the type of supply, the size of the connection, any particular conditions applicable, and the general Conditions of Supply (including level of service) under which water will be supplied, including compliance with any relevant code of practice or standard or
  - (ii) Refuse the application and notify the applicant of the decision giving the reasons for refusal.
- (c) For the agreed level of service, the applicant and Council will agree on the sizes of all pipes, fittings, and any other equipment, up to the point of supply. The Council or approved contractors will supply and install the service pipe up to the point of supply at the customer's cost.
- (d) All new connections will include a backflow prevention device with a Smart Meter.

- (e) The applicant must be the owner, or have written evidence of authority to act on behalf of the owner of the premises for which the water supply is sought and shall produce written evidence of this if required.
- (f) An approved application for water supply which has not been actioned within six months of the date of application will lapse unless otherwise approved. Any refund will be at the discretion of the Council.

#### **4.1.3 Change of use**

Where a change in the level of service or end use of water supplied to premises occurs, and/or the supply changes from an ordinary to an extraordinary type or vice versa, a new application for supply will be required.

## **4.2 FIRE PROTECTION SYSTEMS**

### **4.2.1 Fire Protection Connection application**

- (a) Except for domestic fire sprinkler systems, any proposed connection for fire protection shall be the subject of a separate application to the Council for approval.
- (b) Any such connection shall be subject to the Conditions of Supply.

### **4.2.2 Fire Protection Design**

It is the customer's responsibility to determine and monitor whether the water supply available is adequate for the intended purpose.

**Note:** For further information on fire safety water sprinkler or storage system requirements refer to the SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice. Customers may also wish to consult with Fire and Emergency New Zealand about suitable measures to provide firefighting protection for their properties.

### **4.2.3 Fire Protection Connection metering**

- (a) Where the supply of water to any premises is metered, the Council may allow the supply of water for the purposes of firefighting to by-pass the meter, provided that the drawing of water will only be permitted in the following circumstances:

- (i) Systems in which the drawing of water is only possible with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
  - (ii) Where a Council approved detector check valve has been fitted on the meter bypass.
- (b) Where an unmetered connection has been provided to supply water to a fire protection system this shall be used for no other purpose than firefighting and testing the fire protection system except where the fire protection system is installed in accordance with New Zealand Standard 4517:2010 Fire Sprinkler Systems for Houses;
- (c) Council may require the supply to be metered where a fire connection has been installed or located so that it is possible that water may be drawn from it by any person for purposes other than firefighting;
- (d) All new fire protection connections will be metered.

#### **4.2.4 Ongoing Testing and Monitoring**

- (a) Customers intending to test fire protection systems by a draw-off of water shall obtain the approval of Council beforehand.

**Note:** Water used for routine flushing and flow testing does not constitute waste for the purpose of Clause 3.13, but the quantity of water used may be assessed and charged for by Council.

- (b) Fire hose reels

Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to a fire protection connection. The water supply to fire hose reels shall comply with the requirements of NZS 4503:2005 Hand Operated Fire Fighting Equipment.

### **4.3 SUBDIVISION OR DEVELOPMENT**

- (a) Where a new public water supply main is required as part of a subdivision or development, the developer shall install all the works subject to approval by the Council of the design and construction of the works. These will be addressed under the Resource Management Act 1991 and the rules in the Wairoa District Plan.

- (b) Such water supply line installation will 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.

#### **4.4 REQUIREMENT FOR CONNECTION**

4.4.1 Where the record of title is within an area served by the potable water supply network, as shown in Schedule 1 to this bylaw, no person shall use any other water supply for drinking water, unless specifically approved by Council.

4.4.2 Alternative water supplies must be compliant with the Building Act 2004.

#### **4.5 POINT OF SUPPLY**

##### **4.5.1 Single ownership premises**

- (a) The typical layout of pipe fittings at a point of supply is shown in Schedules 3 and 4 of this bylaw, or as close as possible to these locations where fences, walls or other permanent structures make it difficult to locate it at the required position. Other locations require specific approval.
- (b) For each individual customer there will only be one point of supply, unless otherwise approved.
- (c) The supply pipe shall be wholly contained within the premises.
- (d) No connections shall be made beyond the point of supply to other premises.
- (e) Council gives no guarantee of the serviceability of the valve located on the service pipe. Where there is no customer stopcock, or where maintenance is required between the service valve and the customer stopcock, the customer may use the service valve to isolate the supply. Council will charge for maintenance or repair of this valve if damaged by such customer use.



#### **4.5.2 Multiple ownership premises**

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

- (a) For company share/block scheme (body corporate) as for single ownership premises.
- (b) For leasehold/tenancy in common scheme (cross lease), strata title, and unit title (body corporate) - each owner shall have an individual supply with the point of supply determined by agreement with the Council. In specific cases other arrangements may be acceptable subject to individual approval.

#### **4.5.3 Inspection**

The provisions of section 181 of the Local Government Act 2002 shall apply to inspections by the Council to determine if the customer is in compliance with the conditions of supply.

### **4.6 AS-BUILT PLAN**

- a) For connections to Council's water supply network, an as-built plan showing the connection shall be provided to the Council, no greater than 7 days from installation, showing the connection. As-built plans shall show the location, dimensions and lengths of all pipes and any new piping installed.
- b) As-builts must be supplied in a format that is compatible with the Council's GIS mapping system.

### **4.7 DISCONNECTION**

**4.7.1** The demolition or removal of a premises connected to the water supply network shall not commence until the premises has been disconnected from the water supply network and inspected by the Council. An owner shall give seven (7) working days' notice in writing to the Council of their intention to demolish or remove such premises.

**4.7.2** All disconnections will be undertaken by a contractor to the Council. Any lateral will be disconnected and capped to the approved standard.

## **4.8 METERS AND FLOW RESTRICTORS**

### **4.8.1 Installation**

- (a) The Council will install Smart Meters or other measuring devices at the point of supply. All new water connections will include the cost of the back flow prevention device and Smart meter in the price of the connection.
- (b) The Council may charge the consumer according to the quantity of water consumed. The Council may prescribe charges to be made in respect of water consumption, by resolution, and may prescribe different charges for different classes of consumer.
- (c) Smart meters for water supplies, and restrictors for restricted flow supplies, will be supplied, installed and maintained by Council, and will remain the property of Council and will be installed in the location required by the Council.
- (d) For on demand supplies which are metered, the Council reserves the right, where it considers water is unusually high to charge accordingly.
- (e) Smart meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance on the Council side of the point of supply.
- (f) 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.
- (g) Restrictors for restricted flow supplies requested by customers, shall be installed at the customer's cost and maintained by the Council with costs included in the water rate.
- (h) Where restrictors are installed by Council as a result of non-payment of water charges, Council will recoup costs from payment of water rate arrears. The cost of installing the meter will be charged separately.
- (i) Meters will be read by Council every three months.

#### **4.8.2 Location of meters**

Meters and restrictors shall be located in a position which is readily accessible for reading and maintenance, and if practicable immediately on the Council side of the point of supply, in accordance with the examples in Schedule 3.

#### **4.8.3 Accuracy of Meters**

A customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy requirement adopted by the Council, then the customer will not be charged for the test. If the test shows compliance, then the customer shall pay a fee.

#### **4.8.4 Adjustment of costs**

- (a) Should any meter, after being tested, be found to register a greater or lesser flow than the quantity of water that actually passed through the meter, the Council shall make an adjustment in accordance with the results and backdated for a period at the discretion of the Council but not exceeding 12 months, and the customer shall pay a respective greater or lesser amount according to the adjustment.
- (b) Where a meter is under reading by more than 20 % or stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period and taking into account any seasonal variations in demand.
- (c) Where a meter is over reading, the Council shall make appropriate adjustments to the customer's invoice(s), based on a period of similar use and backdated or when it is agreed the over reading is likely to have occurred.

#### **4.8.5 Estimating consumption**

- a) Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the consumption for the period since the previous reading of such meter based on the Council's rates remission policy and the customer shall pay accordingly. Provided that when there is a large variation in water use due to seasonal or other causes, and the average of the previous four billing periods would be an unreasonable estimate of the

water use, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the customer shall pay according to such an estimate.

- (b) The customer shall be liable for the cost of water which passes through the meter regardless of whether this is used or is the result of leakage. Council may estimate consumption as above, providing that the customer repairs the leak promptly.
- (c) Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as provided above.

#### **4.8.6 Incorrect accounts**

- (a) Where a situation occurs, other than as provided for in Clause 3.8.5, where the recorded consumption does not accurately represent the actual consumption on a property then the account shall be adjusted using the best information available to the Council. Such errors include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account and unauthorised supplies.

- (a) Provided that where an adjustment is required, in favour of the Council or the customer, this shall not be backdated more than 12 months from the date the error was detected.

## **4.9 ACCESS TO AND AROUND POINT OF SUPPLY**

### **4.9.1 Rights of Access**

Where the point of supply is on private property, the following rights of access apply:

- (a) The customer shall allow the Council access to, and around the point of supply between 7:30 am and 6:00 pm on any day for:
  - (i) Meter reading without notice;
  - (ii) Checking, testing and maintenance work with notice being given whenever possible.
- (b) For any access between 6:00pm and 7:30am (e.g. for leak detection) the Council will give notice to the customer in accordance with section 171 of the Local Government Act 2002;

- (c) Under emergency conditions the customer shall allow the Council unrestricted access to, and around the point of supply at any hour in accordance with section 173 of the Local Government Act 2002;
- d) Where access is not made available for any of the above situations and times, and a return visit is required by the Council, a rate in accordance with the “Meter reading by appointment” item will be charged.

## **5.0 PAYMENT**

### **5.1 FEES AND CHARGES**

- a) Customers and tanker permit holders shall pay all fees and charges associated with connection and disconnection of their premises to the public water supply network, approvals, inspections, meter readings and any other fees and charges set by the Council.
- (b) In addition to fees and charges prescribed in accordance with Clause 5.1(a), charges for a new connection may include:
  - (i) A development contribution charge determined in accordance with the Local Government Act 2002, and/or
  - (ii) A financial contribution charge determined in accordance with the Resource Management Act 1991.

### **5.2 TRANSFER OF RIGHTS AND RESPONSIBILITIES**

- (a) The customer shall not transfer to any other party or person the rights and responsibilities provided for under the conditions of supply they hold and as set out in this bylaw.
- (b) A supply pipe shall serve only one customer and shall not extend beyond that customer’s property.
- (c) In particular and not in limitation of the above any water which the customer draws from the Council supply shall not be provided to any other party without approval of the Council.

### **5.3 CHANGE OF OWNERSHIP**

- (a) In the event of a premises changing ownership the Council will automatically record the new owner of the premises as being the customer at that premises.
- b) Where a premises changing ownership is metered, the outgoing customer shall give the Council five (5) working days' notice to arrange a final reading of the meter.

## **6.0 CUSTOMER RESPONSIBILITY**

### **6.1 CARE OF WATER SUPPLY SYSTEM**

The customer shall take due care not to damage any part of the water supply system, including but not limited to the pipe work, valves, Smart meters, restrictors, chambers and backflow prevention devices. Council may recover costs for any such damage.

### **6.2 RESPONSIBILITY FOR MAINTENANCE**

The customer shall own, maintain, and repair the supply pipe and any associated fittings on the customer's side of the point of supply, irrespective of property boundaries. Council responsibility includes the maintenance of the Smart meter.

### **6.3 MAINTENANCE OF ACCESS**

The customer shall maintain the area in and around the point of supply free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access. Council may charge for work required to access and maintain access to the point of supply.

### **6.4 BACKFLOW PREVENTION**

- (a) The customer must take all reasonable steps 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.
- (b) Reasonable steps include:
  - (i) backflow prevention; either by providing an adequate air gap, or with an appropriate backflow prevention device; and
  - (ii) the prohibition of any cross-connection between Council's water supply and
    - any other water supply (potable or non-potable), or

- any other water source, or
- any storage tank, or
- domestic swimming pool, or
- any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-potable substances.

**Note:** Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or a storage tank or fire pump that operates at a pressure in excess of Council's normal minimum operating pressure.

(c) Council approved backflow prevention device examples are:

- (i) Dual check valve devices, generally used for domestic and low risk connections.
- (ii) Double check testable backflow prevention devices, to be used for commercial premises where there is a moderate risk of backflow contamination.
- (iii) Reduced pressure zone testable backflow prevention devices, to be used where there is a high-risk contamination of biological material or chemicals.

(d) The Council approved Smart meter is a Sensus 640MC.

**Note:** Backflow prevention devices specified in (ii) and (iii) are subject to specific installation requirements and periodic testing. An approved installation and test certificate shall be obtained and provided to the Council upon installation. Annual test certificates confirming the satisfactory operation of the device shall be forwarded to the Council at the customer's expense.

## **6.5 QUALITY OF PLUMBING FITTINGS**

- (a) Quick-closing valves, pumps, or any other equipment which may cause pressure surges to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service, shall not be used on any piping directly connected to the service pipe. Special Council approval is otherwise required.
- (b) In accordance with the New Zealand Building Regulations the plumbing system shall be compatible with the Council water supply. The supply pressures are shown in the table below.

Table 1 – Plumbing Compatibility features

<b>System Operating Pressure</b>	<b>Value</b>
Maximum pressure	685 kPa
Minimum pressure	500 kPa
Normal operating pressure	600 kPa

## **6.6 PREVENTION OF WASTE**

- (a) It is the customer’s responsibility to detect and fix all leaks on the customer’s side of the point of supply.
- (b) The customer may not knowingly allow –
- (i) water to run to waste from any pipe, tap, or other fitting;
  - (ii) leaks to continue unchecked or unrepaired or allow unattended operation of hoses;
  - (iii) the condition of the plumbing within premises to deteriorate to the point where leakage or wastage occurs or where contamination of the water supply occurs or is likely to occur
- (c) Where the Council serves a notice on a customer requiring action to be taken to repair an identified leak and specifies that the action required is urgent, and the customer fails to take such action within the required time period, the Council may, in accordance with section 186 of the Local Government Act 2002, repair the leak and charge the customer all associated costs of doing so from the owner of a premises, the occupier, or both.

**Note:** Automated sprinkler systems and equivalent, are not considered to be an unattended operation of hoses, in so far as the customer has programmed that system and knows the expected water use as a result of the operation of that system.

## **6.7 APPROPRIATE WATER USE**

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



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

## **7.0 COUNCIL RESPONSIBILITY**

### **7.1 LEVEL OF SERVICE**

- (a) The Council does not guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular quality or pressure.
- (b) Where works of a permanent or temporary nature are planned which will affect an existing connected supply, Council shall inform or give notice to all known customers likely to be substantially affected.
- (c) Wherever practical, Council shall make every reasonable attempt to notify a connected customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, Council may shut down the supply without notice.
- (d) No allowance or compensation will be made or allowed on account of the water being shut off.

### **7.2 UNINTERRUPTED SERVICE**

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

**Note:** For further information on fire safety water sprinkler or storage system requirements refer to the SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice. Customers may also wish to consult with Fire and Emergency New Zealand about suitable measures to provide firefighting protection for their properties.

### **7.3 RESTRICTING USE OF WATER**

- (a) Where the Council considers that its ability to maintain an adequate supply of drinking water is or may be at risk because of drought, emergency or for any other reason, it may

restrict the use of water supplied to any premises including to domestic swimming pools.  
Any such restriction may apply to all of the district or one or more parts of the district.

- (b) Water supply may be restricted for the non-payment of the set fees and charges.
- (c) The Council will give reasonable public notice in the circumstances of any restriction on water.
- (d) No person may use water contrary to a restriction made under this clause.

#### **7.4 DEMAND MANAGEMENT**

- (a) The customer shall comply with any restrictions on the use of water to manage high seasonal or other demands that may be approved by the Council.
- (b) Such restrictions will be publicly notified by the Council.
- (c) When such restrictions apply the Council will take all practicable steps to ensure that an adequate supply of drinking water is provided to each point of supply.

#### **7.5 EMERGENCY RESTRICTIONS**

- (a) During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its customers.
- (b) Such restrictions shall be publicly notified by the Council.
- (c) The Council may enact penalties over and above those contained in the conditions of supply to enforce these restrictions.
- (d) The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Council, or where immediate action is required by a duly authorised officer.

## **7.6 MAINTENANCE AND REPAIR**

- (a) Wherever practical the Council will make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the supply before the work commences.
- (b) Where immediate action is required and notice is not practical, the Council may shutdown or reconnect the supply without notice.

## **8. BREACHES**

### **8.1 BREACHES OF CONDITIONS OF SUPPLY**

- (a) The following are deemed breaches of the conditions to supply water:
  - (i) The provision of incorrect information in the application for water supply which fundamentally affects the conditions of supply;
  - (ii) Failure by the customer to meet and comply with the conditions of supply;
  - (iii) Failure to meet any obligation placed on the customer under any enactment or legislation;
  - (iv) Frustration of the Council's ability to adequately and effectively carry out its obligations;
  - (v) An act or omission including but not limited to:
    - (1) Failure to pay the appropriate charges by the due date;
    - (2) The fitting of quick-closing valves, subject to Clause 6.4;
    - (3) Failing to prevent backflow in accordance with Clause 6.3;
    - (4) Failing to comply with water use restrictions or prohibitions introduced by the Council for any specified purpose;
    - (5) Using water or water pressure directly from the supply for driving lifts, machinery, eductors, generators or any other similar device; unless specifically approved by the Council;
    - (6) Using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved;
    - (7) Extending by hose or any other pipe water supplied to any premises beyond those premises.
- (b) In the event of a breach, the Council will serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it.

## **8.2 CONSEQUENCES OF A BREACH**

- 8.2.1** Every person who breaches this bylaw or breaches the conditions of any approval or permit granted under this bylaw or fails to comply with a notice served under this bylaw commits an offence and is liable upon conviction to a fine as provided for under the Local Government Act 2002.
- 8.2.2** Without prejudice to any of the provisions of this bylaw, Council may pursue any legal remedies available to it pursuant to the provisions of the Local Government Act 2002 or any other Act or regulation applicable to the supply of water.
- 8.2.3** 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.
- 8.2.4** In the event of a breach of the conditions to supply water, Council shall serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it.
- 8.2.5** If, after five (5) working days, the customer persists in the breach Council reserves the right to reduce the flow rate of water in accordance with section 193 of the Local Government Act 2002. In such an event the full service of the supply shall be re-established only after payment of the appropriate fee and remedy of the breach to the satisfaction of Council.
- 8.2.6** In addition, if the breach is such that Council is required to disconnect the supply for health or safety considerations, such disconnection should be carried out as soon as practicable.

## **8.3 REMEDIAL WORKS AND COST RECOVERY**

The Council may:

- (a) remove or alter any work or thing that is, or has been, constructed in breach of this bylaw; and
- (b) recover the costs of removal or alteration from the person who committed the breach.

## 8.4 LIABILITY

The Council shall not be liable for any loss, damage or inconvenience, which the customer (or any person within the premises) may sustain as a result of deficiencies in the water supply network.

## 8.5 INTERFERENCE WITH EQUIPMENT

(a) Any tampering or interfering with Council equipment, either directly or indirectly, shall constitute a breach of this bylaw. The offender, customer or owner will be liable to pay for any damage to equipment.

(c) Without prejudice to its other rights and remedies, the Council shall be entitled to estimate in accordance with Clause 4.8.5 and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

## 9.0 BYLAW APPROVAL DATE

The Common Seal of the Wairoa District Council was attached, under Resolution passed at a meeting of the Council held on 2022 and will come into force 2022.

THE COMMON SEAL of THE WAIROA DISTRICT COUNCIL

was affixed this day of 2022 in the presence of:

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MAYOR

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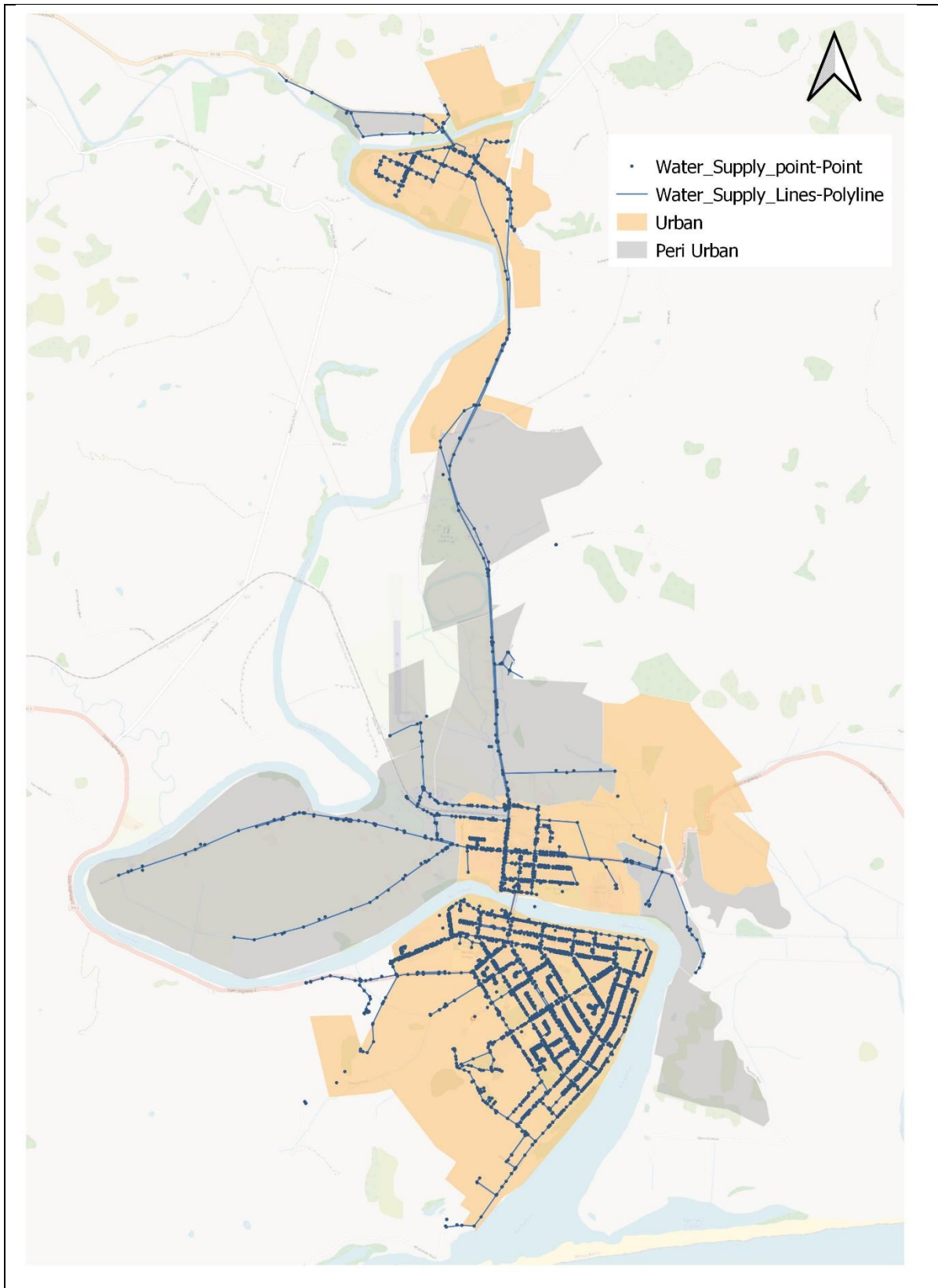
CHIEF EXECUTIVE OFFICER

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# SCHEDULE 1

## Wairoa and Frasertown Urban and Peri-Urban Water Supply Areas

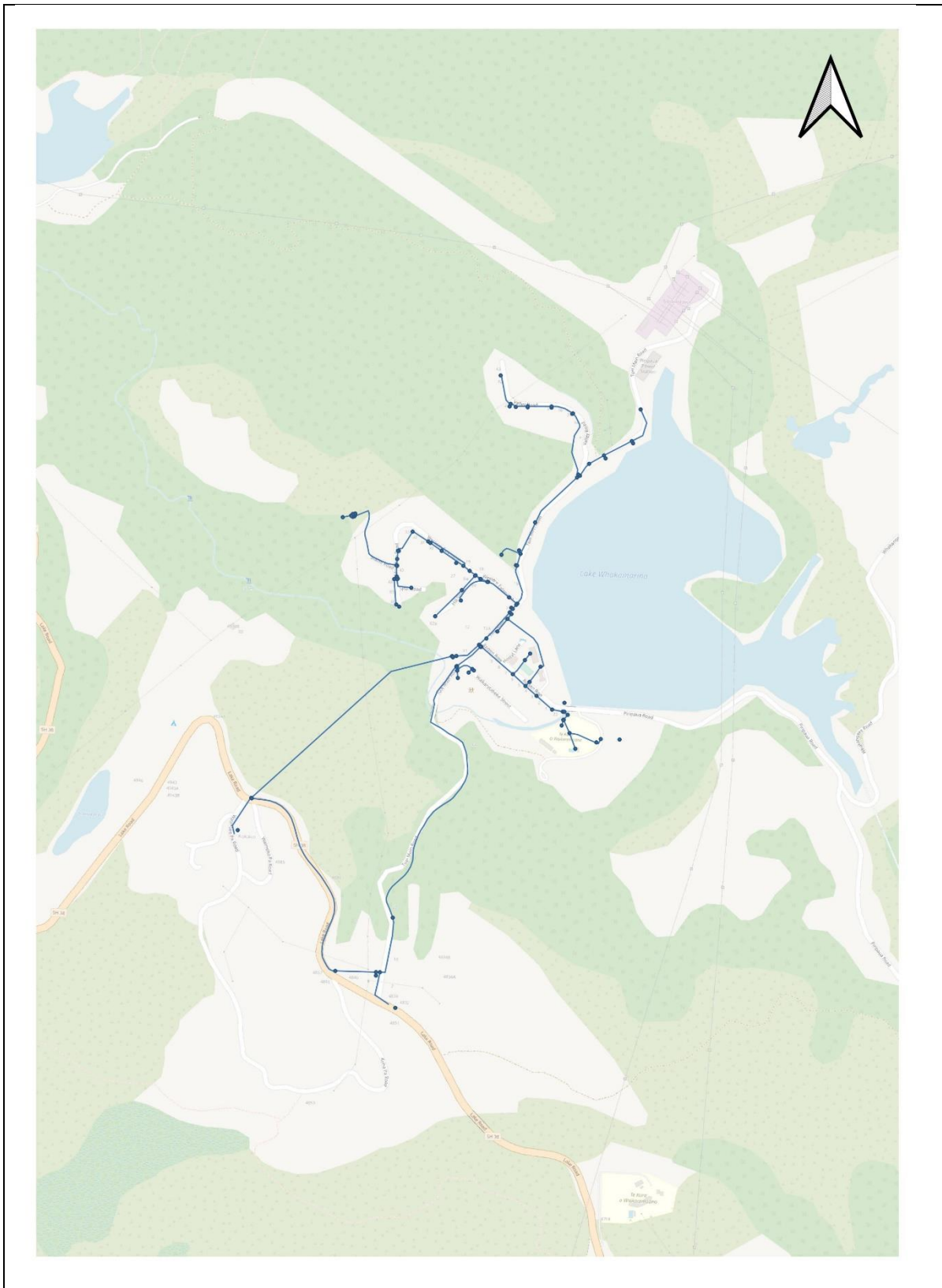


**DISCLAIMER:**

Wairoa District Council has prepared this map using the best information available. However, Council cannot guarantee that the data shown in this map is 100% accurate. Users of the information displayed in this map are strongly cautioned to verify all information with Council before making any decisions.

# SCHEDULE 1

## Tuai Water Supply Area



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# SCHEDULE 1

## Blue Bay Water Supply Area (non-potable)

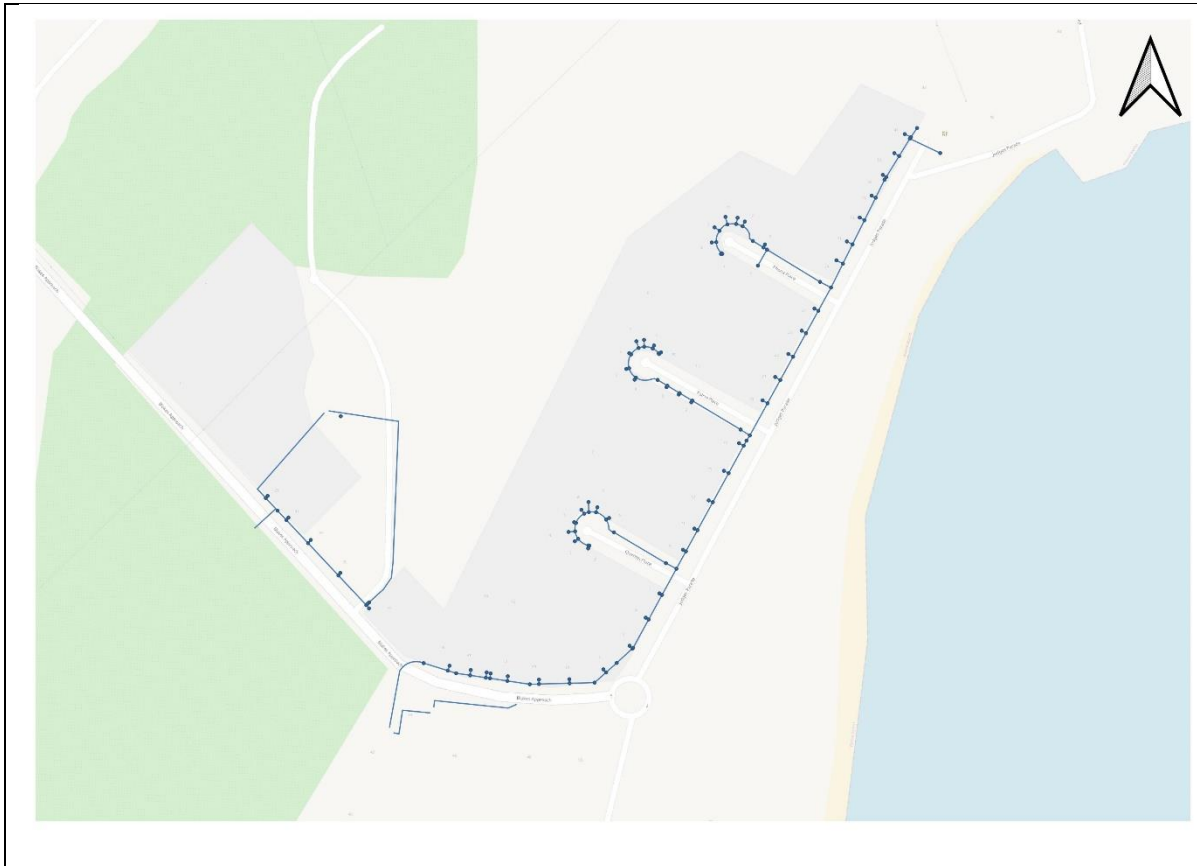


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# SCHEDULE 1

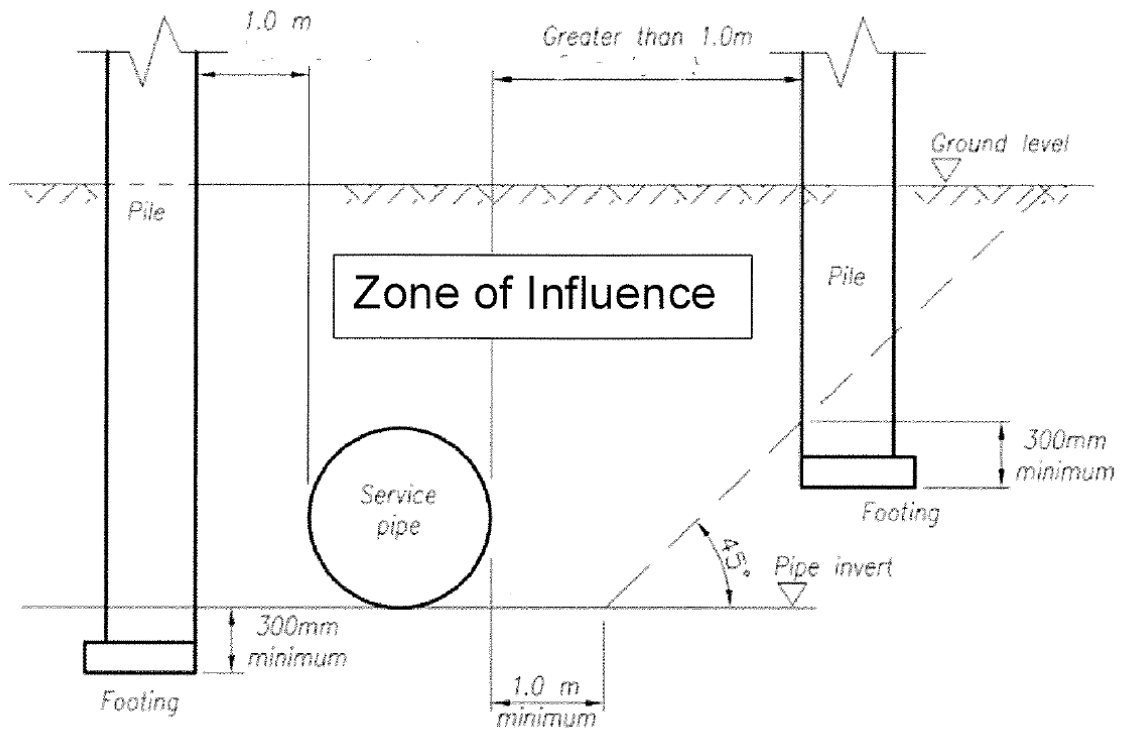
## Mahanga Water Supply Area (non-potable)



**DISCLAIMER:**

Wairoa District Council has prepared this map using the best information available. However, Council cannot guarantee that the data shown in this map is 100% accurate. Users of the information displayed in this map are strongly cautioned to verify all information with Council before making any decisions.

## SCHEDULE 2 – ZONE OF INFLUENCE



The Zone of Influence is where a building or structure is located close to Council buried infrastructure and could affect the integrity of that infrastructure.

## **SCHEDULE 2 – COVENANT IN GROSS OR ENCUMBRANCE**

### **Buried Services**

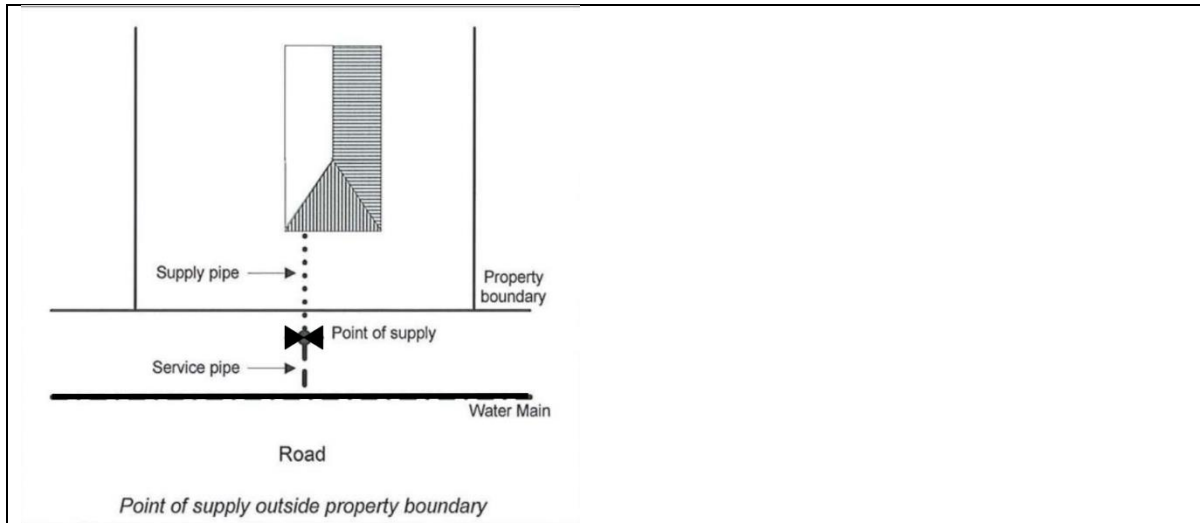
A covenant in gross or encumbrance must be registered on the property record of title at the time of building consent, indemnifying the Wairoa District Council against any claims for damage caused by the presence, maintenance, replacement, or upgrade of the pipeline. The owner must acknowledge and bear all risks associated with building over the pipeline. They will also meet the cost of preparing and registering the covenant in gross or encumbrance, along with any engineering and surveying costs. See Clause 2 for further details.

The covenant in gross or encumbrance will:

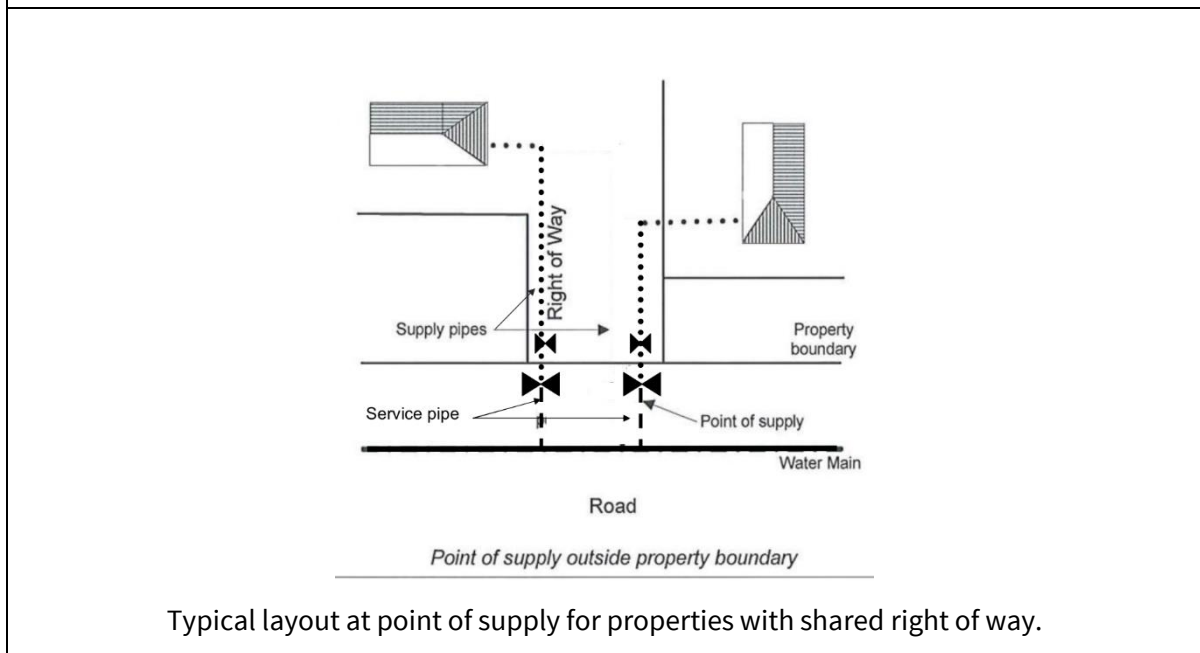
- i. Set out the background to the application.
- ii. Detail the engineering requirements Council has imposed.
- iii. State that Council will be able to go on to the land to carry out work on the pipeline, in accordance with its statutory obligations.
- iv. State that Council will not be liable for any damage or loss incurred to the property as a result of any subsidence associated with the pipeline, or by any maintenance or replacement work connected with the pipeline, provided Council carries out that work and carries it out to appropriate standards of workmanship.
- v. State that Council will recover from the landowner, or from any subsequent landowner, any extra maintenance or replacement costs resulting from the building's encroachment over/near the pipeline, as well as, if necessary, the cost of enforcing this provision.

# SCHEDULE 3 - POINT OF SUPPLY

## Individual customers



Typical layout at point of supply for individual customers

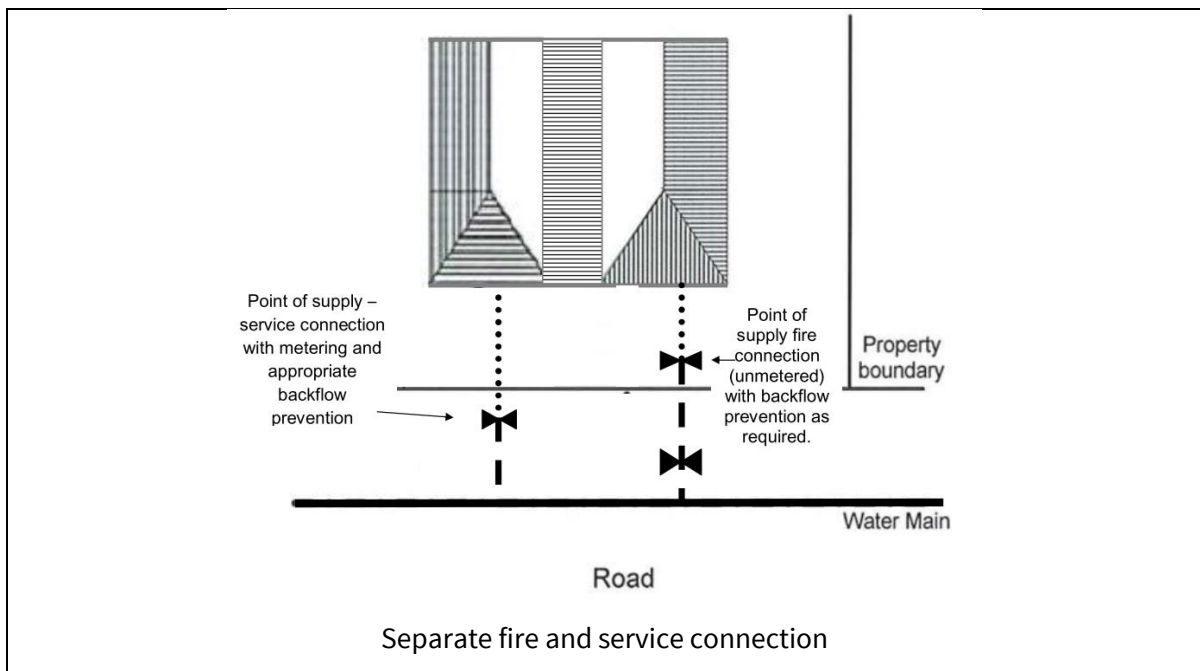
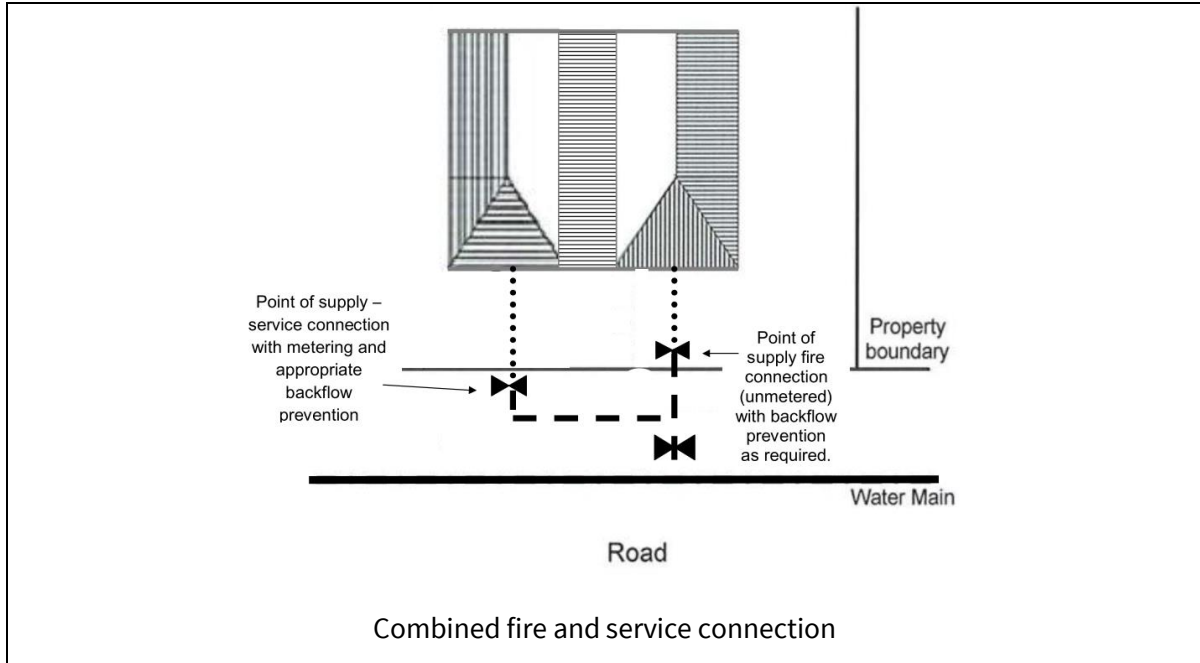


Typical layout at point of supply for properties with shared right of way.

**Note:** Point of supply is the tail piece of the boundary box, meter, or Service Valve regardless of the property boundary.

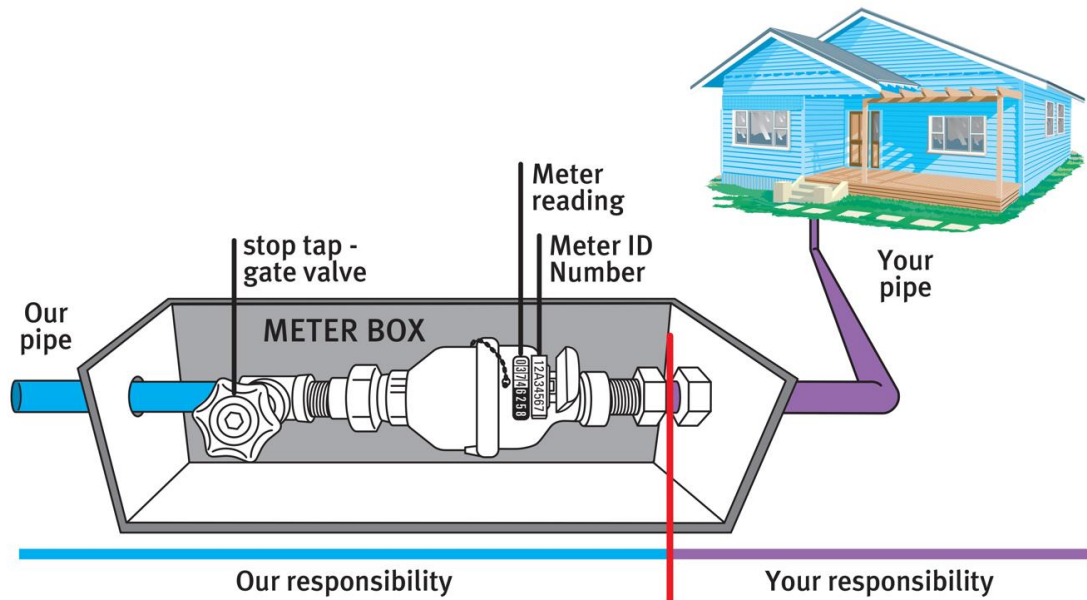
# SCHEDULE 3 – POINT OF SUPPLY

Typical fire and service layout for industrial, commercial, and community Land Uses (including schools)



## SCHEDULE 4 – WATER METERS

### Example of Smart meter layout for a domestic supply

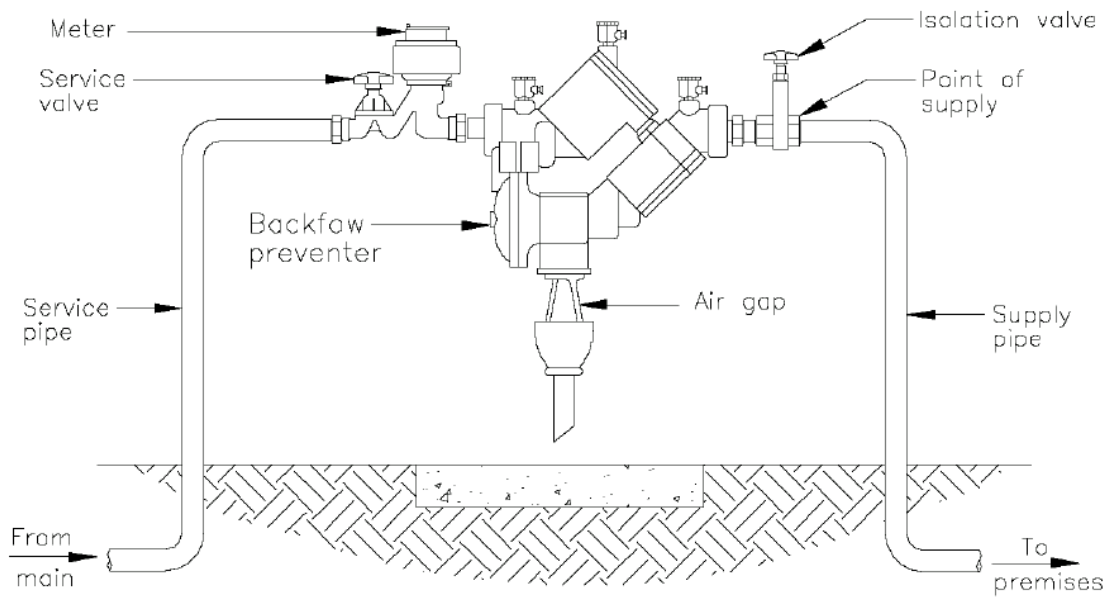
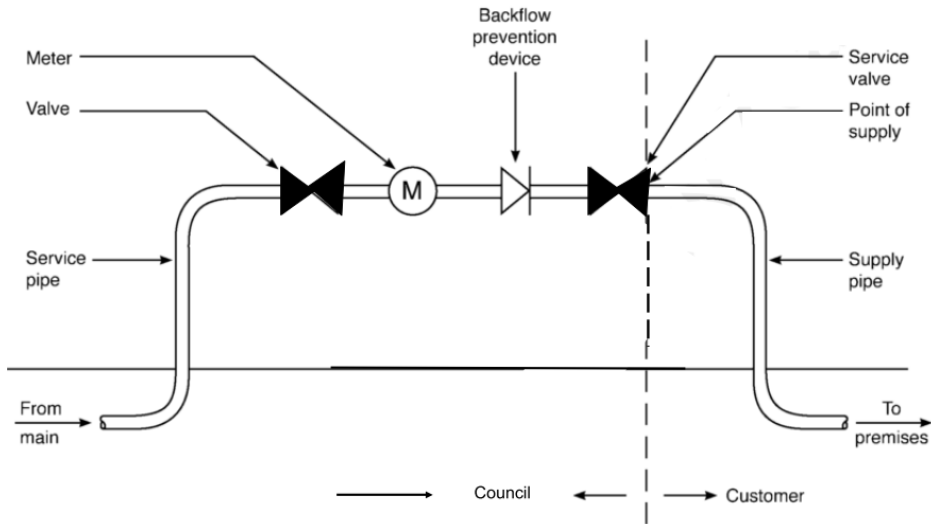


Council is responsible for the maintenance of the Smart Meter.

The customer is responsible for maintenance from the Smart Meter to the premises.

# SCHEDULE 4 – WATER METERS

Examples of a metered supply with a backflow prevention device, generally for a community or commercial use



**Note:** The building code may require the customer to install additional backflow preventers within the site, which will remain the responsibility of the customer.



## **SCHEDULE 5 – GUIDELINES FOR SAFE HOUSEHOLD WATER**

### **Water Collection Tanks**

Tank water may be collected from:

- Rain off the roof.
- Natural water e.g. streams or lakes.
- A bore (below ground).

### **Water supplies from all of these sources can become unsafe. For example:**

- Roof water may be corrosive or may become contaminated.
- River or stream water and shallow bore water may contain harmful bacteria or chemicals or be discoloured and unpleasant to taste.
- Bore water can become hard and corrosive.

If you are unsure about the quality of your water, have it tested in a laboratory.

### **Contamination of a collection tank water supply may be caused by:**

- Animal or human faeces entering at the source of the supply.
- Bird, possum or other animal droppings on the roof.
- Sewage or other being flushed the wrong way through the supply system.
- Chemicals e.g., agrichemical spray drift.
- Lead flashing on the roof causing high lead levels in collected water.
- Leaves, volcanic ash, etc entering the tank.

### **Ways To Keep Your Roof Collection Water Safe**

- a) Install the entire system correctly.
- b) Include a first flush diverter (a device that prevents the first water collected from carrying any debris into the collection tank).
- c) Use plastic pipes.
- d) Use safe roof paint. Check the old paint for lead through your public health service. Choose paint that the manufacturer advises is safe for roof water. If possible, avoid placing the TV aerial etc on the roof for birds to perch on.
- e) Avoid planting tall trees close to the house.
- f) Cover the tank to prevent animals, birds and other matter from entering.

- g) Check the cleanliness of your roof and spouting regularly.
- If it needs cleaning, then first disconnect the pipe that feeds water to the tank.
  - Use clean water to scrub the roof and spouting to clean off all dirt, animal droppings and paint flakes.
  - Thoroughly flush clean water through the spouting to remove any dirt left from cleaning the roof.
  - Reconnect the pipe that feeds water to the tank.
- h) Clean and disinfect your tank after dry spells or if dirty.
- Most tanks need cleaning every six to twelve months.
  - Flush the tank out with water using a broom to push sludge out through the scour valve.
  - After cleaning, disinfect the tank using about 167 ml (about 2/3rds of a cup) of household bleach per 1000 litres of water.
  - Run the mixture through all your household water pipes and taps until it is gone.
  - Then refill the cleaned tank with water for household use.
- i) If you have a water filter (point of use device) it needs regular maintenance too.

### **Other Ways to Keep Household Water Safe**

#### **A water filter or point of use device.**

A water filter helps prevent contamination of your household water. It can be used to treat all household water and placed where all water entering the house passes through it, or it can be used for just one tap. It should be placed where you can get at it for cleaning.

A water filter can:

- Remove tastes and smells.
- Filter out harmful bugs.
- Remove chemicals.

Note: Most filters will only do one or two of these. It is important to get the appropriate filter for your needs. Water filter cartridges need to be replaced periodically.

#### **Water Pipes**

Untreated water and water from mixed sources, is often corrosive so plastic pipes should be used to carry cold water.

A backflow prevention device stops contaminated water from flowing back into the home supply. It is needed on:

- Homemade toilet flush cisterns.
- Animal dosing, washing and watering systems.
- Connections for hoses used in mixing sprays, washing down animal or bird droppings.

### **Disinfecting Unsafe Water**

If you are unsure about the safety of your drinking water supply, you can disinfect it by:

- Using an approved filter or purifier.
- Boiling the water for one minute.
- Adding chlorine. Half a teaspoon of household bleach added to 10 litres of water kills most germs, but only boiling kills Cryptosporidium.

If you are concerned about your water supply, contact the Council regarding a water test. There is a charge for this service.

A master plumber can also advise on all aspects of a water supply system.

## **SCHEDULE 5 – GUIDELINES FOR SAVING WATER**

### **Kitchen**

- Make sure the dishwasher is full before you use it.
- Use less dishwashing liquid so you don't have to rinse.
- Don't wash the dishes, or scrub vegetables with the water running. Put the plug in and run some water into the sink.
- Use vegetable scraps as garden mulch instead of wasting water flushing them through the waste disposal.

### **Bathroom**

- Don't leave the water running while shaving or brushing your teeth.
- A low flow showerhead can save up to 50 litres of water for each six-minute shower, or up to 20,000 litres of water per person per week.
- Take shorter showers. A quick shower uses less than quarter of the water used in a bath.
- Only fill the tub with as much water as is required. You don't need as much in your tub for babies or pets.

### **Toilet**

- Check for leaks. Put a few drops of food colouring in the toilet cistern and wait. If it appears in the toilet bowl without flushing, you have a leak. You can save up to 2.5 million litres of water (35,000 bathtubs of water) a year by fixing your leaky loo.
- Use a dual flush system - if you haven't got one, put a brick in the cistern so you use less water.
- Only flush for 3 P's: poo, pee and paper.
- Don't use the toilet as a rubbish bin by flushing tissues or squashed bugs that should be put in the bin.

### **Garden**

- The average garden hose delivers 1000 litres of water in an hour so if you have sprinklers on, don't forget them. Ideally use a timer.
- Water at cool times of the day - early in the morning is ideal. This is better for the plants and less water is wasted through evaporation.
- Not watering in windy weather also lessens water evaporation.
- Soak don't spray every fourth day in summer. This makes plants hardier and encourages the roots to go deeper into the soil to seek out moisture.
- Remove weeds and use as mulch. They compete with your plants for water.

## **Laundry**

- Remember that washing machines can use up to a bathtub full of water per load.
- If your machine has a water level adjustment, use it. Otherwise, wait until you have a full load before washing and you'll save up to 10 litres of water for every wash and cut your electricity costs as well.
- Investigate the efficiency of your washing machine. Think about water efficiency next time you are purchasing a new machine.

## **Outside**

- Install covers on pools and spas to reduce water evaporation.
- Park the car on the lawn when washing it and turn the hose off when soaping.
- Fix leaky taps with new washers. If it still drips, call a plumber.
- Tell Wairoa District Council if you see water leaking from street hydrants or in other public places.

*Information supplied by Ministry of Health and Health Funding Authority.*



## APPLICATION FOR SERVICE CONNECTION WATER / SEWER / STORMWATER

**Application made by:**

**Name** .....

**Address of Premises** .....

.....

**Postal Address of Owner / Agent** .....

.....

**Phone** .....      **Email** .....

**Owner**

**Authorised Agent** .....

(Please state your connection with the development – eg. surveyor, builder, drainlayer, etc.)

**Description** (eg. House, flats, business, trade premises)

.....

**Location Plan** With detailed measurements

Attached

**Application is in conjunction with:**

- Subdivision
- Residential
- Commercial
- Industrial

**Connections Required and Number**

- Water x .....
- Fire Protection x .....
- Sewer x .....
- Stormwater x .....

**Building Consent No. or RM#** (if applicable)

.....

**Valuation Number**

.....

**Legal Description** (eg. Lot and DP No.)

.....

**Terms and Conditions**

Application fee can be found on the Fees and Charges page at:  
<https://www.wairoadc.govt.nz/our-council/fees-and-charges/>

The Council's contractor will send the quote directly to the applicant's postal address. The applicant must then correspond directly with the contractor for the installation of the connection.

This application does not guarantee a service connection.

.....  
**Signature of Applicant**

...../...../.....  
**Date**

**Contractor** please install the following connections:

<input type="checkbox"/> Water At property boundary	Connection size: ..... mm (internal $\phi$ ) Toby Type ..... Meter ID .....
<input type="checkbox"/> Fire Protection At property boundary	Connection size: ..... mm (internal $\phi$ ) Toby Type ..... Meter ID .....
<input type="checkbox"/> Sewer	Connection size: ..... mm To manhole <input type="checkbox"/> To main sewer <input type="checkbox"/> To branch drain <input type="checkbox"/>
<input type="checkbox"/> Stormwater	Connection size: ..... mm To manhole <input type="checkbox"/> To kerb and channel <input type="checkbox"/> To piped drain <input type="checkbox"/> To open drain <input type="checkbox"/>

**Instruction to Contractor RFS #** ..... on ..... / ..... / .....

Due date for completion ..... / ..... / .....

Inspection required

Cost of new connection to be charged directly to the applicant by the contractor.

**Further Instructions**

.....  
.....

**Approval** to make connection given by: ..... Date ..... / ..... / .....

( 3 Waters Department)

Receipt No. ....



## BUILDING OVER OR NEAR A COUNCIL PIPE OR DRAIN

Please use this form if you wish to apply to build over, build near or relocate Council infrastructure services within your land. All applications will be checked for completeness prior to being accepted. Please ensure you have compiled your documents completely to avoid delays. No application processing will occur until all the required information is provided.

**Application made by:**

**Name** .....

**Address of Premises** .....

.....

**Postal Address of Owner / Agent** .....

.....

**Phone** .....      **Email** .....

**Owner**

**Authorised Agent** .....

(Please state your connection with the development – eg. surveyor, builder, drainlayer, etc.)

**Address For Service for Further Enquiries Concerning this Application**

**Name:** .....

**Address:** .....

**Phone:** .....      **Email:** .....

**Description of Development or Structure that is too close to Council Infrastructure**

.....  
.....

**Application is in conjunction with:**

- Subdivision
- Residential
- Commercial
- Industrial

**Which Council Infrastructure is there a conflict with?**

- Water Supply Line
- Sewer Line
- Stormwater Line
- Manhole

**Building Consent No. or RM#** (if applicable)

.....

**Valuation Number**

.....

**Legal Description** (eg. Lot and DP No.)

.....

**Terms and Conditions**

This application does not guarantee that your development/structure will be approved.

.....  
**Signature of Applicant**

...../...../.....  
**Date**



## BUILDING OVER OR NEAR A COUNCIL PIPE OR DRAIN - cont

Are you doing **Restricted Works as per Clause 2.2.2 of this bylaw?**  Yes  No

**Are you building within the Zone of Influence as per Clause 2.2.3 of this bylaw?**  Yes  No

No building or structure may be built over or near a public rising main, trunk main or other pipes, or within the Zone of Influence without specific Council approval and an agreed covenant in gross or encumbrance lodged on the property record of title, as shown in Schedule 2.

**Location Plan** With detailed measurements  Attached

Please show:

- Distance between the proposed building/structure and all legal boundaries, and
- Distance between the proposed building/structure and any existing buildings, and
- Distance from public drains, manhole (centres), pipelines and all legal boundaries, and
- Location of any Council drains and pipes within the site, and
- Easement boundaries,
- Depth of the burried services/pipelines,
- Dimensions and location of the proposed building/structure including foundation/pile design.

Provide the results or a copy of a CCTV survey.  Attached

### **Fees**

There is no standard application fee. However, all costs associated with the application will be the responsibility of the applicant. This includes all direct and indirect costs in Council processing the application, infrastructure changes, legal fees, changes to titles, covenants or easements, CCTV surveys, etc.

**Approval** given by: ..... Date ..... / ..... / .....

( 3 Waters Department)

Receipt No. ....



## APPLICATION TO TAKE WATER BY TANKER

**Application made by:**

**Name**.....

**Company**.....

**Postal Address for charging purposes**.....  
.....

**Phone** .....                      **Email** .....

**Terms and Conditions**

Application fee can be found on the Fees and Charges page at: <https://www.wairoadc.govt.nz/our-council/fees-and-charges/>

The water take is metered and subject to a fee for the volume taken.  
This water take is subject to a maximum daily take and is for water delivery only within the Wairoa District.

This application does not guarantee that water can always be taken in the event of an emergency or loss of water supply.

.....                      ...../...../.....  
**Signature of Applicant**                      **Date**

**Approved** maximum daily volume .....      Fill Location .....

**Approval** to take water given by: .....      Date .... / ..... / .....

(3 Waters Department)

Receipt No. ....

Customer No. for charging .....