

# Kapiti Coast District Council

## Water Supply Bylaw 2010

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# KAPITI COAST DISTRICT COUNCIL WATER SUPPLY BYLAW 2010

## 1 Title

A Bylaw of the **Kapiti Coast District Council** by way of Special Order pursuant to the provisions of the Local Government Act 2002 and all other Acts, powers and authorities enabling it in that behalf to make a Bylaw to be known as the **Kapiti Coast District Council Water Supply Bylaw 2010**.

## 2 Commencement & Validation

The Kapiti Coast District Council Water Supply Bylaw 2010 was approved at a meeting of the Kapiti Coast District Council held on 24 June 2010 after completion of the Special Consultative Procedure.

This Bylaw shall come into force on the 1st day of July 2010.

The Common seal of the Kapiti Coast District Council was affixed pursuant to a resolution of Council on 24 June 2010 in the presence of:

.....  
Jenny Rowan  
**Mayor**

.....  
Pat Dougherty  
**Chief Executive Officer**

### 3 Repeal

As from the day this Bylaw comes into force, Part 10 (Supply of Water) of the Kapiti Coast District Council General Bylaw 1991 is revoked.

### 4 Application of Bylaw

This Bylaw shall apply to the Kapiti Coast District.

### 5 Scope

This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its customers by the Council. The supply and sale of water by the Council is subject to:

- (a) Statutory Acts and Regulations including (but not limited to):
  - (i) Building Act 2004
  - (ii) Fire Service Act 1975
  - (iii) Health Act 1956
  - (iv) Local Government Act 2002
  - (v) Local Government (Rating) Act 2002
  - (vi) Resource Management Act 1991; and
  
- (b) Relevant Codes and Standards including (but not limited to):
  - (i) Drinking Water Standards for New Zealand 2005 (revised 2008)
  - (ii) BS EN 14154-3:2005 Water Meters. Test Methods and Equipment.
  - (iii) SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice
  - (iv) NZWWA Backflow Code of Practice 2006
  - (v) NZWWA Water Meter Code of Practice 2003
  - (vi) Kapiti Coast District Council Rain Water and Grey Water Code of Practice.

Any subsequent amendment to the above documents is also implied.

### 6 Interpretation

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 If you see a reference to a repealed enactment read that as a reference to its replacement.

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

## 7 Definitions

For the purpose of this Bylaw, unless inconsistent with the context, the following definitions apply:

<b>Approved</b>	Approved in writing by the Council, either by Council resolution or by any authorised officer of the Council
<b>Authorised Officer</b>	Any person authorised by the Council to carry out any of the duties provided for under this bylaw or any Council bylaw; and includes any Council Enforcement Officer; and includes any agent licensed by Council to carry out a duty or operate a public place or asset on Council's behalf.
<b>Backflow</b>	The unplanned reversal of flow of water or mixtures of water and contaminants into the water supply system
<b>Council</b>	The Kapiti Coast District Council, or an authorised officer, including its authorised agents
<b>Customer</b>	A person who uses, or has obtained the right to use or direct the manner of use of, water supplied by the Council
<b>Detector Check Valve</b>	A check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply
<b>Enforcement Officer</b>	Any person appointed by the Council to enforce the provisions of any Council Bylaw and who holds a warrant under section 177 of the Local Government Act 2002 or an appropriate section of any other Act
<b>Extraordinary Supply</b>	A category of on demand supply used for extraordinary use. It may be subject to specific conditions and limitations
<b>Extraordinary Use</b>	Use of water for purposes other than ordinary use will require a water meter (Refer 9.10 and 9.13). The following activity groups shall include but not be limited to: <ul style="list-style-type: none"> <li>(a) Commercial and business;</li> <li>(b) Industrial;</li> <li>(c) Agricultural;</li> <li>(d) Horticultural;</li> <li>(e) Viticultural;</li> <li>(f) Lifestyle blocks (peri-urban or small rural residential);</li> <li>(g) Fire protection systems other than sprinkler systems installed to comply with NZS 4517;</li> <li>(h) Out of district (supply to, or within another local authority);</li> <li>(i) Domestic – spa or swimming pool in excess of 10m<sup>3</sup> capacity;</li> <li>(j) Temporary supply;</li> </ul>

- (k) Hospitals;
- (l) Rest homes;
- (m) Schools, Colleges, Technical Institutions;
- (n) Recreational facilities; and
- (o) Restaurants
- (p) Other uses as determined in writing by the Council or by an authorised officer of the Council

NOTE - Refer 9.13.

<b>Fees and Charges</b>	The list of items, terms, and prices for services associated with the supply of water as adopted by the Council in accordance with the Local Government Act 2002 and the Local Government (Rating) Act 2002
<b>Level of Service</b>	The measurable performance standards on which the Council aims to supply water to its customers
<b>Long Term Council Community Plan (LTCCP)</b>	The Council's Long Term Council Community Plan.
<b>Meter</b>	A device for measuring the volume of water flowing through a pipe
<b>On Demand Supply</b>	A supply which is available on demand directly from the point of supply subject to the agreed level of service
<b>Ordinary Supply</b>	A category of on demand supply used solely for ordinary use
<b>Ordinary Use</b>	Use of water for domestic purposes and subject to clause 9.5.3 shall include: <ul style="list-style-type: none"> <li>(a) Water for human consumption;</li> <li>(b) Maintaining sanitary conditions;</li> <li>(c) Garden watering by hand;</li> <li>(d) Subject to compliance with the conditions set under clause 9.7.1, a fire sprinkler system installed to comply with NZS 4517;</li> </ul>
<b>Person</b>	A natural person, corporation sole or a body of persons whether corporate or otherwise
<b>Point of Supply</b>	The pipe tail piece extending from the boundary box, meter or service valve, which marks the change point of responsibility between the customer and the Council, irrespective of property boundaries. Refer Schedule 1
<b>Potable</b>	As defined in section 69G of the Health Act 1956
<b>Premises</b>	Premises include the following:

- (a) A private property or allotment which is held under a separate computer freehold register (referred to as private property) or for which a separate computer freehold register 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 computer freehold register is available; or
- (c) Land held in public ownership (e.g. reserve) for a particular purpose

<b>Public Notice</b>	As defined in the Local Government Act 2002
<b>Ranger</b>	A person responsible for the management of a Council controlled catchment area or water reserve
<b>Restricted Flow Supply</b>	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
<b>Restrictor</b>	A flow control device fitted to the service pipe to limit the flow rate of water to a customer's premises
<b>Roading Authority</b>	A territorial authority or the New Zealand Transport Agency
<b>Rural Water Supply Area</b>	An area constituted by Council resolution as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on demand supplies but not necessarily with a fire fighting capability
<b>Service Pipe</b>	The section of water pipe between a water main and the point of supply, including all valves and fittings
<b>Service Valve (toby/manifold)</b>	The valve at the customer end of the service pipe
<b>Storage Tank</b>	Any tank having a 'free water surface' (i.e. a tank operating under natural atmospheric water pressure).
<b>Supply Pipe</b>	The section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises
<b>Urban Water Supply Area</b>	An area constituted by Council resolution as an area serviced by a reticulated water supply system with a fire fighting capability, that is intended to supply water to customers via on demand supplies
<b>Water Supply System</b>	All those components of the network between the point of abstraction from the natural environment and the point of supply. This includes but is not limited to: wells, infiltration galleries, intake structures, open raw

water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies

**Water Unit**

The basis of measurement for a restricted flow supply and equal to an approximate volume of 365m<sup>3</sup> delivered at the approximate flow rate of 1m<sup>3</sup> per day

**Working Day**

As defined in the Interpretation Act 1999.

## 8 Protection of Water Supply

### 8.1 Water Supply System

#### 8.1.1 Access to system

No person other than the Council and its authorised agents shall have access to any part of the Council owned water supply system, except:

- (a) to connect to the point of supply, subject to clause 9.1;
- (b) to operate the service valve, subject to clause 8.1.3; or
- (c) to abstract water from an approved point of supply, subject to clause 8.1.3.

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

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

#### 8.1.3 Fire hydrants

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

Water abstraction will normally only be approved from dedicated water abstraction points. On a case by case basis, Council may approve water abstraction from fire hydrants. Such approvals shall be in writing from Council in the form of a permit to abstract water.

Water abstraction from the Council owned water supply network and fire hydrants without written approval, is considered a breach of the bylaw. Refer Section 10.

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

#### 8.1.4 Other uses

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

- (a) The Council;
- (b) Permit holders, being those persons who after having submitted an application to the Council are subsequently approved to draw water from fire hydrants or tanker filling points. Such permits shall be valid only so long as the permit holder complies with the conditions endorsed on the permit.

Without prejudice to other remedies available, the Council may remove and hold any equipment used by an unauthorised person to gain access to, or draw water from a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs.

### **8.1.5 Working around buried services**

The Council shall keep permanent records ('as-builts') of the location of its buried services. This information shall be available for inspection. Charges may be levied to cover the costs of providing copies of this information.

Any person proposing to carry out excavation work shall view the as-built information to establish whether or not Council services are located in the vicinity. The Council does not guarantee that the information provided is necessarily accurate or complete. The persons proposing to carry out the excavation work shall conduct all necessary site checks to ensure buried services are not damaged.

At least five working days notice in writing shall be given to the Council of an intention to excavate in the vicinity of its services. Where appropriate the Council shall mark out to within  $\pm 0.5$  m on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary to protect its services. The Council may charge for this service.

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

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

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

## **8.2 Protection of Source Water**

### **8.2.1 Open catchments**

In open catchment areas whether designated or not, there will generally be no restriction on activities other than any provisions of the regional or district plan and the National Environmental Standard for Sources of Human Drinking Water.

### **8.2.2 Spillages and adverse events**

In the event of a spillage, or any event which may compromise the water supply, the person responsible for the event shall advise the Council with due urgency. This requirement shall be in addition to those other notification procedures which are required for other authorities.

## 9 Conditions of Supply

### 9.1 Application for supply

#### 9.1.1 Initial application

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

Within 10 working days of the receipt of an application the Council shall, after consideration of the matters in clauses 9.4 and 9.12:

- (a) Approve the application and inform the applicant of the type of supply, the level of service, the size of the connection, any particular conditions applicable and provide a cost estimate for provision of the connection; or
- (b) Request further information to be supplied by the applicant within 10 working days; or
- (c) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

The Council should determine the sizes of all pipes, fittings and any other equipment, up to the point of supply. The Council shall supply and install the service pipe, including associated valves, fittings and water meter, up to the point of supply at the applicant's cost and may allow the supply and installation of the service pipe to be carried out by approved contractors on a case by case basis at the Council's discretion.

The applicant shall ensure that it has the authority to act as agent on behalf of the owner of the premises for which the supply is sought, and shall produce written evidence of this if required.

An approved application for supply which has not been actioned by the Customer within 60 working days will lapse unless a time extension has been approved. Any refund of fees and charges shall be at the discretion of the Council.

#### 9.1.2 Change of use

Where a customer seeks to, or where Council deems it necessary to change the level of service or end use of water supplied to premises, and/or the supply changes from an ordinary to an extraordinary type (see clause 9.4) or vice versa, a new application for supply shall be submitted by the customer to the Council.

#### 9.1.3 Prescribed charges

Charges applicable before connection, supply and installation may include:

- (a) Payment to the Council for the actual cost incurred by the Council of supplying and installing the service pipe and all fittings to the point of supply, ('Connection Fee');
- (b) A development contribution determined in accordance with the Local Government Act 2002;

(c) A financial contribution determined in accordance with the Resource Management Act 1991.

Where a Connection Fee is payable by any person, the Council may estimate the Connection Fee and require payment of the estimate of the Connection Fee before supplying and installing the service pipe to the point of supply.

Where the Council requires payment of an estimated Connection Fee and the actual Connection Fee exceeds the estimated connection fee, the Customer shall pay to the Council the difference between the estimated Connection Fee and the actual Connection Fee.

#### **9.1.4 No entitlement to supply**

Nothing in this Bylaw shall be construed as obliging the Council to provide or continue to provide a continuous supply of water to any premises.

NOTE – Rainwater and greywater supplies must comply with the New Zealand Building Code and any relevant Kapiti Coast District Council Codes of Practice.

## **9.2 Point of Supply**

### **9.2.1 Responsibility for maintenance**

The Council shall own and maintain the service pipe and fittings up to the point of supply. The customer shall own and maintain the supply pipe beyond the point of supply. Without limiting that obligation, the customer shall undertake any specific maintenance or repairs on the customer's side of the point of supply as directed by the Council.

### **9.2.2 Single ownership**

For individual customers the point of supply shall be located at the property boundary, as shown in figures 1 to 4 of Schedule 1 or as close as possible where fences, walls, or other permanent structures make it difficult to locate it at the required position. Other positions shall require the Council's specific approval.

For each rateable property there shall be only one point of supply, unless otherwise approved by the Council.

The typical layout at a point of supply is shown in figures 5a to 5e of Schedule 1.

The 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. However the Council reserves the right to charge for maintenance of this valve if damaged by such customer use.

### **9.2.3 Multiple ownership**

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

- (a) For Company Share/Block Scheme (Body Corporate) – as for single ownership;
- (b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership, each customer shall have an individual supply with the point of supply determined by agreement with the Council.
- (c) For customers whose properties are serviced by a right-of-way in which no fire hydrant is installed, individual points of supply shall be determined by agreement with the Council.
- (d) For customers whose properties are serviced by a right-of-way in which a fire fighting main and fire hydrant(s) have been installed, the point of supply shall be adjacent to the right-of-way/individual lot boundary. The fire fighting main and fire hydrant(s) shall be owned and maintained by the Council.
- (e) For a multiple ownership water supply which was in existence prior to the coming into effect of this Bylaw, the point of supply shall be the arrangement existing at that time, or as determined by agreement with the Council for any individual case.

#### **9.2.4 Customer Valve**

Where a customer supplies and installs a new or altered supply pipe, the customer shall install a private customer valve at the customers cost, to the satisfaction of an authorised officer as follows:

- (a) where a building is set back from the road boundary, a customer valve shall be fitted on the supply pipe to control all outlets to the premises;
- (b) where a building is on the road boundary, a customer valve shall be provided inside the building as close as possible to the point of pipe entry to control all outlets on the premises;
- (c) in every building of more than one floor, at every floor level including subfloor or basement level, one or more customer valves to control the supply to all outlets on such floor.

### **9.3 Access to, and around Point of Supply**

#### **9.3.1 Rights of access**

Where the point of supply is on private property the customer shall allow the Council access to, and around the point of supply at any time on any day for:

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

Where access is not made available for any of the above times and a return visit is required by the Council, a cost rate may be charged for the return visit(s).

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

NOTE – Council may access private property to repair or maintain private water pipes, providing Council can show a clear obligation to carry out the works. (Refer s186 of LGA 2002).

### 9.3.2 Maintenance of access

The customer shall maintain the area in and around the point of supply for the customer's premises keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access irrespective of whether the point of supply is located on public or private property.

In the event that a customer fails to keep the area in and around the point of supply free of soil, growth, or other matter or obstruction, the Council may enter onto the customer's premises, remove the obstruction and recover its costs of doing so from the customer.

## 9.4 Types of Supply

### 9.4.1 General

Supplies shall be classified as either 'on demand' or 'restricted flow' and the use of water from the supply shall be either 'ordinary supply' or 'extraordinary supply'.

### 9.4.2 On demand supply

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

- (a) The premises is within a urban water supply area, if such an area has been constituted by the Council;
- (b) The exclusion of its use for garden watering under any restrictions made by the Council under clauses 9.5.3 and 9.5.4;
- (c) Payment of the appropriate charges in respect of that property;
- (d) Payment of any other charges or costs associated with subdivisional development; and
- (e) Any other relevant conditions of this Bylaw.

The Council in its discretion may, by resolution, set limitations on maximum flow rates for supply of water for ordinary use.

The Council shall be under no obligation to provide a continuous extraordinary supply of water (see also clauses 9.1.4, 9.5 and 9.7.2).

### 9.4.3 Restricted flow supply

Restricted flow supply shall be available to premises within a designated area only, or under special conditions set by the Council. Designated areas will be guided by Council rateable areas and set by Council resolution.

The water provided through a restricted flow supply shall be restricted so as to deliver the agreed number of water units at a steady flow rate.

The Council shall charge for the restricted flow supply on the basis of the agreed number of water units.

## **9.5 Continuity of Supply**

### **9.5.1 Supply**

Due to practical and physical limitations, the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances.

### **9.5.2 Uninterrupted service**

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

### **9.5.3 Demand management and restrictions**

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

- (a) If at any time the Council or an Authorised Officer considers that because of drought or for any other reason an adequate supply of drinking water may be at imminent risk and that extraordinary measures are necessary in order to conserve the available water supply, the Council or an Authorised Officer may, by notice, restrict or prohibit the use of water for any specified purpose or for any specified period.
- (b) 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.
- (c) Any such restriction or prohibition applies until public notice is given that the restriction or prohibition has been rescinded.
- (d) No person may use any water, or allow any water to be used in contravention of any restriction or prohibition made under this clause.

Even when such restrictions apply the Council shall take all practicable steps to ensure that an adequate supply for 'Ordinary Use' is provided to each point of supply.

### **9.5.4 Emergency restrictions**

During an emergency (including the inability of the Council to abstract water in sufficient quantities to meet demand) the Council or an Authorised Officer may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its customers. Such restrictions shall be advised by public notice.

### **9.5.5 Maintenance and repair**

Wherever practical the Council shall make every reasonable attempt to notify substantially affected customers of a scheduled maintenance shutdown of the supply 48 hours before the work commences.

Where immediate action is required and notification is not practical, the Council may shut down the supply without notice.

## **9.6 Liability**

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

## **9.7 Fire Protection Connection**

### **9.7.1 Connection application**

Any proposed connection for fire protection shall be the subject of a specific application (on the standard Council form) made to the Council for approval. Any such connection shall be subject to the conditions specified by the Council, inclusive of any Connection Fee payable by the applicant.

Within 10 working days of the receipt of a fire protection application form complying with this part of this Bylaw the Council shall, after consideration of the application and any other matters considered relevant:

- (a) Approve the fire protection application and inform the applicant of the type of supply and any particular conditions to be met; or
- (b) Request further information to be supplied by the applicant within 10 working days; or
- (c) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

### **9.7.2 Design**

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

The Council is not obliged to ensure the provision of a supply of water for fire protection at any particular flow or pressure.

NOTE – As a minimum requirement, Council may require a customer to monitor and provide water pressure over a continuous 5 day period at the customers cost, including an appropriate number of flow tests to determine whether the supply available is adequate for the intended purpose.

### **9.7.3 Fire protection connection metering**

Where the supply of water to any premises is metered the Council may allow the supply of water for the purposes of fire fighting to be made in a manner which bypasses the water 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.

Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than fire fighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS 4517.

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 fire fighting, the Council may require the supply to be metered.

#### **9.7.4 Fire hose reels**

Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503.

#### **9.7.5 Charges**

Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection or fire hose reel is metered and water has been used for fire fighting purposes, the Council shall estimate the quantity of water so used, and credit to the customer's account an amount based on such an estimate.

#### **9.7.6 Ongoing testing and monitoring**

Customers intending to test fire protection systems in a manner that requires a draw-off of water, shall obtain the approval of the Council beforehand. Water used for routine flushing and flow testing does not constitute waste in terms of clause 9.12 and the Local Government Act 2002 but the quantity of water used may be assessed and charged for by the Council.

### **9.8 Backflow Prevention**

#### **9.8.1 Customer responsibility**

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

- (a) Backflow prevention either by providing an adequate air gap, or by the use of an appropriate 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; or
  - (iv) Any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-potable substances.

The customer shall be responsible for all costs associated with the installation, maintenance and testing of all backflow prevention devices within their property.

Backflow prevention devices shall be installed as close to the private boundary as practically possible.

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

## **9.8.2 Unmanaged risk**

Notwithstanding clause 9.8.1 the Council may at its discretion and at the customers cost 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.

## **9.9 Council Equipment and Inspection**

### **9.9.1 Care of water supply system**

The customer shall take due care not to damage any part of the water supply system, including but not limited to pipework, valves, meters, restrictors, chambers, and backflow prevention devices.

### **9.9.2 Inspection**

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

## **9.10 Data Collection: On Demand Supply and Restricted Flow Supply**

### **9.10.1 Installation**

For the purposes of collection of information for network management or consumption data the Council may supply, install and maintain water meters for On Demand supply and restrictors for Restricted Flow Supply. These devices shall remain the property of the Council.

NOTE – For water restrictions refer 9.5.3.

### **9.10.2 Extraordinary Use**

Extraordinary use shall normally be metered and charged for in accordance with clause 9.13.

NOTE – For definition of Extraordinary Use activity types refer to Section 7: Definitions.

### **9.10.3 Location**

Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and as close as practicable to the Council side of the point of supply at the property boundary (see Figures in Schedule 1).

#### 9.10.4 Accuracy

Meters shall be tested as and when required by the Council or as prescribed in OIML R49. The maximum permissible error for the upper flow rate zone ( $Q_2 < Q < Q_4$ ) is  $\pm 2\%$ , for temperatures from  $0.3^\circ\text{C}$  to  $30^\circ\text{C}$  and the maximum permissible error for the lower flow rate zone ( $Q_1 < Q < Q_2$ ) is  $\pm 5\%$ . This accuracy shall be applied to all water meters with  $Q_3 < 100\text{m}^3/\text{h}$  and may be applied to water meters with values of  $Q_3 > 100\text{m}^3/\text{h}$ . Flow restrictors shall be accurate to within  $\pm 10\%$  of their rated capacity.

NOTE – Where Q is the flow rate:

Q1 is the minimum flow rate;

Q2 is the transitional flow rate;

Q3 is the permanent flow rate; and

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

Any customer who disputes the accuracy of a meter or restrictor may apply to the 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 above, the customer shall not be charged for the test. If the test shows compliance, the customer shall pay a fee in accordance with the Council current fees and charges.

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

The variation in the error curve shall not exceed 3% for flow rates in the lower zone and 1.5% for flow rates in the upper zone. For the purpose of determining these requirements the mean values of the errors (of indication) at each flow rate, shall apply.

The curves shall not exceed a maximum error of  $\pm 6\%$  for flow rates in the lower zones and  $\pm 2.5\%$  for flow rates in the upper zones.

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

#### 9.10.5 Adjustment

If any meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a meter, the Council shall make an adjustment in accordance with the results shown by such tests, backdated for a period at the discretion of the Council but not exceeding 12 months before the previous meter reading, and the customer shall pay a greater or lesser amount according to the adjustment.

Where a meter is under-reading by more than 20% or has stopped, the Council reserves the right to charge for the amount of water assessed as having been used over the past billing period, taking into account any seasonal variations in demand.

Where a meter is over-reading, the Council shall make appropriate adjustments to the customer's invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

### 9.10.6 Estimating consumption

Should any meter be out of repair or cease to register, or be removed, the Council shall estimate the consumption for the period since the previous reading of such meter, (based on the average of the previous four billing periods charged to the customer) and the customer shall pay according to such an estimate. Provided that when by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the customer shall pay according to such an estimate.

If metering shows a significant increase in consumption for a premises, and the increase is established as being caused by a previously unknown leak, the Council may estimate consumption as above, providing that the customer repairs the leak with due diligence.

Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described above.

### 9.10.7 Incorrect accounts

Except as provided for in clause 9.10.6, where the recorded consumption does not accurately represent the actual consumption on a property, the account shall be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.

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

## 9.11 Plumbing System

Quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service shall not be used on any piping on the customer's side of the point of supply unless approved in advance by the Council in special circumstances.

In accordance with the Building Regulations 1992 the plumbing system shall be compatible with the water supply. Specific features of the Council supply which need to be taken into account are contained in Table 1.

Table 1 – Compatibility features

Feature	Value
Maximum pressure	Maximum of 90 metres head during on demand supply.
Minimum pressure	Normal minimum pressure of 25m during all flow periods 95% of the time. Minimum running pressure of 15m during peak demand periods.
Minimum Pressure (for Restricted Flow Supply)	As required to supply the allocated restricted daily flow.
High Hardness	50 – 180 mg/l CaCO <sub>3</sub>

	NOTE – The hardness of the water supply may at times exceed 100mg/l CaCO <sub>3</sub> .
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## 9.12 Prevention of Waste and Prohibited Uses

The customer shall not allow water to be misused or 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.

Where leaks are detected on private property or customer owned pipe assets, the Council may effect the necessary repairs and recover the costs from the owners.

The Council provides water for consumptive use subject to the terms of this Bylaw, and not as an energy source. No person shall:

- (a) use water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the Council;
- (b) use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by the Council;
- (c) extend by hose or any other pipe a private water supply beyond that customer's property;
- (d) provide water drawn from the Council supply to any other party without approval of the Council;  
or
- (e) install an outdoor tap not connected to a rainwater tank system for urban premises built since February 2008 in compliance with the District Plan.

## 9.13 Payment

The customer shall be liable to pay for the supply of water and related services as referred to in the document and in accordance with Council fees and charges prevailing at the time. Payment shall be made by the due date specified by the Council.

All extraordinary users who use a water volume greater than 350 m<sup>3</sup> per year shall be assessed and invoiced on a quarterly basis or as required.

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

Note: Refer to section 7 for a definition of Extraordinary Use and 9.10: Meters and Flow Restrictors

## 9.14 Transfer of Rights and Responsibilities

The customer shall not transfer to any other party the rights and responsibilities set out in this Bylaw, except as provided under clause 9.2.3.

A supply pipe shall serve only one customer, and shall not extend by hose or any other pipe beyond that customer's property. The exception shall be where more than one customer shares an existing connection (e.g. a cross lease property) at the time of this Bylaw coming into force.

In particular and without limiting the above, any water which the customer draws from the Council supply shall not be provided to any other party without approval of the Council.

## **9.15 Change of Ownership**

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

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

The customer shall give 20 working days notice in writing to the Council of the requirement for disconnection of the supply. Disconnection shall be at the customer's cost.

The termination of a supply of water does not release a customer from the liability for payment of any charges which have accrued prior to the date of termination.

# **10 Breaches and Offences**

## **10.1 Breaches of Bylaw**

In the event of a breach of this Bylaw, the Council may serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. The Council shall serve notice either by:

- (a) personally serving the notice on the customer; or
- (b) affixing a copy of the notice to any building located on the customer's premises.

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

If the breach is such that the Council is required to disconnect the supply for health or safety considerations, such disconnection may occur immediately.

## **10.2 Interference**

No person shall tamper or interfere with the Council supply system or equipment, either directly or indirectly, or frustrate the Council's ability to adequately and effectively carry out its obligations under this Bylaw. Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with clause 9.10.6) 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.

## **10.3 Offences and Penalties**

Every person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000 as set out in the Local Government Act 2002.

# **11 Kapiti Coast District Council General Bylaw**

## **11.1 Amendment or substitution**

The provisions of the Kapiti Coast District Council General Bylaw 2010 and any bylaw passed in amendment or substitution are implied into and form part of this Bylaw.

## Referenced Documents

The following documents are referenced in this Bylaw. Any subsequent amendment to these documents is also implied.

### New Zealand Standards

NZS 4503:2005	Hand Operated Fire-fighting Equipment
NZS 4515:2003	Fire Sprinkler Systems for Residential Occupancies
NZS 4517:2002	Fire Sprinkler Systems for Houses
NZS 4541:2003	Automatic Fire Sprinkler Systems
NZS 9201: ----- Part 1	Model General Bylaws Introductory (in preparation)

### New Zealand Publicly Available Specification

SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice

### International Publications

OIML R 49-1:2006 Part 1	Water Meters for the Metering of Cold Potable Water and Hot Water Metrological and Technical Requirements. Paris: Bureau International de Métrologie Légale
OIML R 49-2:2006 Part 2	Water Meters for the Metering of Cold Potable Water and Hot Water Test Methods. Paris: Bureau International de Métrologie Légale
OIML R 49-3:2006 Part 3	Water Meters for the Metering of Cold Potable Water and Hot Water Test Report Format. Paris: Bureau International de Métrologie Légale

### British Standard

BS EN 14154-3:2005 Water Meters. Test Methods and Equipment

### Other Publications

Ministry of Health. Drinking Water Standards for New Zealand, 2005 (revised 2008).

New Zealand Water and Wastes Association (NZWWA). Backflow Code of Practice, 2006.

New Zealand Water and Wastes Association (NZWWA). Water Meter Code of Practice, 2003.

### New Zealand Legislation

Building Act 2004

Building Regulations 1992 Schedule 1 (New Zealand Building Code)

Fire Service Act 1975

Health Act 1956

Local Government Act 2002

Local Government (Rating) Act 2002

Resource Management Act 1991

Summary Proceedings Act 1957

Wildlife Act 1953

## Related Documents

AS/NZS 4020:2005    Testing of Products for Use in Contact with Drinking Water

## SCHEDULE 1: Points of Supply and Typical Layouts

Figure 1: With street frontage

*(Note – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary).*

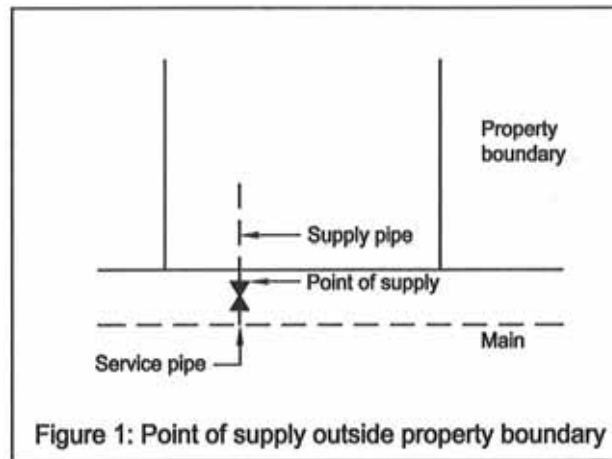
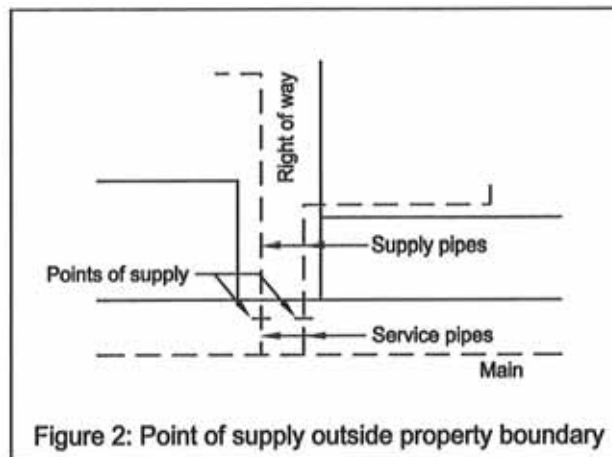
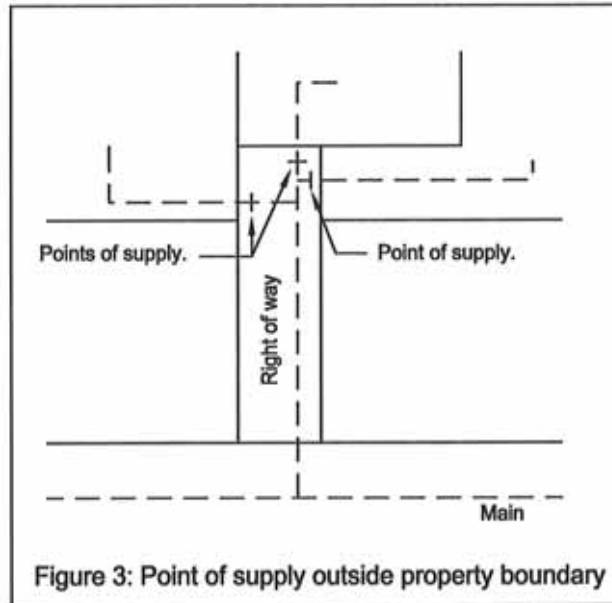


Figure 2: Rear lots on right-of-way (up to 2 customers)

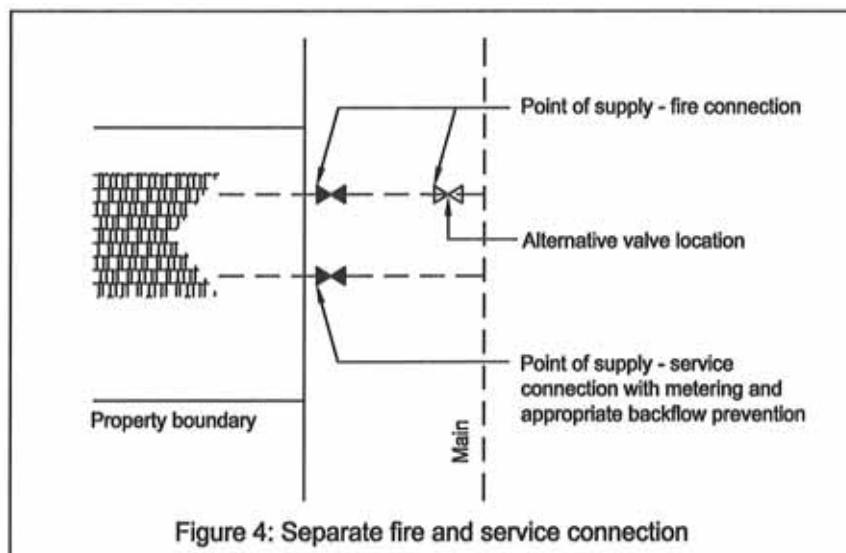
*(Note – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary).*



**Figure 3: Rear lots on right-of-way (3 or more customers) for premises constructed since 2010**  
*(Note – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary).*



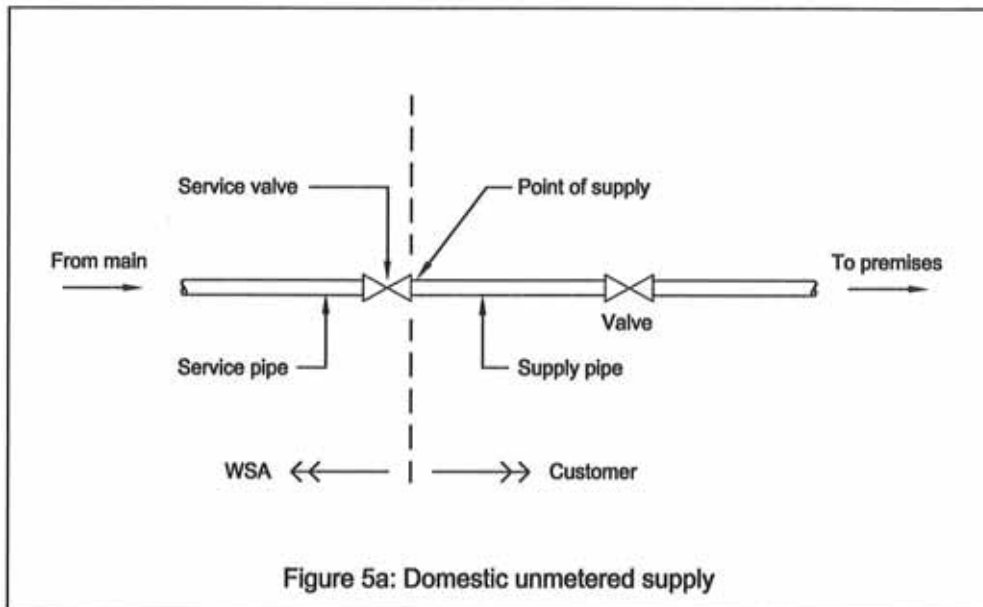
**Figure 4: Industrial, commercial, domestic fire and service connections (including schools)**  
*(Note – Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary).*



**Figure 5: Typical layouts at point of supply**

- (Notes: 1. Point of supply is tail piece of boundary box, meter, or service valve regardless of property boundary.  
2. The New Zealand Building Code may require the customer to install additional backflow prevention devices within the site, which will remain the responsibility of the customer.)*

*Figure 5a:*



*Figure 5b:*

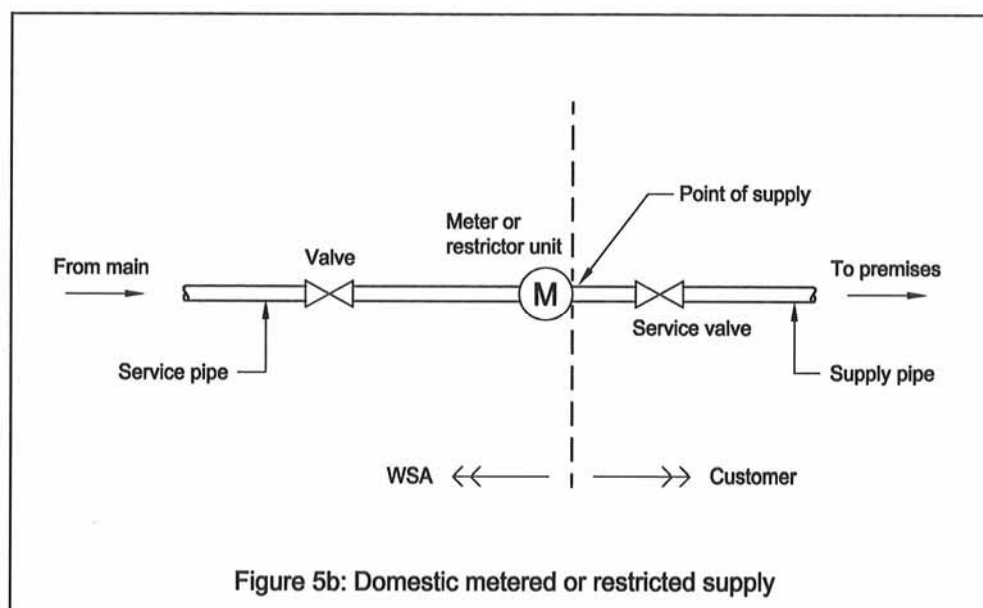


Figure 5c:

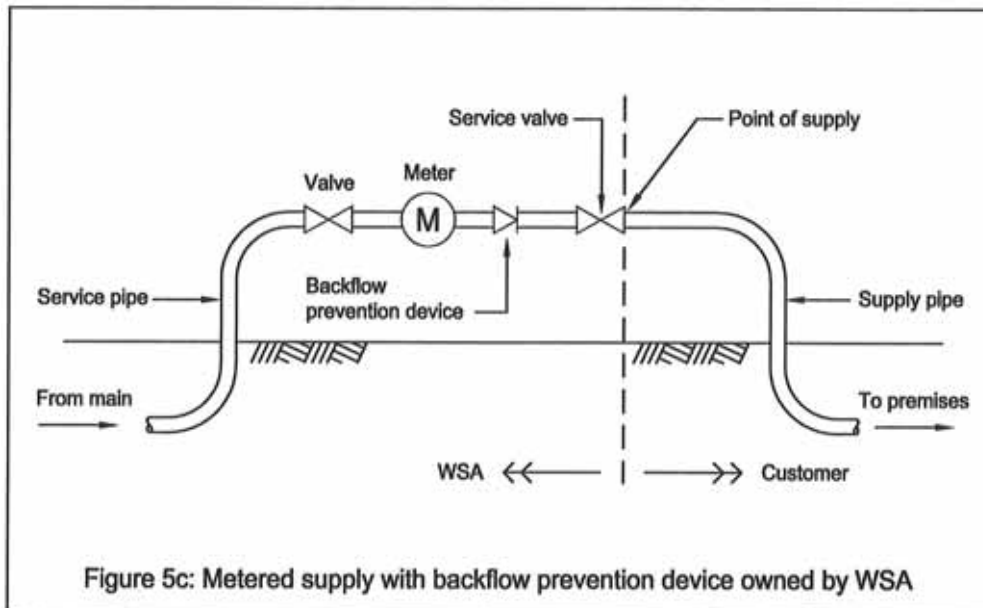


Figure 5d:

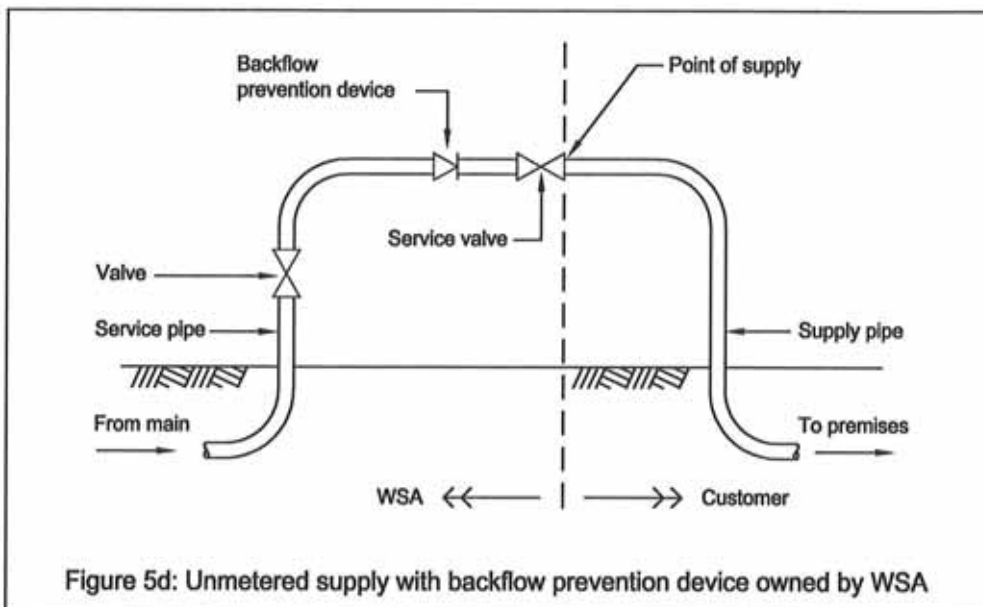


Figure 5e:

