



Water Supply Bylaw 2019

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1 Preliminary Provisions

- 1.1 This Bylaw is the Water Supply Bylaw 2019.
- 1.2 This Bylaw is made under the Local Government Act 2002, the Health Act 1956 and every other power vested in the Council to make Bylaws and regulate activities for the purpose of Water Supply.
- 1.3 The supply of water by Council is also subject to, among others:
- (a) Acts and Regulations
 - i. Building Act 2004 & Associated Regulations
 - ii. Fire and Emergency New Zealand Act 2017
 - iii. Health Act 1956
 - iv. Health (Drinking Water) Amendment Act 2007
 - v. Local Government (Rating) Act 2002
 - vi. Resource Management Act 1991
 - (b) Codes, Standards and Rules
 - i. Drinking Water Standards for New Zealand 2005 (revised 2008)
 - ii. SNZ/PAS 4509:2008 Fire Fighting Water Supplies Code of Practice
 - iii. BS EN 14154-3:2005 Water Meters. Test methods and equipment
 - iv. WaterNZ Backflow Code of Practice
 - v. WaterNZ Water Meter Code of Practice
 - vi. Manawatū District Council's Engineering Standards for Land Development
 - vii. The Manawatū District Plan

Explanatory Note: The powers within these Acts, Regulations, Codes, Standards and Rules are not necessarily repeated in this Bylaw.

2 Purpose

- 2.1 The purpose of this Bylaw is to:
- (a) Ensure a safe and efficient public water supply;
 - (b) To manage and regulate the Council's water supply; and
 - (c) To protect public water supply infrastructure from damage, misuse and interference and the health and safety of people using the water supply network.

3 Commencement

- 3.1 This Bylaw comes into force on 10 October 2019.

4 Interpretation and Definitions

- 4.1 The provisions of the Manawatū District Explanatory Bylaw 2022 and its amendments are implied into and form part of this Bylaw.

4.2 In this Bylaw, unless the context requires otherwise:

Act means the Local Government Act 2002.

Approved Licenced Contractor means a contractor appointed by the Council and given powers to perform duties and functions under the Bylaw.

Backflow means a flow of water or other liquid through any Service Pipe or Supply Pipe in a reverse direction to the normal supply flow.

Backflow Prevention Device(s) means a device that prevents Backflow, including a reduced pressure zone protector (RPZ).

Catchment Area means an area of land under the control of Council from where a public Water Supply is drawn. They can be divided into the following classes: controlled, restricted, and open. The areas may be made up of both surface water and/or groundwater catchments.

Controlled Catchment Area means an area under the control of the Council, to which the public and domestic animals including dogs are prohibited from entry and from which water is drawn.

Customer means the person, or authorised agent, who has been given Approval by the Council to use water supplied by the Council.

Extraordinary Supply means a category of On Demand Supply used for Extraordinary Use, which may be subject to specific conditions or limitations.

Extraordinary Use means use of water for purposes other than Ordinary Use. Extraordinary use will be Metered and may include:

- i. Domestic - spa or swimming pool in excess of 10m³ capacity or fixed garden irrigation systems;
- ii. Commercial and business;
- iii. Industrial;
- iv. Horticultural;
- v. Fire Protection Connections;
- vi. Agricultural/rural;
- vii. Out of District;
- viii. Temporary supply;
- ix. Hospital or Rest Home Facilities; and
- x. Any other uses determined in writing by Council.

Fire Hose Reel means a metal reel, permanently connected to the water supply, on which is wound rubber tubing having an internal diameter of 12.5 millimetres nominal or 20 millimetres nominal, which can be used for first aid fire-fighting purposes.

Fire Protection Connection means a connection (usually at the property boundary) to Council's Water Supply for the purpose of providing water (a Water Supply) to a Fire Safety System on that Property.

Fire Safety System means a fixed system of pipes, control valves, outlets and related fixed components use to control or extinguish fires. Examples of a Fire Safety System include:

- (a) A "riser" in a high rise building. This is a pipe running into and up through each floor in the building so Fire and Emergency New Zealand can connect firefighting equipment or hoses to fight a fire;

- (b) A hydrant on a Property near a building for Fire and Emergency New Zealand to connect firefighting equipment or hoses to fight a fire; and
- (c) A sprinkler system in a building.

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

Flow Restrictor is a device fitted inside a supply manifold to supply a constant low flow to a Storage Tank. Typically, a single unit Flow Restrictor will limit the flow into the Storage Tank to 0.7 l/min.

Hose means any flexible or moveable tube for conducting water and includes a Sprinkler, soaker or distributing device whether held by hand or not.

Mechanical Sprinkler or Sprinkler means a revolving spray, Sprinkler pipe, or contrivance to distribute water for garden or lawn watering, but does not include a hand-held Hose, or a contrivance installed exclusively for the purpose of extinguishing fire.

Meter means a device for measuring the volume of water flowing through a pipe.

Metered means a Water Supply that has a Meter connected to it.

On Demand Supply means a supply of water which is available on demand directly from the Point of Supply. It includes Ordinary Supply and Extraordinary Supply.

Open Catchment Area means an area of land which is set aside for the protection of a water source for the Water Supply, to which the public and domestic animals including dogs must obtain Council Approval to enter.

Ordinary Supply means a category of On Demand Supply used solely for domestic purposes (which may include use in a Fire Sprinkler System). It includes a non-restricted Rural Supply. It includes water used for:

- i. Household use for drinking, washing and laundry
- ii. Washing down a car, boat, or similar;
- iii. Garden watering by hand and
- iv. Garden watering by a portable sprinkler.

Ordinary Use means the use of water as described in an Ordinary Supply.

Point of Supply means the termination point of the Service Pipe, where the service valve is located, as determined by the Council. This marks the boundary of responsibilities between the Customer and the Council. Such a point may or may not relate to the boundary of the Customers' Premises or the point of the metering.

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

Restricted Catchment means an area from which water is drawn that is under the control of the Council, to which the public and domestic animals, including dogs, are prohibited from entry unless they have a permit.

Restricted Flow Supply means a connection to the Water Supply System through which a limited flow is available, due to the presence of a Flow Restrictor, to a Storage Tank supplied by the Customer.

Rural Supply means a type of Ordinary Supply operating only in the rural and village zones of the Manawatū District Plan, where there is no guarantee of firefighting capability. This type of supply is usually run by a local committee with administration services supplied by the Council. Customers on a Rural Supply are allocated and charged on the basis of Water Units.

Service Pipe means the section of pipe between a main and Point of Supply that is owned and maintained by the Council.

Storage Tank means any tank other than a flushing cistern having a free water surface under atmospheric pressure from which water supplied by the Council is stored for use.

Supply Pipe means the pipe provided by the Customer to connect the Service Pipe to the Premises and includes pipes, Storage Tanks, valves and fittings connected thereto within the Premises that is installed, owned and maintained by the Customer.

Utilities Manager means the person responsible on behalf of Council for planning, managing, directing and coordinating the operation and maintenance activities of utility systems which includes water treatment and distribution, wastewater collection and treatment and stormwater collection and conveyance.

Water Supply means the supply of drinking water by network reticulation to the point of supply for dwelling house, commercial and other Premises.

Water Supply Network means infrastructure for Water Supply from the point of abstraction from the natural environment.

Water Unit means a single share in a Rural Supply.

Water Use Levels means levels of use to manage Demand as follows:

- (a) Level 0: No restrictions apply.
- (b) Level 1: Sprinkler use evenings only, every two days: unattended Hoses, Sprinklers, and garden irrigation systems can only be used between 7.00 pm and 9.00 pm; for even numbered houses on even dates, and odd numbered houses on odd dates. Handheld Hoses can be used at any time.
- (c) Level 2: Sprinkler use prohibited. Handheld Hoses only, every two days: unattended Hoses, Sprinklers, and garden irrigation systems cannot be used. Handheld Hoses can only be used between 7.00 pm and 9.00 pm; for even numbered houses on even dates, and odd numbered houses on odd dates.
- (d) Level 3: Irrigation prohibited – Hose pipe ban: unattended Hoses, Sprinklers, garden irrigation systems and handheld Hoses cannot be used. Car washing by hand-held Hose is also prohibited.

4.3 Reference should be made to section 2 of the Manawatū District Explanatory Bylaw 2022 for any other definitions not included in clause 4.2.

4.4 Any explanatory notes are for information purposes only. They do not form part of this Bylaw, and may be made, amended, revoked or replaced by the Council at any time.

Part One - Supply of Water

5 Protection of Water Quality

- 5.1 No person may contaminate or pollute any raw water or drinking water or do any act to likely contaminate or pollute any raw water or drinking water.

6 Entitlement to Supply

- 6.1 Every Premises is entitled to an Ordinary Supply of water, subject to:
- (a) Council Approval of any connection to the Water Supply Network;
 - (b) The Premises lying outside of a Restricted Flow Supply area;
 - (c) The exclusion of its use for garden watering under any restrictions made by the Council under Clause 9.1;
 - (d) Payment of the appropriate charges in respect of the Premises;
 - (e) Compliance with this Bylaw; and
 - (f) Payment of any other charges or costs associated with subdivision development.

Explanatory Notes:

The Council is under no obligation to provide an Extraordinary Supply of water.

Clause 6.1(a) also includes all legally established Water Supply connections that existed at the time this Bylaw was adopted.

- 6.2 Any Customer of a Restricted Flow Supply is entitled to one cubic metre of water per day per Water Unit held.
- 6.3 Customers of a Restricted Flow Supply are charged for water use in accordance with the number of Water Units allocated to that Premises.

7 Continuity of Supply

- 7.1 The Council does not guarantee an uninterrupted or constant supply of water or any maximum or minimum pressure.

Explanatory Note: This clause must be read subject to Councils obligations under section 69S of the Health Act 1956 for the supply of drinking water.

- 7.2 No allowance or compensation will be made or allowed by the Council if the Water Supply is restricted or interrupted, whether for the purpose of laying mains, effecting repairs, attaching new services, or for any other purpose.
- 7.3 Any Customer who has a particular requirement for a constant Water Supply at a particular flow, pressure or quality, must provide their own water storage, back-up facilities or equipment as required for their circumstances.

8 Demand Management

- 8.1 The Council may, by publicly notified resolution, set Water Use Levels to manage the District's water use.

- 8.2 Water Use Levels may apply to all or parts of the District.
- 8.3 No Customer may use any water, or allow any water to be used, in contravention of any restriction or prohibition made under this clause.

Explanatory Note: In setting Water Use Levels the Council will take into account the usage of water compared to the target levels set by Horizons Regional Council, seasonal weather conditions, including recent rainfall, and the prospects for rain.

9 Emergency Restrictions

- 9.1 During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its Customers.
- 9.2 Any restriction or prohibition may apply to the whole District or part of the District.
- 9.3 Any restrictions or prohibitions will be publicly notified unless immediate action is considered by an Authorised Officer to be necessary.
- 9.4 No person may use any water, or allow any water to be used, in contravention of any restriction or prohibition made under this clause.

Explanatory Note: Natural hazards (such as floods, droughts or earthquakes) or accidents which result in disruptions to the supply of water, may be deemed an emergency.

Part Two – Customer Obligations

10 Application for a Connection to the Water Supply Network

- 10.1 Every application for a new connection to the Water Supply Network must be:
- (a) Made in writing by a Customer on the form prescribed by the Council from time to time; and
 - (b) Lodged by a person with the authority to act on behalf of the Customer for which the supply is sought; and
 - (c) Accompanied by the fee prescribed in Council's Fees and Charges from time-to time.
- 10.2 An application must include all information required by the Council and if necessary, the Council may request further information to assist it in processing the application.
- 10.3 A new application will be required if an Ordinary Supply is no longer appropriate due to a change in use of a Premises.

11 Approval of Applications for a Connection to the Water Supply Network

- 11.1 On receipt of an application for a new connection to the Water Supply Network, the Council will either:
- (a) Approve the application and inform the applicant of the type of Water Supply to be provided to the Premises (Ordinary Supply, Extraordinary Supply or Restricted Flow Supply), the size and design of the connection, any additional elements of the connection or supply including water meters, pipes, valves, Backflow Prevention Devices, and any other equipment deemed necessary by the Council, and any conditions applicable to that supply: or
 - (b) Refuse the application and give reasons to the applicant for the refusal.
- 11.2 The Council may from time to time review the type of Water Supply approved under Clause 11.1 and may alter the type of Water Supply if there has been a change in circumstances.
- 11.3 If a person does not connect to the Water Supply within six (6) months of Approval under clause 11.1, the Approval to connect will lapse unless otherwise authorised by Council. Any refund of fees and charges will be determined on a case-by-case basis, at the discretion of the Council.

Explanatory Note: For subdivisions, Council may grant an extension to the lapse date if the new Record of Title has not yet been granted.

12 Acceptance of Supply

- 12.1 The Customer must comply with the requirements of this Bylaw including any conditions of Approval imposed by the Council under clause 11.1;
- 12.2 Every person found to be in breach of any condition of consent under this Bylaw may have the consent withdrawn by a Council Officer with immediate effect.
- 12.3 Unless otherwise specified in clause 12.4, the Customer may not transfer to any other person any of the rights and responsibilities provided for under this Bylaw or any Approval given under this Bylaw.

- 12.4 With the prior Approval of the Council and the committee responsible for the Restricted Flow Supply, a Customer within a Restricted Flow Supply area may transfer Water Units to others within the same Restricted Flow Supply, subject to the Customer retaining at least one Water Unit.

Explanatory Notes: Each Restricted Flow Supply has a finite number of Water Units that may be traded within that supply. When considering an application for Approval to transfer Water Units, consideration will be given to the scheme hydraulics as in some cases the extra water may not be able to be delivered to the Premises requesting the extra Water Units.

All on-site works, including Water Tanks, must comply with the relevant sections of the Building Act and associated regulations.

13 Customer Obligations on Connection

- 13.1 A person must not run a privately owned Supply Pipe on Council-owned property without the prior written Approval of the Council.
- 13.2 A Customer must not waste, or allow to be wasted, water from any pipe, tap or other fitting on their Premises.
- 13.3 A Customer must not use water or water pressure directly from the Water Supply Network for driving lifts, machinery, educators, generators, condensers, for dust suppression, cooling systems or any other similar device or water use practices without the prior Approval of the Council.

14 Water Supply Infrastructure

- 14.1 A person must not do anything to the Water Supply Network that puts at risk the health and safety of those that use the Water Supply.
- 14.2 A person must not damage, tamper or interfere with Water Supply Network, including non-approved connections up to the Point of Supply (including any Meter), either directly or indirectly.
- 14.3 A person must not cause damage to the Water Supply Network.
- 14.4 Where a person has tampered, damaged or interfered with the Water Supply Network, the Council may, in addition to any other remedies available to them, charge for the additional water consumption not recorded or allowed to pass as a result of that person's actions, either directly or indirectly.
- 14.5 A Supply Pipe must only serve one Customer and must not extend by Hose or any other pipe beyond that Customer's property.
- 14.6 Other than an Approved Licenced Contractor, a person must not undertake any works on the Water Supply Network, including the connection or disconnection to, or the installation of any Service Pipe.

15 Responsibility for Maintenance

- 15.1 The Council must own and maintain any pipes, fittings and any other equipment up to the Point of Supply.

- 15.2 The Customer must own and maintain the Service Pipe where it is located on private land and the Supply Pipe and any fittings (e.g. back flow prevention device) on the Customer side of the Point of Supply.
- 15.3 The Customer must protect the Water Supply Network from damage up to the Point of Supply, including pipework, valving, meters, Backflow Prevention Devices, and Flow Restrictors.
- 15.4 The Customer is responsible for repairing any pipe or fitting on the Customer's side of the Point of Supply.
- 15.5 Where a pipe or fitting on the Customer's side of the Point of Supply is damaged or is causing or is likely to cause water to be wasted, or is insufficient for the proper supply of water the Council may by written notice require the Customer to complete any works specified in the notice within a specified timeframe.
- 15.6 Where the Customer fails to comply with a notice under clause 15.5, the Council, in addition to any other remedies available to it, may charge the Customer for the costs of disconnecting the Water Supply.

16 Termination and Disconnection

- 16.1 In the event of a Premises changing ownership, or the Customer seeking to terminate the Water Supply, the outgoing Customer must give Council seven (7) days' notice to arrange a final water reading. On notice being given, the new owner will be recorded as the Customer for the Premises.
- 16.2 Where there are outstanding rates for Water Supply at the final reading the Council will invoice the outgoing Customer.

17 Backflow Prevention

- 17.1 The Owner or manager of a Premises must notify Council in writing of any change in the use of commercial or industrial Premises that may have an effect on any Backflow Prevention Device required. A Council Officer or Authorised Agent will assess the suitability of the Backflow Prevention Device(s) on site, even if notification of the change in use of the Premises is not required under the Building Act 2004.

Explanatory Notes: Backflow Prevention Device(s) will be required for any connection where Council considers that there is a need to protect the networked system from risks of pollution caused by water and other substances on properties connected to the networked system, in accordance with Section 69ZZZ of the Health (Drinking Water) Amendment Act 2007. The methodology for selection of Backflow Prevention Device(s) will be guided by the WaterNZ Backflow Code of Practice.

18 Working Around Buried Services

- 18.1 Any person proposing to carry out excavation work must view the as-built records to establish whether or not Council services are located in the vicinity of the proposed works

Explanatory Notes: The Council will keep permanent records (as-builts) of the location of its buried services for viewing by the public at no charge. Charges may be levied where copies of documents are required.

- 18.2 Where requested, at least 24 hours prior to the proposed works the Council will mark out the location of its services and may nominate in writing any restrictions on the work it considers necessary to protect its services.
- Explanatory Note: A charge for this service may apply.*
- 18.3 When excavating and working around buried services, every person must take due care to ensure the services are not damaged and that bedding and backfill is reinstated in accordance with Council's Engineering Standards for Land Development.
- 18.4 Any damage which occurs to a Council service must be reported to Council immediately. The cost of the repair will be charged to the person or entity responsible for the damage.

Part Three – Point of Supply

19 Single Ownership

- 19.1 There will only be one Point of Supply for each service per Premises, except where specifically approved by the Council.
- 19.2 For single dwelling units, or multiple dwellings serviced via a shared right of way the Point of Supply must be located as shown in Figures 1 or 2, or as close as possible where fences, walls or other permanent structures make it difficult to locate the Point of Supply at the required position.

Figure 1. Single Dwelling Units

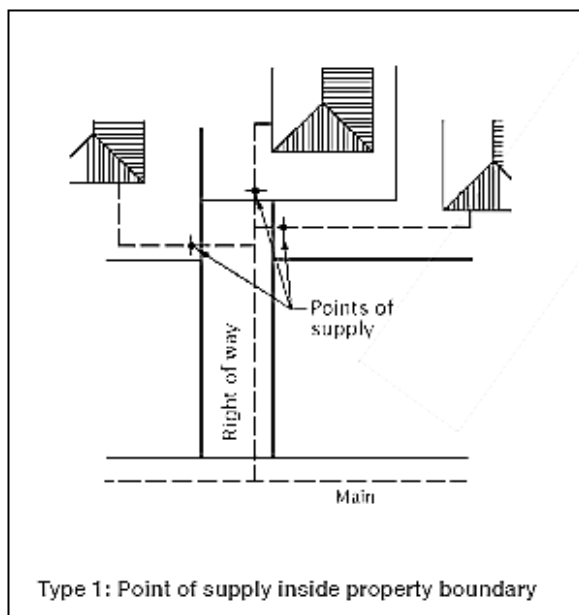
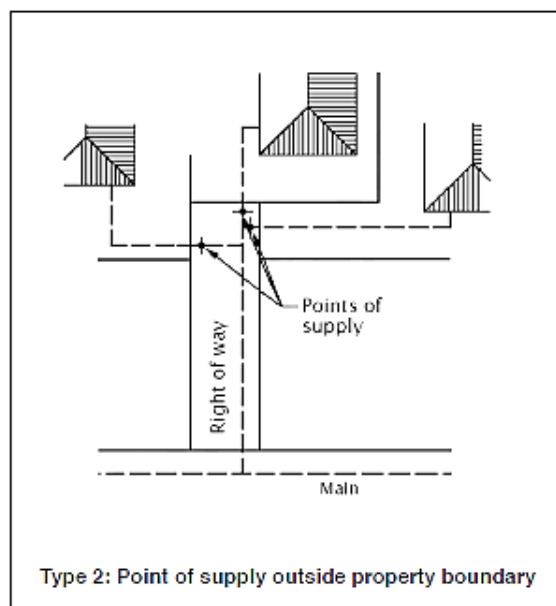


Figure 2. Multiple Dwellings Single Ownership



20 Multiple Ownership

- 20.1 The Point of Supply for the different forms of multiple ownership of Premises and/or land is as follows:
- (a) For Company Share/Block Scheme (Body Corporate): as for single ownership in clause 19; and
 - (b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, and Unit Title (Body Corporate): each owner will 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 Approval by the Council.
- 20.2 For a multiple ownership supply which was in existence prior to the enactment of this Bylaw the Point of Supply will be the arrangement existing at that time, or as determined by agreement with the Council for an individual case.

21 Maintenance and Access

- 21.1 The Customer shall maintain the area in and around the Point of Supply so as to keep it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access to the Water Supply Network.
- 21.2 The Customer must allow a Council Officer or Authorised Agent access to and about the Point of Supply between 7.00 am and 6.00 pm on any day for:
- (a) Meter reading without notice; and
 - (b) Checking, testing and maintenance work with notice being given whenever possible.
- 21.3 For works outside of the hours specified in clause 21.2, Council must give written notice to the Customer 48 hours prior to the Council Officer or Authorised Agent entering the Premises. Except in emergency situations where a Council Officer or Authorised Agent shall

be entitled to enter any Premises that has a Water Supply at any hour without written notice.

- 21.4 Wherever practical, Council will make every reasonable effort to notify the potentially affected Customers of a scheduled maintenance shutdown of the Water Supply Network before the work commences. Where immediate action is required, and notice is not practical, Council may interrupt the Water Supply without notification.
- 21.5 Where access is not made available by the Customer and a return visit is required by the Council, the Customer must pay actual and reasonable costs as determined by the Council on a case-by-case.

Part Four – Meters and Flow Restrictors

22 Meters and Flow Restrictors

- 22.1 Council may fit a Meter to any connection at any time for the purposes of determining water consumption.
- 22.2 Meters for Extraordinary Supply or Rural Supply and Flow Restrictors for Restricted Flow Supply must be supplied, installed and maintained by the Council and remain the property of the Council.
- 22.3 Meters and Flow Restrictors must be located in a position which is readily accessible for reading and maintenance, and as close as is reasonably practicable to the Council's side of the Point of Supply.

Explanatory Note: Premises fitted with a water Meter will be charged for water use on a volumetric basis.

23 Reading of Meters and Accounts

- 23.1 Meters will be read, and where applicable accounts rendered at such intervals as Council considers appropriate.
- 23.2 Meter readings made at the request of the Customer will be charged for as determined by the Council.

24 Testing of Meters and Flow Restrictors

- 24.1 A Customer who disputes the accuracy of a Meter or Flow Restrictor may apply to the Council for it to be tested, provided that it is not within 12 months of the last test.
- 24.2 The accuracy of a Meter or Flow Restrictor is acceptable when there is no more than a -/+ 5% variance with the manufacturer's specification. The testing methodology for a Meter or Flow Restrictor will be in accordance with the Water New Zealand Good Practice Guide "*Water Metering of Customers on Reticulated Supplies.*"
- 24.3 A copy of independent certification of the test result will be made available to the Customer on request.

25 Adjustments and Estimations

- 25.1 Council will provide relief from excess water by meter charges resulting from a water leak on a property in accordance with Council's Rates Remission and Postponement Policy.
- 25.2 Should any Meter be out of repair (e.g. a seal dial of a meter is broken) or cease to register, or be removed, the Council will estimate the consumption for the period since the previous reading of the Meter (based on the average of the previous six billing periods charged to the Customer). The Customer must pay according to the estimate.
- 25.3 Where the average of the previous six billing periods is an unreasonable estimate of the consumption because of seasonal or other causes, the Utilities Manager may take into consideration other evidence for the purpose of arriving at a reasonable estimate.
- 25.4 Where a Meter or Flow Restrictor has been removed or bypassed an estimate may be made by the Council of the volume of water consumed since the last inspection of the Flow Restrictor and the difference between the restricted volume and the estimated unrestricted volume will be charged to the Customer.
- 25.5 Where a Meter reading does not otherwise accurately represent the actual consumption then the Customer's account may be adjusted using the best information available to the Council.

Explanatory Note: These errors may include, among others, misreading of the Meter, errors in data processing, Meters assigned to the wrong account, and unauthorised supplies.

- 25.6 Any adjustment under this clause must not be backdated more than 12 months from the date the error was detected.

Part Five – Fire Protection

26 Fire Hydrants

- 26.1 No person may take water from a fire hydrant unless that person:
- (a) Is an Authorised Officer or agent of Council;
 - (b) Is a fire fighter or a member of the Fire Service or is taking the water for the purposes of testing, training or emergency incidents only; or
 - (c) Has the written Approval of Council and the taking of water is in accordance with any conditions of the Approval.
- 26.2 The Council may seize and impound any equipment used by a person to gain access to or to draw water from a fire hydrant.
- 26.3 The Council may assess and recover the value of the water drawn from a fire hydrant without authorisation and recover any of the associated costs incurred by the Council.

27 Supply of Water - Fire Fighting

- 27.1 Water supplied for the purpose of extinguishing fires will be provided free of charge.
- 27.2 A person must not install a new Fire Protection Connection, unless they written Approval from the Council to do so. Any Fire Protection Connection must be installed by an Approved

Licenced Contractor and in accordance with any terms and conditions specified by the Council.

- 27.3 The Council is under no obligation to provide a Fire Protection Connection at any particular flow or pressure.
- 27.4 The Council may install a Meter on any Fire Protection Connection if it is likely or possible that water will be drawn from it or from any part of it by any person for purposes other than firefighting.
- 27.5 Where the supply of water to any Premises is Metered, Fire Hose Reels must not be connected to a Fire Protection Connection.
- 27.6 The Council may permit the supply of water for the purposes of fire-fighting in a manner that bypasses any Meter provided that:
- (a) the drawing of water is only possible 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.
- 27.7 Any Fire Sprinkler System must be constructed, installed and maintained in good order, and must be designed and fixed so that water cannot be drawn from it for any purpose other than firefighting. The Council may require specific Backflow protection to any Fire Protection Connection and may fit a Backflow Prevention Device on the Council side of the Point of Supply.
- 27.8 It is the Customer's responsibility to ascertain and monitor whether the fire protection supply available is adequate for the intended purpose.

Part Six – Protection of Water Supply Network

28 Entry to Catchment Areas

- 28.1 Any person may have unrestricted access to an Open Catchment Area.
- 28.2 A person must not enter a Controlled Catchment Area or a Restricted Catchment Area without first obtaining a permit from Council.
- 28.3 A person must advise Council immediately of any chemicals or hazardous substance being spilled on land or in water in any Catchment Area. Council may change the status of the Catchment Area or prohibit entry into the Catchment Area until such time as the effects of the chemicals or hazardous substances have been reduced, or remedied.
- 28.4 No person may enter any Catchment Area or building owned or occupied by the Council which is set aside for the protection of a water source to the Water Supply or for the Water Supply Network without first obtaining the Approval of Council.
- 28.5 No person, other than Council and its Authorised Agents, Fire and Emergency New Zealand or Civil Defence Services, may access any part of a Water Supply Network without prior written Approval of the Council.

29 Conditions of Permits

- 29.1 Any permit issued pursuant to clause 28.2 is non-transferable.

- 29.2 Any person in any Controlled Catchment Area, Restricted Catchment Area or land held by the Council as a water reserve must, upon demand, produce their permit for inspection by a Council Officer or an Authorised Agent.
- 29.3 A person may be required to provide a medical certificate signed by a registered medical practitioner, certifying that the holder is free from any contagious disease that would put the Water Supply at risk, before permit can be issued.
- 29.4 No person may obstruct or hinder any Council Officer or Authorised Agent in the exercise of any powers vested in that Council Officer or Authorised Agent under the provisions of this Bylaw in any Controlled Catchment Area, Restricted Catchment Area, or any land held by Council as a water reserve.
- 29.5 Any terms or conditions imposed on any permit issued under clause 28.2 must be complied with.

30 Enforcement of Permits

- 30.1 No person, other than a Council Officer or Authorised Agent, may commit or cause or permit to be committed, any act which may interfere with or be likely to interfere with the exercise of any rights vested in any other person in any Controlled Catchment Area, Restricted Catchment Area, or any land held by Council as a water reserve.
- 30.2 Every person must upon the request of a Council Officer or Authorised Agent, immediately leave a Controlled or Restricted Catchment Area or land held by Council as a water reserve and may be prosecuted under this Bylaw. Any failure to comply with a request pursuant to this clause will constitute a further offence under this Bylaw.
- 30.3 The Council may at any time, by notice in writing delivered to the permit holder, revoke or suspend a permit issued pursuant to clause 28.2.

Part Seven - Miscellaneous

31 Applications

- 31.1 Any application for written Approval or a permit under this Bylaw must be in writing and provide all the information as requested by Council.
- 31.2 The Council may Approve an application for Approval or a permit at its discretion and subject to any terms and conditions it considers appropriate when having regard to the purpose and terms of this Bylaw.

32 Fees and Charges

- 32.1 Any application for written Approval or a permit under this Bylaw must be accompanied by the applicable fee as specified in Council's Schedule of Fees and Charges, which are reviewed from time to time.
- 32.2 The Customer must pay for the Water Supply to their Premises and related services as prescribed in Council's Schedule of Fees and Charges, reviewed from time to time.
- 32.3 The Customer must pay a fee in accordance with the Council's Schedule of Fees and Charges for any Meter testing undertaken.

Explanatory Notes:

The Customer may be charged a development contribution for a new connection to the Water Supply Network at the time of subdivision or building consent in accordance with Council's Development Contributions Policy.

If Council adopts by resolution universal metering, both Ordinary Supplies and Extraordinary Supplies will be Metered and charged in accordance with Council's rating legislation and policies. This may require a review of this Bylaw.

Part Eight - Offences

33 Offences and Breaches

- 33.1 Every person who commits a breach of this Bylaw commits an offence and is liable to pay:
- (a) The maximum fine set out in the Act;
 - (b) The maximum fine or penalty specified in the Health Act 1956;
 - (c) Any other penalty specified in another Act for the breach of this Bylaw.

Explanatory Note: This clause should be read in conjunction with clauses 9 and 10 of the Manawatū District Explanatory Bylaw 2022.

- 33.2 The supply of water to any Customer may be restricted by the Council in the event of:
- (a) Failure to pay the required fees and charges in the specified time;
 - (b) Repeat tampering with a Flow Restrictor;
 - (c) Failure to repair a leak, or in any way wilfully allow water to run to waste or be misused;
 - (d) The fitting of quick-closing valves;
 - (e) Failure to prevent Backflow;
 - (f) Failure to comply with a notice issued under clause 15.5;
 - (g) Non-compliance with, or breach of, any other requirements of this Bylaw; and
 - (h) Where the Water Supply has not been used for a period of three (3) months.
- 33.3 Where there is non-compliance with this Bylaw, Council will serve notice on the Customer advising the nature of the breach and the steps to be taken to remedy it within a specified timeframe.
- 33.4 If, after one week, the Customer persists with the breach, Council may restrict the Water Supply to their Premises without further notice. The Flow Restrictor will be removed only after remedy of the breach to the satisfaction of the Council.
- 33.5 In the event of a breach that may impact on the health and safety of users of the Water Supply Network, Council may disconnect the supply immediately without the need to service notice on the Customer.

Part Nine – Repeals, Savings and Transitional Provisions

34 Repeals, Savings and Transitional Provisions

- 34.1 Any consent, exemption or Approval granted under the Manawatū District Water Supply Bylaw 2015 that was in force immediately before the commencement of this Bylaw,

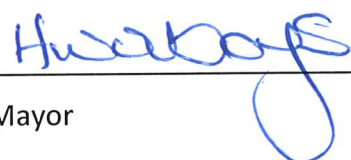
continues in force as if it is a consent, exemption or approval of that kind issued under this Bylaw, but:

- (a) Expires on the date specified in such exemption, consent or approval; or
- (b) Where no expiry date is specified, expires 12 months from the commencement of this Bylaw; and
- (c) May be renewed only by application made and considered in accordance with this Bylaw.

34.2 This Bylaw was made by the Manawātū District Council by resolution at a Council meeting on 10 October 2019 and must be reviewed within ten years.

Sealed with the Common Seal
of the **MANAWATU DISTRICT COUNCIL**
in the presence of:





Mayor



Chief Executive