

[Contents](#)

Waitakere City Council

# Conditions of Supply for Potable Water

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<i>File name:</i>	Water Conditions of Supply_v1 Apr08.doc
<i>Version:</i>	1.0
<i>Status:</i>	First Draft
<i>Date:</i>	23 <sup>rd</sup> April 2008
<i>Source:</i>	Based upon the NZS Model General Bylaws: Part 7 Water Supply NZS9201:Part 7:2007 under authorisation by Waitakere City Council, with additional comments by WCC staff.
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# CONTENTS

<b>EXPLANATORY NOTE</b> .....	<b>4</b>
<b>1. INTRODUCTION</b> .....	<b>5</b>
1.1. TITLE .....	5
1.2. COMMENCEMENT.....	5
1.3. SCOPE .....	5
1.4. INTERPRETATION .....	5
1.5. DEFINITIONS .....	6
<b>2. PROTECTION OF WATER SUPPLY</b> .....	<b>8</b>
2.1. WATER SUPPLY SYSTEM.....	8
2.1.1. Access to system .....	8
2.1.2. No person to connect to, or interfere with a water supply system.....	8
2.1.3. Fire Hydrants.....	8
2.1.4. Other uses .....	8
2.1.5. Working around buried services .....	8
2.2. PROTECTION OF SOURCE WATER .....	9
2.2.1. Catchment classes .....	9
2.2.2. Controlled catchments.....	9
2.2.3. Restricted catchments.....	10
2.2.4. Open catchments .....	10
2.2.5. Spillages and adverse events.....	10
<b>3. CONDITIONS OF SUPPLY</b> .....	<b>11</b>
3.1. APPLICATION FOR SUPPLY.....	11
3.1.1. Initial application.....	11
3.1.2. Change of use.....	11
3.1.3. Prescribed Charges.....	11
3.2. POINT OF SUPPLY .....	12
3.2.1. Responsibility for maintenance .....	12
3.2.2. Single ownership .....	12
3.2.3. Multiple ownership.....	12
3.3. ACCESS TO AND ABOUT POINT OF SUPPLY .....	12
3.3.1. Rights of access .....	12
3.3.2. Maintenance of access .....	13
3.4. TYPES OF SUPPLY .....	13
3.4.1. General.....	13
3.4.2. On-demand supply .....	13
3.4.3. Restricted flow supply .....	13
3.4.4. Ordinary use.....	13
3.4.5. Extraordinary use.....	14
3.5. METERING .....	14
3.6. LEVEL OF SERVICE .....	14
3.7. CONTINUITY OF SUPPLY .....	14
3.7.1. Supply.....	14
3.7.2. Uninterrupted service.....	14
3.7.3. Demand management.....	15
3.7.4. Emergency restrictions.....	15
3.7.5. Maintenance and repair.....	15
3.8. LIABILITY .....	15
3.9. FIRE PROTECTION CONNECTION .....	15
3.9.1. Connection application .....	15
3.9.2. Design .....	15
3.9.3. Fire protection connection metering.....	16
3.9.4. Fire hose reels.....	16
3.9.5. Charges .....	16
3.9.6. Ongoing testing and monitoring.....	16
3.10. BACKFLOW PREVENTION .....	16
3.10.1. Customer responsibility.....	16

3.10.2.	<i>Unmanaged risk</i> .....	17
3.11.	COUNCIL EQUIPMENT AND INSPECTION .....	17
3.11.1.	<i>Care of water supply system</i> .....	17
3.11.2.	<i>Inspection</i> .....	17
3.12.	METERS AND FLOW RESTRICTORS .....	17
3.12.1.	<i>Installation</i> .....	17
3.12.2.	<i>Location</i> .....	17
3.12.3.	<i>Accuracy and Testing</i> .....	17
3.12.4.	<i>Adjustment</i> .....	18
3.12.5.	<i>Estimating consumption</i> .....	18
3.12.6.	<i>Incorrect accounts</i> .....	19
3.13.	PLUMBING SYSTEM .....	19
3.14.	PREVENTION OF WASTE .....	19
3.15.	PAYMENT .....	19
3.16.	TRANSFER OF RIGHTS AND RESPONSIBILITIES .....	19
3.17.	CHANGE OF OWNERSHIP .....	20
3.18.	DISCONNECTION AT THE OWNER'S REQUEST .....	20
<b>SCHEDULE 1</b>	.....	<b>21</b>
EXAMPLES OF POINT OF SUPPLY LOCATION	.....	21
<b>SCHEDULE 2</b>	.....	<b>23</b>
EXAMPLES OF LAYOUT AT POINT OF SUPPLY	.....	23

## FIGURES

FIGURE 1:	PROPERTIES WITH STREET FRONTAGE .....	21
FIGURE 2:	REAR LOTS ON RIGHT-OF-WAY ( <i>MAXIMUM 2 CUSTOMERS</i> ) .....	21
FIGURE 3:	REAR LOTS ON RIGHT-OF-WAY ( <i>3 OR MORE CUSTOMERS</i> ) .....	22
FIGURE 4:	INDUSTRIAL /COMMERCIAL /DOMESTIC FIRE & SERVICE CONNECTIONS (INCL. SCHOOLS) .....	22
FIGURE 5:	METERED SUPPLY (NO COUNCIL DUAL CHECK VALVE PRESENT) .....	23
FIGURE 6:	METERED SUPPLY WITH COUNCIL DUAL CHECK VALVE .....	23

## EXPLANATORY NOTE

The Council is empowered by the Local Government Act 1974, the Local Government Act 2002 and the Health Act 1956 to:

- Protect public health and the security of the public water supply system.
- Detail the responsibility of both the Council and all occupiers with respect to the public water supply network.
- Detail acceptable types of connection.
- Encourage minimisation of wastage.
- Detail breaches and remedies.

This Conditions of Supply document aims to achieve these purposes and should be read in conjunction with the Acts, Regulations, Codes and Standards referred to herein.

The Conditions of Supply make it clear that the terms and conditions of the water supply treatment and distribution service, including fees and charges payable, are set out in the completed Council application form and constitute a contract between the parties.

## 1. INTRODUCTION

### 1.1. Title

The Waitakere City Conditions of Supply for Potable Water, herein referred to as the Conditions.

### 1.2. Commencement

The Conditions come into force on the first day of July, 2008.

### 1.3. Scope

The Conditions are made under the authority of the Local Government Act (2002) for the supply of water to its customers by the Waitakere City Council (the Council). The supply and sale of water by the Council is subject to:

- a) Statutory Acts and Regulations
  - 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
  - vii). Water Supplies Protection Regulations 1961 (Possibly subject to repeal)
- b) Relevant Codes and Standards
  - i). Drinking Water Standards for New Zealand 2005
  - ii). BS 5728 Measurement of flow of cold potable water in closed conduits Part 3:1997 Methods for determining principal characteristics of single mechanical water meters. .
  - iii). BS EN 14154-3:2005 Water meters. Test methods and equipment.
  - iv). SNZ PAS 4509:2003 New Zealand Fire Service fire-fighting water supplies code of practice
  - v). NZWWA Backflow Code of Practice 2006
  - vi). NZWWA Water Meter Code of Practice 2003
  - vii). Waitakere City Council eco-net ([www.waitakere.govt.nz](http://www.waitakere.govt.nz)):
    - (1). Code of Practice for City Infrastructure and Land Development
    - (2). EcoWater Assets and Network Guidelines Policy and Information Notes (Water Supply)

### 1.4. Interpretation

When interpreting the Conditions, use the definitions set out in section 1.7 *Definitions* 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 the Conditions, the word “shall” refers to practices that are

mandatory for compliance with the Conditions, while the word “should” refers to practices that are advised or recommended.

## 1.5. Definitions

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

**APPROVED.** Approved in writing by the Council, either by resolution of the Council or by any authorised officer of the Council.

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

**COUNCIL.** The Waitakere City Council or any officer authorised to exercise the authority of the Council.

**CUSTOMER.** A person who uses, or has obtained the right to use or direct the manner of use of, water supplied by the Council.

**DETECTOR CHECK VALVE.** 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.

**EXTRAORDINARY SUPPLY.** A category of on demand supply including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations.

**FEES AND CHARGES.** The list of items, terms and prices for services associated with the supply of water as adopted by the Council in accordance with the LGA 2002 and the Local Government (Rating) Act 2002.

**LEVEL OF SERVICE.** The measurable performance standards on which the Council undertakes to supply water to its customers.

**ON-DEMAND SUPPLY.** A supply that is available on demand directly from the point of supply, subject to the agreed level of service.

**ORDINARY SUPPLY.** A category of on-demand supply used solely for domestic purposes.

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

**POINT OF SUPPLY.** The point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the customer and the Council, irrespective of the property boundaries. The point of supply is the tail piece of the meter assembly regardless of its location in relation to the property boundary (refer examples in Schedule 1 and 2).

**POTABLE.** As defined in section 69G of the Health Act 1956 (subject to enactment of the Health (*Drinking Water*) Amendment Bill 2006).

**PREMISES.** Premises include the following:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or
- (b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or
- (c) Land held in public ownership (e.g. reserve) for a particular purpose.

**PUBLIC NOTICE .** As defined in the Local Government Act 2002.

**RANGER.** A person responsible for the management of a Council controlled catchment area or water reserve.

**RESTRICTED FLOW SUPPLY.** A type of water supply connection where a small flow is

supplied through a flow control device, and storage is provided by the customer to cater for the customer's demand fluctuations.

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

**ROADING AUTHORITY.** A territorial authority or Transit New Zealand.

**RURAL WATER SUPPLY AREA.** An area formally designated by a Council as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on-demand supplies but not necessarily with a fire-fighting capability.

**SERVICE PIPE.** The section of water pipe between a water main and the point of supply.

**SERVICE VALVE (Toby).** The valve located at the customer end of the service pipe, on the Council side of the water meter.

**STORAGE TANK.** Any tank having a free water surface.

**SUPPLY PIPE.** The section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.

**URBAN WATER SUPPLY AREA.** An area formally designated by the Council as an area serviced by a reticulated water supply system with a fire-fighting capability, which is intended to supply water to customers via on-demand supplies..

**WATER SUPPLY AUTHORITY.** The operational unit of the Council, responsible for the supply of water, including its authorised agents.

**WATER SUPPLY SYSTEM.** 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 a volume of 365 m<sup>3</sup> delivered at the rate of 1 m<sup>3</sup> per day.

## 2. PROTECTION OF WATER SUPPLY

### 2.1. Water supply system

#### 2.1.1. Access to system

No person other than the Council and its authorised agents shall have access to any part of the water supply system, except to connect to the point of supply, subject to 3.1 *Application for supply*, and to operate the service valve.

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

Except as set out in 2.1.1 *Access to system*, 2.1.3 *Fire hydrants* and 2.1.4 *Other issues*, no person shall make any connection to or otherwise interfere with any part of the water supply system.

#### 2.1.3. Fire Hydrants

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

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

#### 2.1.4. 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 or its agents;
- 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 being 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 offender to gain access to, or draw water from, a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs.

#### 2.1.5. 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 at no cost to users. Charges may be levied to cover the costs of providing copies of this information.

Any person proposing to carry out excavation work shall view the as-built information to establish whether or not Council services are located in the vicinity. 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 locate and mark out on the ground the plan location of its services, and may locate 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 that 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 the road reserves is also subject to the permit/consent process of the appropriate roading authority.

## 2.2. Protection of source water

### 2.2.1. Catchment classes

Surface water and groundwater catchment areas from which untreated water is drawn for the purposes of water supply may be designated as:

- a) Controlled;
- b) Restricted; or
- c) Open.

### 2.2.2. Controlled catchments

The following requirements apply:

#### a) Entry

Catchment areas that are designated as controlled, or any area held by the Council as a water reserve, shall not be entered by any person except those specifically authorised or permitted in writing by the Council. Within such areas, unless provided for by the Council, no person shall:

- i). Camp;
- ii). Take or allow to stray any livestock;
- iii). Bathe or wash anything;
- iv). Deposit any dirt, rubbish, or foul material of any kind;
- v). Defecate

#### b) Permits

Entry permits shall forbid, regulate or control the following activities:

- i). Hunting, trapping, shooting or fishing;
- ii). Lighting or maintaining any fire;
- iii). Taking of any dog or other animal;
- iv). Damaging or destroying any trees, shrubs, or other existing cover, or interference with any property;
- v). Carrying of any firearm or weapon of any kind, any trap or any fishing gear that may be used for the hunting or catching of birds, fish or animals; or
- vi). Use of any pesticide or toxic substance for any purpose whatsoever.

A person may be required to present a medical clearance before an entry permit will be issued.

*c) Permits to be presented*

Unless the Council permits:

- i). No person to whom any permit has been issued shall enter or leave any controlled catchment area or land held by the Council as a water reserve without presenting such a permit for inspection by the Council ranger and notifying the ranger of their intention of entering or leaving such an area as the case may be.
- ii). Every person on any controlled catchment area or land held by the local authority as a water reserve shall upon demand produce any such permit for inspection by the ranger.
- iii). No permit issued shall be capable of being transferred.
- iv). The Council may at any time, by notice in writing delivered to the holder, revoke or suspend any such permit for such time as shall be stated in such a notice.

*d) Interference and obstruction*

In any controlled catchment area or any land held by the Council as a water reserve:

- i). Every person shall upon the request of the ranger or other officer of the Council immediately leave the controlled catchment area or land held by the Council as a water reserve.
- ii). No person shall obstruct or hinder any duly appointed officer of the Council in the exercise of any powers vested in that officer under the provisions of the Conditions.

*2.2.3. Restricted catchments*

Catchment areas that are designated as restricted shall allow for certain activities, but shall be as for controlled catchments for other activities. Those activities may include unrestricted entry for:

- a) Tramping;
- b) Hunting;
- c) Trapping;
- d) Shooting;
- e) Fishing.

*2.2.4. 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.

Uncontrolled Catchment Areas are open catchments to which the public and domestic animals are not prohibited from entry and from which waters are drawn for public consumption.

*2.2.5. Spillages and adverse events*

In the event of a spillage, or any event that 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 that are required for other authorities.

### **3. CONDITIONS OF SUPPLY**

#### **3.1. Application for supply**

##### *3.1.1. Initial application*

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

On receipt of an application the Council shall, after consideration of the matters in 3.4 *Types of supply*, either:

- 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 request payment of prescribed charges, or
- b) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

For the agreed level of service to the applicant, the Council should determine the sizes of all pipes, fittings, meters and any other equipment, up to the point of supply. The Council shall supply and install the connection up to the point of supply at the applicant's cost; or may allow the supply and installation of the connection to be carried out by approved contractors. No person other than a Council-approved contractor or an authorised employee of the Council shall make any connections to the water supply system.

The applicant shall have the authority to act on behalf of the owner of the premises for which the supply is sought, and shall produce written evidence of this if required.

An approved application for supply which has not been actioned within six months of the date of application will lapse unless a time extension has been approved. Any refund of fees and charges shall be at the discretion of the Council.

The metering requirements for any property, or any redevelopment or alterations to any property, shall be as outlined in the Council's Code of Practice for City Infrastructure and Land Development or as otherwise approved by Council. This includes the metering of fire protection system supply lines.

##### *3.1.2. Change of use*

Where a customer seeks a change in the level of service or end use of water supplied to premises, and/or the supply changes from an ordinary to an extraordinary type (refer to 3.4 *Types of supply*) or vice versa, the customer shall submit a written request to Council for approval.

##### *3.1.3. Prescribed Charges*

Charges applicable at the time of connection may include:

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

- d) A bond or refundable deposit for the use of a metered standpipe or other Council-owned equipment.

### **3.2. Point of supply**

#### *3.2.1. Responsibility for maintenance*

The Council shall own and maintain the service pipe, meter and fittings up to the point of supply. The customer shall own and maintain the supply pipe beyond the point of supply.

#### *3.2.2. Single ownership*

For individual customers the point of supply shall be located as shown in the Waitakere City Council Code of Practice for City Infrastructure and Land Development (*with examples provided in Schedule 1 and 2*) or as close as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. Other positions shall require specific approval.

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

The Council gives no guarantee as to 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.

#### *3.2.3. 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, and 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. In specific cases other arrangements may be acceptable subject to individual approval.

For a multiple ownership supply which was in existence prior to the coming into effect of the Conditions, the point of supply shall be the arrangement existing at that time, or as determined by agreement with the Council for an individual case.

### **3.3. Access to and about point of supply**

#### *3.3.1. Rights of access*

Where the point of supply is on private property the customer shall allow the Council access to, and about the point of supply between 7.00 am and 7:00 pm on any day for:

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

Outside these hours (such as for night time leak detection) the Council will give notice to the customer.

Where access is not made available for any of the above times and a return visit is required by the Council, a rate may be charged as for 'Meter reading by appointment'.

Under emergency conditions the customer shall allow the Council free access to, and

about the point of supply at any hour.

### 3.3.2. *Maintenance of access*

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

## 3.4. **Types of supply**

### 3.4.1. *General*

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

The Council shall be under no obligation to provide an extraordinary supply of water, (see also to the provisions of 3.7 *Continuity of supply* and 3.9.2 *Design*).

### 3.4.2. *On-demand supply*

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

- a) The premises lying within an (urban/rural) water supply area if such an area has been constituted by the Council; and
- b) The exclusion of its use for garden watering under any restrictions made by the Council under 3.7.3 *Demand management*; and
- c) Payment of the appropriate charges in respect of that property; and
- d) Any other charges or costs associated with subdivisional development; and
- e) Any other relevant conditions in Section 3 of the Conditions.

### 3.4.3. *Restricted flow supply*

Restricted flow shall be available only to premises within a designated area, or under special conditions set by the Council.

The water 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 by either:

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

### 3.4.4. *Ordinary use*

Ordinary use is for public health and domestic purposes (which may include use in a fire sprinkler system to NZS 4517) and shall include:

- a) Washing down a car, boat or similar;
- b) Garden watering by hand;
- c) Garden watering by a portable sprinkler (subject to the provisions of 3.7.3 *Demand management*;

NOTE – For use from a fire protection system to NZS 4517 to be classified as an ordinary use, the customer should comply with the conditions set under 3.9.1 *Connection application*.

### 3.4.5. *Extraordinary use*

Extraordinary use includes:

- a) Domestic – swimming pool in excess of 10 m<sup>3</sup> capacity, and/or
- b) Commercial and business;
- c) Industrial;
- d) Agricultural;
- e) Horticultural;
- f) Viticulture;
- g) Lifestyle blocks (peri-urban or small rural residential);
- h) Fire protection systems other than sprinkler systems installed to comply with NZS 4517;
- i) Out of district (supply to, or within another local authority);
- j) Temporary supply;
- k) Supply of fire hydrants

## 3.5. **Metering**

Both ordinary and extraordinary supplies of water shall be metered and levied as rates, as prescribed in the Local Government (Rating) Act 2002, sections 9, 15 to 19 and sections 101 to 103.

## 3.6. **Level of service**

The Council shall provide water in accordance with the level of service contained in the Long Term Council Community Plan. For those periods when the level of service is not achieved, Council will make every effort to restore the level of service as soon as possible.

## 3.7. **Continuity of supply**

### 3.7.1. *Supply*

Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular pressure, but shall do its best to meet the continuity of supply levels of 3.6 *Levels of service*, subject to the exemptions contained in 3.7.3 *Demand management* and 3.7.4 *Emergency restrictions*.

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

### 3.7.2. *Uninterrupted service*

If a customer has a particular requirement for an uninterrupted level of service (flow, pressure or quality), it shall be the responsibility of that customer to provide any storage,

back up facilities, or equipment necessary to provide that level of service.

### *3.7.3. Demand management*

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

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

Council may, from time to time, adjust water pressures in the city as a demand management activity in order to promote the sustainable use of water supply resources. As minimum levels of service will be provided, no allowance or compensation will be made on account of change of pressure in the supply.

### *3.7.4. Emergency restrictions*

During an emergency or severe water shortage 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. Such restrictions shall be advised by public notice. The Council may enact penalties over and above those contained in these conditions to enforce these restrictions. The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Council, or where immediate action is required by the Manager of the Council subject to subsequent Council ratification.

### *3.7.5. Maintenance and repair*

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

## **3.8. Liability**

The Council will endeavour to meet the level of service requirements of 3.6 *Levels of service*, but it 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, interruptions to, or changes to the water supply. Furthermore, in the case of water restrictions or prohibition of water use, no consumer shall be entitled to any payment or compensation whatsoever.

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

## **3.9. Fire protection connection**

### *3.9.1. Connection application*

Any proposed connection for fire protection shall be the subject of a separate 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.

### *3.9.2. 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.

### *3.9.3. 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 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 such connection provided in order 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 likely or possible that water will be drawn from it by any person for purposes other than fire-fighting, the Council may require the supply to be metered.

### *3.9.4. 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 a fire protection system. The water supply to fire hose reels shall comply with the requirements of NZS 4503.

### *3.9.5. Charges*

Water used for the purpose of extinguishing fires shall be supplied free of charge. Where the fire protection connection is metered and when 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.

### *3.9.6. 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 but the quantity of water used may be assessed and charged by the Council.

## **3.10. Backflow prevention**

### *3.10.1. Customer responsibility*

It is the customer's responsibility (under the Health Act 1956, and the Building Act 2004) to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from the 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 a Council-approved backflow prevention device;
- b) The prohibition of any direct cross-connection between the Council water supply and
  - i). Any other water supply (potable or non-potable)
  - ii). Any other water source
  - iii). Any storage tank
  - iv). Any other pipe, fixture or equipment containing chemicals, liquids, gases, or

other non-potable substances.

Council shall have the final determination in establishing the level of backflow risk or health hazard.

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.

### *3.10.2. Unmanaged risk*

Notwithstanding 3.10.1 *Customer responsibility*, the Council may fit a backflow prevention device where the customer cannot demonstrate that the risk of backflow is adequately managed, and may recoup all installation, testing and ongoing maintenance costs from the Customer.

## **3.11. Council equipment and inspection**

### *3.11.1. 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 pipe work, valves, meters, restrictors, chambers and backflow prevention devices.

### *3.11.2. 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.

## **3.12. Meters and flow restrictors**

### *3.12.1. Installation*

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

### *3.12.2. Location*

Meters and restrictors shall be located in a position where they are readily accessible for reading and maintenance, and generally within 0.5 metres of the front property boundary (see Schedule 1, and the Waitakere City Council Code of Practice for City Infrastructure and Land Development).

### *3.12.3. Accuracy and Testing*

Meters shall be tested as and when required by the Council or as prescribed in OIML (Organisation Internationale de Métrologie Légale) R49. The maximum permissible error for the upper flow rate zone ( $Q_2 < Q < Q_4$ ) is  $\pm 2\%$ , for temperatures from 0.3 °C to 30°C and the maximum permissible error for the lower flow rate zone ( $Q_1 < Q < Q_2$ ) is  $\pm 5\%$ . This accuracy shall be applied to all water meters with  $Q_3 < 100$  m<sup>3</sup>/h and may be applied to water meters with values of  $Q_3 > 100$  m<sup>3</sup>/h. The flow restrictors shall be

accurate to within  $\pm 10$  % of their rated capacity.

NOTE – Where Q is the flow rate:

Q1 is the minimum flow rate;

Q2 is the transitional flow rate;

Q3 is the permanent flow rate; and

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

Any customer who disputes the accuracy of a meter or restrictor may apply to the 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 then 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 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 limit 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 that flows through the restrictor in a period 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.

#### *3.12.4. Adjustment*

If any meter, after being tested, is found to register a greater or lesser consumption than the quantity of water actually passed through such a meter, the 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, 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.

#### *3.12.5. 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 indicates 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.

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.

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

#### *3.12.6. Incorrect accounts*

Where a situation occurs, other than as provided for in 3.12.5 *Estimating consumption*, 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 errors include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies.

Provided that 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.

### **3.13. 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 beyond the point of supply. In special circumstances such equipment may be approved by the Council.

In accordance with the Building Regulations 1992 the plumbing system shall be compatible with the water supply. Specific features of the Council supply that need to be taken into account are contained the Waitakere City Council Code of Practice for City Infrastructure and Land Development.

Where a supply of water to a property from more than one point of supply is permitted by Council, and where Council approves the interconnection of these supplies, the supply at each point shall be through the check valve arrangement, fitted such that the integrity of the check valves can be tested.

### **3.14. Prevention of waste**

The customer shall not intentionally allow water to run to waste from any pipe, tap or other fitting, nor allow the condition of the plumbing within the property to deteriorate to the point where leakage and or wastage occurs.

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

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

### **3.15. Payment**

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

The Council may recover all unpaid water charges as prescribed in the Local Government (Rating) Act 2002, Part 3, sections 57 to 82.

### **3.16. Transfer of rights and responsibilities**

The customer shall not transfer to any other party the rights and responsibilities set out in the Conditions.

A supply pipe shall serve only one customer, and shall not extend by hose or any other pipe beyond that customer's property.

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

### **3.17. 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.

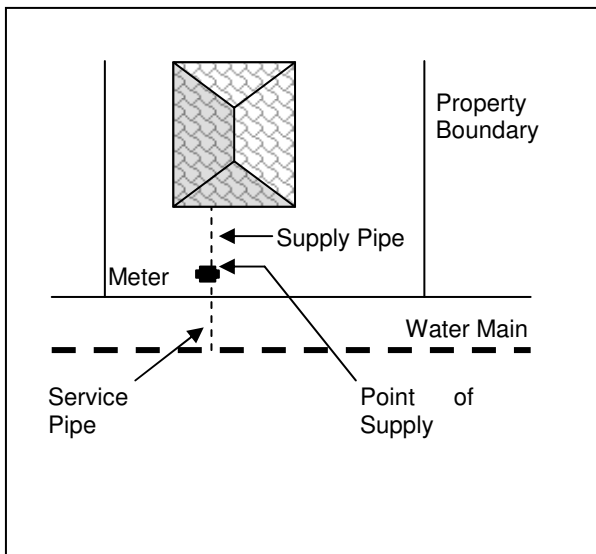
### **3.18. Disconnection at the owner's request**

The owner of the property or the authorised agent 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.

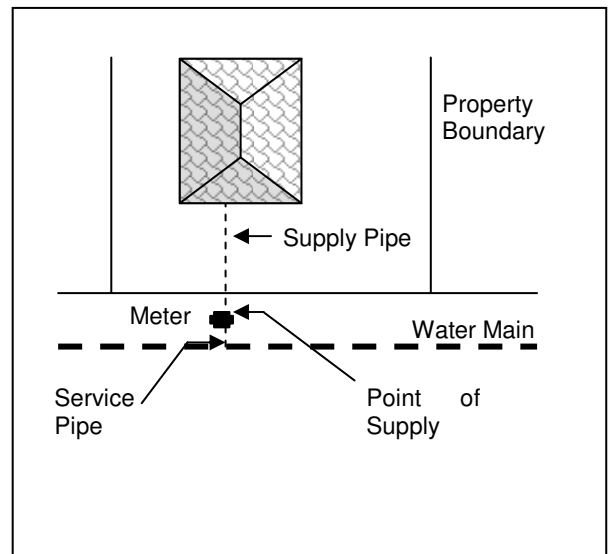
# SCHEDULE 1

## Examples of Point of Supply location

**Figure 1: Properties with Street Frontage**

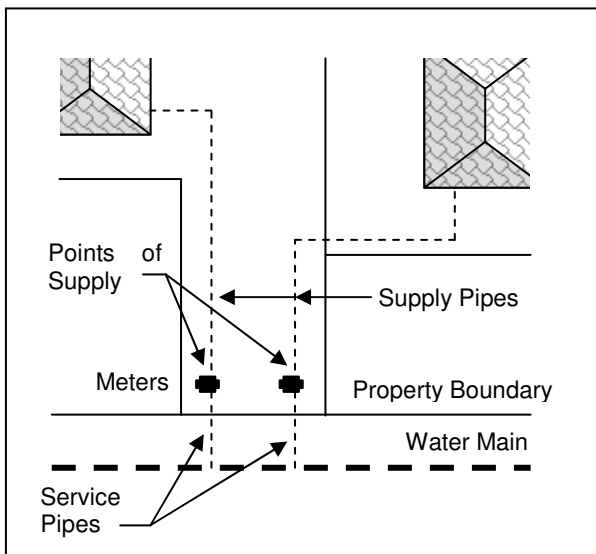


(a) Point of supply inside property boundary

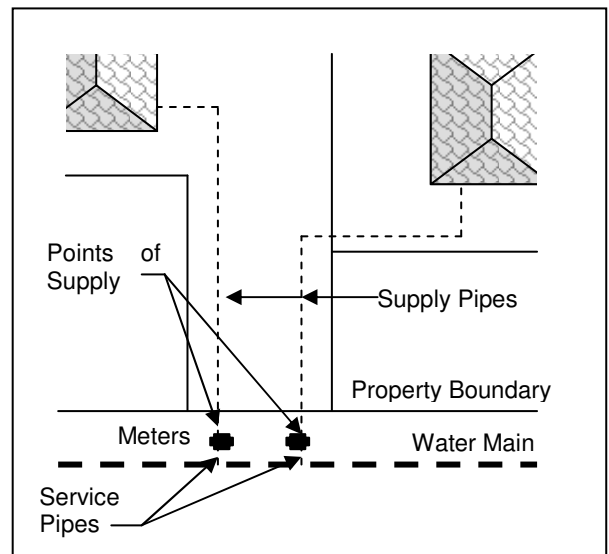


(b) Point of supply outside property boundary

**Figure 2: Rear Lots on Right-of-Way (maximum 2 customers)**

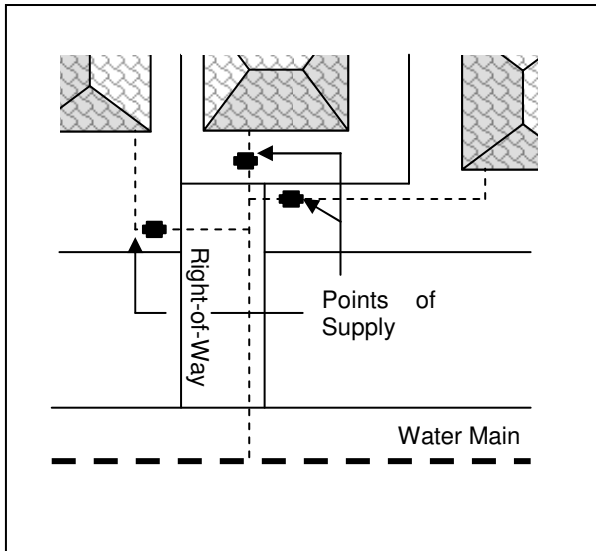


(a) Point of supply inside property boundary

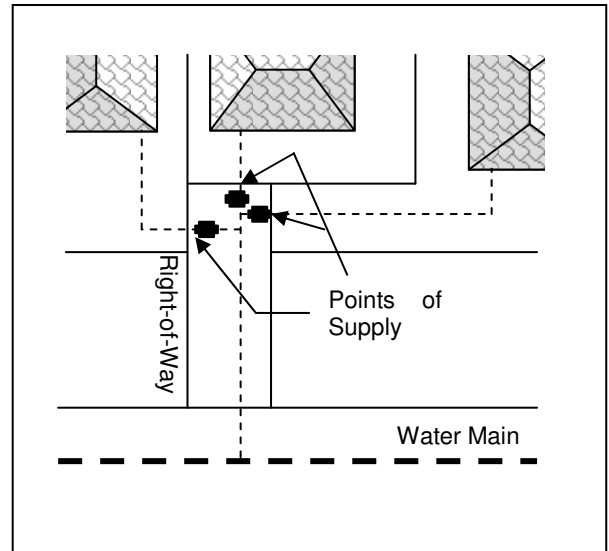


(b) Point of supply outside property boundary

**Figure 3: Rear Lots on Right-of-Way (3 or more customers)**

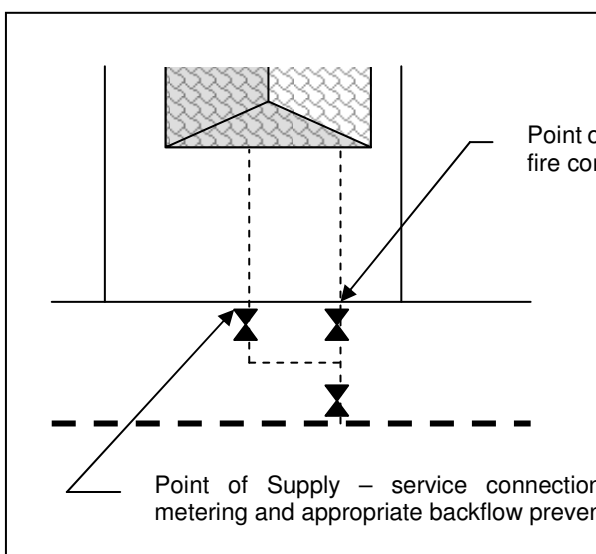


(a) Point of supply inside property boundary

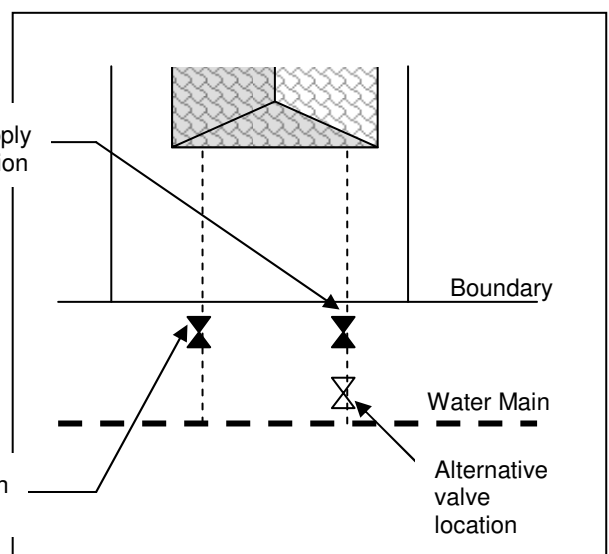


(b) Point of supply outside property boundary

**Figure 4: Industrial /Commercial /Domestic Fire & Service Connections (incl. schools)**



(a) Combined fire and service connection

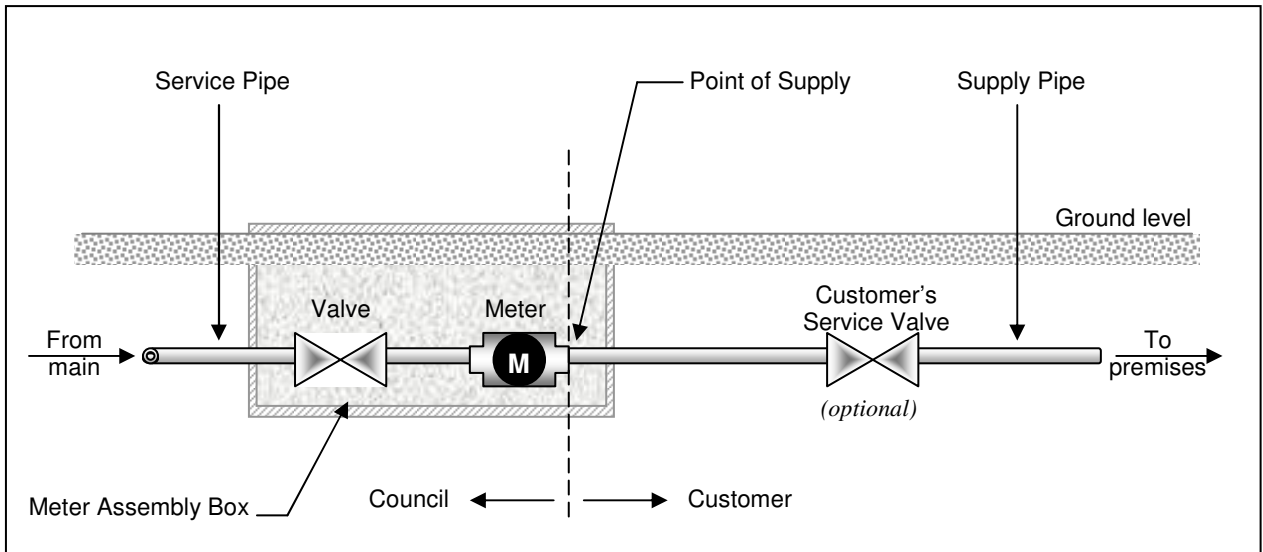


(b) Separate fire and service connection

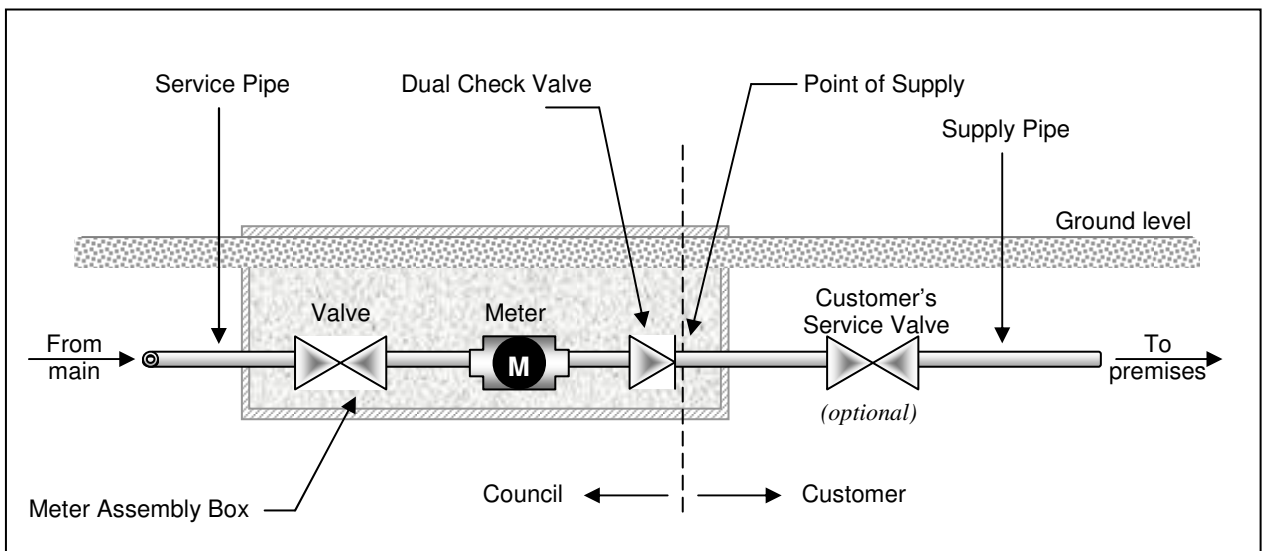
## SCHEDULE 2

### Examples of layout at Point of Supply

**Figure 5: Metered Supply (no Council dual check valve present)**



**Figure 6: Metered Supply with Council dual check valve**



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First published: 1 July 2008

Based upon NZS 9201:Part7:2007 with approval of the Standards Council

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