



## Treated Water Supply Bylaw

Governing Body of Far North District Council

Resolution in Council 23 September 2021.

Under sections 145 and 146 of the Local Government Act 2002 the Governing Body of the Far North District Council made the following bylaw about treated water supply.

The bylaw is due for review by 23 September 2026.

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## 1 Title

This bylaw is the Treated Water Supply Bylaw.

## 2 Related information boxes

Boxes headed “Related information” in this bylaw are for information purposes only, and –

- (a) they do not form part of this bylaw; and
- (b) cannot be considered in the interpretation or application of a provision of this bylaw; and
- (c) may be inserted, amended or removed without any formality.

## 3 Commencement

This bylaw comes into force two working days after the date it is made by the governing body of the Far North District Council.

### Related information

This bylaw is due for review by 23 September 2026.

## 4 Application

This bylaw applies to the district of the Far North District Council.

## Part 1: Preliminary provisions

## 5 Purpose

The purpose of the bylaw is to:

- (a) fairly and efficiently manage treated water supply in the district;
- (b) ensure public health and safety;
- (c) protect council’s assets, namely the treated water supply system;
- (d) protect the public from nuisance; and
- (e) protect the treated water supply system from misuse.

## 6 Interpretation

- (1) In this bylaw, unless the context otherwise requires, -

**approval** means an approval granted under this bylaw and includes all conditions to which the approval is subject

**backflow** means the unplanned reversal of the flow of water or mixtures of water and contaminants back into the treated water supply system

**backflow prevention device** means a testable device that prevents **backflow** and, for the purpose of this bylaw, a backflow prevention device refers to those devices installed at the property boundary

**council** means the governing body of Far North District Council, or any person delegated to act on its behalf

**customer** means a person who uses, or has obtained the right to use or direct the manner of or use of, treated water that is supplied by the **council**

**direct connection** includes any arrangement of pipes, hoses, or fittings, temporary or otherwise which may cause **backflow** into the **council’s** water supply system

**drinking water** has the same meaning as in section 69G of the Health Act 1956

### Related information

As at 29 June 2021, the definition is:

Drinking water

- (a) means—

- (i) water that is **potable**; or
- (ii) in the case of water available for supply, water that is—
  - (A) held out by its supplier as being suitable for drinking and other forms of domestic and food preparation use, whether in New Zealand or overseas; or
  - (B) supplied to people known by its supplier to have no reasonably available and affordable source of water suitable for drinking and other forms of domestic and food preparation use other than the supplier and to be likely to use some of it for drinking and other forms of domestic and food preparation use; but
- (b) while standards applying to bottled water are in force under the Food Act 2014, does not include—
  - (i) any bottled water that is covered by those standards; or
  - (ii) any bottled water that is exported; and
- (c) to avoid doubt, does not include any water used by animals or for irrigation purposes that does not enter a dwelling house or other building in which water is drunk by people or in which other domestic and food preparation use occur”

**Drinking water emergency** means a situation where water supply restrictions or interruptions may arise from –

- (a) a water supply shortage or drought; or
- (b) contamination or pollution to the water supply; or
- (c) emergency repair to water supply infrastructure; or
- (d) a natural failure or disruption to the water supply which may endanger public health.

These emergencies may be initiated by the following authorities: the Minister of Health, the Medical Officer of Health, the Northland Regional Council, the **council**, and the Civil Defence Emergency Management Group.

**Related information**

In section 4 of the Civil Defence Emergency Management Act 2002 the definition of emergency includes failure or disruption to a lifeline utility. An entity that supplies or distributes water to inhabitants of a city or district is a lifeline utility.

Section 69S of the Health Act 1956 provides the **council** may restrict or interrupt the supply of water in the event of emergency repairs, but must notify the Medical Officer of Health within 24 hours, and take all practicable steps to advise affected persons.

Section 69T of the Health Act 1956 provides the **council** must notify authorities if it identifies or foresees a risk to the adequate supply of **drinking water** and request these authorities apply their powers to mitigate the water supply risk. The authorities include the Medical Officer of Health, Fire and Emergency New Zealand, and the Northland Regional Council.

Section 69ZZA of the Health Act provides for the Minister of Health to declare a **drinking water emergency** if there is a serious risk of harm to public health arising from **drinking water** or if there is a lack of **drinking water** available.

Section 329 Resource Management Act 1991 provides the Northland Regional Council the right to issue water shortage directions which may restrict water takes.

**extraordinary supply** has the meaning set out in clause 10(5) of this bylaw

**engineering standards** means the **council's** Engineering Standards and Guidelines 2004 (revised March 2009)

**Related information**

The **council's** Engineering Standards and Guidelines can be located on the Far North District Council website and/or viewed in hardcopy at all of our office locations in the Far North area (see link below):

Online: [www.fndc.govt.nz/Our-Services/Water-Services-in-the-Far-North/Engineering-standards](http://www.fndc.govt.nz/Our-Services/Water-Services-in-the-Far-North/Engineering-standards) Part 6, Water Supply  
Office locations: <https://www.fndc.govt.nz/Contact/Council-Service-Centres>

**fire hydrant** has the same meaning as in section 2 of the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008

**Related information**

As at 31 July 2008 the definition is:

"...means an assembly usually contained in a pit or box below ground level and comprising a valve and outlet connection from a water main, to permit a controlled supply of water for firefighting. A pillar upstand connected to a water main and fitted with a valve and instantaneous coupling(s) adaptor will also constitute a **fire hydrant**. This does not include ball-type **fire hydrants**"

**occupier** has the same meaning as in section 2(1) of the Local Government Act 1974

**Related information**

As at 1 April 2021, the definition is:

"...in relation to any property, means the inhabitant **occupier** of that property"

**on demand supply** has the meaning set out in clause 10 of this bylaw

**owner** has the same meaning as in section 2(1) of the Local Government Act 1974

**Related information**

As at 1 April 2021, the definition is:

"... in relation to any property, means the person entitled to receive the rack rent thereof, or who would be so entitled if the property were let to a tenant at a rack rent."

**ordinary supply** has the meaning set out in clause 10(3) of this bylaw

**point of supply** has the meaning set out in clause 8 of this bylaw

**potable** in relation to **drinking water**, has the same meaning as in section 69G of the Health Act 1956

**Related information**

As at as at 29 June 2021, the definition is:

"means water that does not contain or exhibit any determinants to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the drinking-water standards"

**public notice** has the same meaning as in section 5 of the Local Government Act 2002

**Related information**

As at as at 01 July 2021, the definition is:

**Public notice**, in relation to a notice given by a local authority,—

- (a) means a notice published in—
  - (i) 1 or more daily newspapers circulating in the region or district of the local authority; or
  - (ii) 1 or more other newspapers that have at least an equivalent circulation in that region or district to the daily newspapers circulating in that region or district; and
- (b) includes any other **public notice** that the local authority thinks desirable in the circumstances

**public water line** means any service pipe or water main associated with the treated water supply system

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

**service pipe** means the section of water pipe between a water main and the **point of supply**

**standpipe** means a rigidly supported vertical length of pipe connected to a water main, emerging from the ground with a tap or valve, serving as an outdoor water supply point

**treated water supply system** has the meaning set out in clause 7 of this bylaw

**zone of influence** means that section of the ground along the alignment of a buried **public water line** extending both horizontally and vertically where –

- (a) settlement or disturbance of the ground surrounding the **public water line** may cause damage to buildings on the surface above; and
- (b) loads from buildings on the surface could be transmitted to the **public water line**; and
- (c) as detailed in the **council's engineering standards**.

**Related information**

Part 3 of the Schedule to this bylaw has an illustration that shows the extent of the zone of influence.

- (2) The Interpretation Act 1999 applies to this bylaw.

## Part 2: The treated water supply system

### 7 Treated water supply system

- (1) The **treated water supply system** includes all components of the treated water distribution network from treatment plants to the **point of supply** to the **customer**, including but not limited to water mains, pump stations and pumps, valves, **hydrants**, **service pipes**, water meters and **backflow prevention devices**.
- (2) An example of the **treated water supply system** is illustrated in Part 1 of the Schedule to this bylaw.

### 8 Point of supply

- (1) The **point of supply** to an individual **customer** is the point on the **service pipe** which marks the boundary of responsibility between the **customer** and **council**.
- (2) As described in the **engineering standards** the **point of supply** to the **customer** should normally be located on the road reserve boundary. This applies to all properties including properties on rear sections accessed by a right of way.
- (3) The typical layout of the fittings at the **point of supply** is illustrated in Part 2 of the Schedule to this bylaw.

**Related information**

Approximately 400mm of the service pipe between the meter reader and the **customer's** pipe is technically on **council**-owned property. Any work required by the **customer** on this section of the **customer's** pipe is acceptable to the **council**.

- (4) Where there is a **backflow prevention device** then the **point of supply** is the point which is directly downstream of the **backflow prevention device**.
- (5) Where there is no **backflow prevention device** then the **point of supply** is the point which is directly downstream of the water meter.

### 9 Point of supply for different types of ownership

- (1) The nature of the **point of supply** for different forms of property ownership is –
  - (a) For a single **owner** – only one **point of supply**;
  - (b) For company share, body corporate – only one **point of supply**;
  - (c) For leasehold/tenancy in common and unit title, body corporate – each **owner** has an individual supply;
  - (d) For commercial properties in multiple occupation or ownership – to be agreed on a case-by-case basis;
  - (e) For commercial and industrial properties with both fire and service connections – to be agreed on a case-by-case basis.

- (2) For supply that was approved before the date of commencement of this bylaw, the **point of supply** is the arrangement existing at that time, or as determined by an agreement with the **council** for any individual case.

## 10 Types of treated water supply

- (1) **On demand supply** to a property is a supply of treated water that is available on demand directly from the **point of supply**. There are two types of **on demand supply**: **ordinary** and **extraordinary supply**.
- (2) A person who requires **on demand supply** must apply to the **council** for **approval** for a connection to the **treated water supply system**.
- (3) **Ordinary supply** includes treated water used for the following purposes –
- drinking water**; or
  - use of a hose to wash a car, boat etc. at a residential property; or
  - use of a hose to water a residential garden by hand; or
  - watering of a residential garden by a portable sprinkler, subject to the provisions of clauses 15 and 16 which relate to restrictions and prohibitions on the use of treated water.
- (4) No person may use any water supplied as **ordinary supply** for any other purposes.
- (5) **Extraordinary supply** is all purposes, other than **ordinary supply**, for which treated water from the **point of supply** is used and the **extraordinary supply** may be subject to specific conditions and limitations as determined by Council.

### Related information

Examples of **extraordinary supply** include treated water used for the following purposes:

- filling a residential spa or swimming pool
- water for a fixed residential garden irrigation system
- irrigation water used for agriculture, horticulture or viticulture
- commercial and industrial purposes other than for **drinking water**
- **fire protection systems** within buildings

**Customers** can receive both ordinary and **extraordinary supply**.

- (6) No person may use any water supplied as an **extraordinary supply** for purposes other than the purpose stated in the **approval**.
- (7) The **council** is under no obligation to provide or continue to provide any **extraordinary supply** of water.

## 11 Supply of treated water for extinguishing fires

- (1) Only Fire and Emergency New Zealand personnel may gain access to, and draw water from, any **fire hydrant**.

### Related information

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

- (2) Where the **council** provides unmetered connections for **fire hydrants** and **fire protection systems**, the connections must not be used for any other purpose and must be independent of any service connection to a property.

## 12 Other types of water supply

- (1) Other than water used for **ordinary** or **extraordinary supply**, and water used for firefighting purposes, the **council** may supply two other types of treated water –
- bulk supply of water from tanker filling points;
  - water supply from metered **standpipes** on **hydrants**.
- (2) A person who wants water supplied under subclause (1) must apply to the **council** for **approval** to access that supply.



- (3) A person who wants water supplied under subclause (1)(a) must be registered with the **drinking water** regulator.

**Related information**

The Director-General of Health maintains the **drinking water** register. Under section 69G of the Health Act 1956, the **drinking water** register means the register of **drinking water** suppliers and supplies maintained under section 69J of the Health Act 1956, which includes bulk water carriers.

### 13 Interruptions to the supply made by council

- (1) The **council** may interrupt the **ordinary** or **extraordinary supply** of treated water for the following purposes –
- (a) planned maintenance or other work ("**planned interruptions**"); or
  - (b) to carry out emergency inspections or repair work on the **treated water supply system**, to ensure the health or safety of any person, or to avoid or minimise damage to the system or property ("**unplanned interruptions**").
- (2) For **planned interruptions** the **council** will take all reasonable steps to provide 24 hours' written notice of the interruption and plan the work to minimise disruption and inconvenience to the **customer**.

**Related information**

Section 69S(3) of the Health Act 1956 states a maximum timeframe of 8 hours for a planned interruption to supply, after which the supplier must have taken all reasonable steps to notify affected parties.

- (3) For **unplanned interruptions**, the **council** may interrupt the water supply without first notifying the **customer**.
- (4) If a **customer** has a need for an uninterrupted level of supply (in terms of flow, pressure, or quality), it is the responsibility of that **customer** to provide any storage, back-up facilities, or equipment necessary to provide that level of supply.

### 14 Meters

- (1) All **ordinary supply** and **extraordinary supply** of water to any property must have a water meter except where **council** has approved otherwise.
- (2) The **customer** must keep the meter clear and readily readable at all times.
- (3) 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 six months of the last test.
- (4) If a meter, after being tested, is found to be reading incorrectly, the **council** may make an adjustment to the **customer's** account in accordance with the test results after due allowance for permissible tolerances.

**Related information**

The council applies a tolerance of  $\pm 3\%$  to determine whether a customer's water meter is reading incorrectly.

## Part 3: Terms and conditions of supply

### 15 Demand management

- (1) The **customer** must comply with any restrictions advised by the **council** to manage the demand for treated water, excluding **drinking water**.
- (2) Such restrictions will be advised by **public notice**.

**Related information**

The **council** can put in place treated water restrictions for health and safety reasons under section 145 of the Local Government Act 2002 as a precautionary step to avoid running out of water. For example, restrictions may be applied if the raw water supply is low due to low rainfall, or if a major leak requiring maintenance work is detected in the water mains.

As at July 2021, these restrictions are explained on the waterwise website [Be water wise | Be water wise Northland](#) as follows:

Level Two: No sprinklers  
Level Three: No hoses or sprinklers  
Level Four: Essential use only - water supplied can only be used for drinking or cooking, to wash clothes and take showers

## 16 Emergency water restrictions

- (1) During a **drinking water emergency**, the **council** may restrict, interrupt or prohibit the use of treated water.
- (2) Restrictions or prohibitions made under subclause (1) will be advised by **public notice** unless otherwise permitted by emergency legislation.

**Related information**

Examples of a **drinking water emergency** are when:

- a drought or water supply shortage has been identified;
- the water supply has been polluted or contaminated;
- the water supply infrastructure requires emergency repairs;
- a natural failure or a disruption to the water supply occurs which is likely to endanger public health

## 17 No compensation for water restrictions

In the case of any restriction or prohibition described in clauses 15 and 16 no **customer** shall be entitled to any payment or compensation from the **council**.

## 18 Work on the treated water supply system

- (1) A person must not carry out any work on the **treated water supply system** except in accordance with an **approval** granted to them.
- (2) The following work may only be done by the **council** or its agent –
  - (a) Connections, alterations to connections, or repairs to connections to the **treated water supply system**;
  - (b) Disconnections from **the treated water supply system**;
  - (c) Installation of a water meter or **restrictor**.
- (3) A person must not construct a building over a **public water line**, whether on public or private land, except in accordance with an **approval** granted to them.
- (4) A person must not construct a building within the **zone of influence** except in accordance with an **approval** granted to them.
- (5) A building developer may apply for an **approval** to divert a **public water line** if –
  - (a) the diversion will be done in accordance with the **engineering standards**; and
  - (b) the developer will pay all the costs of the work.
- (6) A person must not –
  - (a) cause the crushing load imposed on a **public water line** to exceed that which would arise from the soil overburden plus an HN-HO-72 wheel or axle load (as defined by New Zealand Transport Agency Bridge Manual 3rd edition 2013); or
  - (b) place any additional material over or near a **public water line**; or

(c) change the elevation of the land above a **public water line** – except in accordance with an **approval** granted to them.

- (7) A person must not excavate or carry out piling or similar work closer than –
- (a) 5 metres from the centre line of any water main; or
  - (b) 2 metres from the centre line of any **service pipe** – except in accordance with an **approval** granted to them.

## Part 4: Approvals

### 19 Applications for supply

A written application to the **council** must be made for –

- (a) connections to, or disconnections from, an **ordinary** or **extraordinary supply** (see clause 10);
- (b) a change of use of an **ordinary** or **extraordinary supply**;
- (c) other types of supply (see clause 12).

### 20 Applications for other purposes

Other than an application under clause 19, an application must be made to the **council** for an **approval** for any of the following purposes –

- (a) to request any changes to the fittings or placement of fittings for an **ordinary** or **extraordinary supply**;

#### Related information

For example, this could include installing a new water meter, changing the position of a water meter, removing a water meter, or relocating the **point of supply** or the **service pipe**

- (b) to work over or near the **treated water supply system** (see clause 18(3) to (7));
- (c) to request that a water meter is checked or to request a special meter reading;
- (d) to ask for a temporary exemption from a water restriction or prohibition (see clauses 15 and 16).

### 21 Making an application

- (1) An application for an **approval** required by this bylaw must be made to the **council** by the person who needs the **approval** (“**the applicant**”) and –
  - (a) be in the form required by the **council**; and
  - (b) be accompanied by the applicable fee set in the **council’s** Fees and Charges Policy; and

#### Related information

The Fees and Charges Policy can be read at this link:

<https://www.fndc.govt.nz/files/assets/public/objectivedocuments/policy-and-planning-pol/ftp-and-annual-plans/fees-and-charges/fees-and-charges.pdf>

- (c) include all information required by the **council**.
- (2) An application is not treated as being made until all the provisions in this clause have been complied with.

### 22 Assessment of applications

- (1) The **council** must assess all applications for **approvals** by considering the following matters as applicable to the application –
  - (a) the purpose for which the water will be used;
  - (b) how much water is required;
  - (c) any documented record of the applicant's non-compliance with this bylaw or any previous water supply bylaw, or **approvals** granted under such bylaws;

- (d) whether approving the application could detrimentally affect the **council's** ability to supply treated water at the volume and/or pressure required for firefighting;
- (e) whether the **approval** may negatively affect the safe and efficient operation of the **treated water supply system**, the health and safety of any person, or the environment.
- (2) When assessing applications to take bulk water from tanker filling points (see clause 11(1)(a)) the **council** must also consider –
  - (a) the suitability of the water tanker for transporting bulk water; and
  - (b) the location the water will be transported to.
- (3) When assessing applications to take water from metered **standpipes** on **hydrants** (see clause 12(1)(b)) the **council** must also consider whether there are any suitable alternative options to source the treated water.
- (4) When assessing applications for a temporary exemption from water restrictions or prohibitions (see clause 18(d)) the **council** must also consider whether the restrictions have, or are they likely to have, a significant negative impact on the applicant's business or personal situation.
- (5) When assessing applications for **approval** to do work over or near the **treated water supply system** (see clause 18(3) to (7)) the **council** must also consider whether the work can be carried out safely without damaging **council's** assets if appropriate conditions are put in place.

## 23 Deciding on an application

- (1) The **council** may grant or decline an application for an **approval** at its sole discretion based on consideration of the factors described in clause 22-
- (2) An **applicant** may withdraw their application at any time before a decision is made, but any fee paid with the application will not be refundable unless the **council**, in its absolute discretion, decides that a refund (or partial refund) is reasonable in the circumstances.

## 24 Conditions placed on approvals

The **council** may include conditions on any **approval** for any one or more of the following matters –

- (a) the purpose for which the supply of treated water is approved;
- (b) the duration of the **approval**;
- (c) the quantity of water that may be supplied, except where **drinking water** is involved;
- (d) any other matter the **council** considers is reasonable to ensure efficient and safe operation of the **treated water supply system**.

## 25 Objections

- (1) An applicant may object to the **council** –
  - (a) about a decision to decline an **approval** by lodging an objection in writing within 20 working days after the date of the decision; or
  - (b) about a condition of an **approval** by lodging an objection in writing within 20 working days after the date of the decision.
- (2) The **council** will make a decision on an objection within 20 working days of the date the objection is received and will provide the decision in writing to the applicant. The decision must include the reasons for the decision.
- (3) Nothing in this clause affects the right of an applicant to apply for judicial review of a decision to decline an application for an **approval** or a decision to include conditions on an **approval**.

## 26 Renewing an approval

- (1) If an **approval** has a condition specifying a duration for the **approval**, the person granted the **approval** may apply to the **council** to renew the **approval**, before the end of its duration, by:
  - (a) informing the **council**, in writing, the **approval** is still necessary; and

- (b) providing any information requested by the **council** to demonstrate that any conditions under Clause 24 continue to be met.
- (2) An application for renewal must be made in the same manner as an application for an **approval**, with any necessary modifications.
- (3) The application for renewal will be assessed based on consideration of the factors described in clause 22.

## 27 Amending an approval

- (1) A person granted an **approval** may –
  - (a) at any time within the duration of the **approval**; or
  - (b) at any time if the **approval** does not have a duration specified in its conditions – apply to the **council** to amend the **approval** or its conditions.
- (2) An application for amendment must be made in the same manner as an application for an **approval**, with any necessary modifications.
- (3) The application for amendment will be assessed based on consideration of the factors described in clause 22.

## 28 Transferring of approval

**Approvals** are not transferable.

### Related information

For example, a **customer** granted **approval** for an **ordinary supply** cannot supply their neighbour with water from this supply.

## 29 Suspending or cancelling an approval

- (1) The **council** may suspend or cancel an **approval** if –
  - (a) any conditions are not being met;
  - (b) the **approval** is affecting the efficient and safe operation of the water supply system or the health and safety of any person.
- (2) The suspension or cancellation takes effect from the date the person who was granted the **approval** receives written notice of the **council's** decision to suspend or cancel the **approval**. The notice must include the reasons for the **council's** decision.
- (3) Suspending or cancelling an **approval** does not affect the **council's** powers to take other enforcement action under this bylaw or any other legislation for the acts or omissions that were the reasons for the suspension or cancellation.
- (4) The person who was granted an **approval** that is suspended or cancelled under this clause may object to the **council** about the suspension or cancellation by lodging an objection in writing within 20 working days after the date of the suspension or cancellation.
- (5) The **council** will make a decision on an objection within 20 working dates of the date the objection is received and will provide the decision, in writing, to the applicant. The decision must include the reasons for the decision.
- (6) Nothing in subclauses (4) or (5) affects the right of the person to apply for judicial review of a decision to suspend or cancel an **approval**.
- (7) Any fees paid for the **approval** are not refundable if the **council** suspends or cancels the **approval**.

## 30 Other obligations not affected

An **approval** does not affect or limit the obligations of any person to comply with any legislation or regulatory requirements that applies to the matters covered by the **approval**.

## Part 5: Protection of the treated water supply system

### 31 No connection to other water supplies or fittings

- (1) No person other than **council** or its agents may connect to the **treated water supply system** without an **approval** from the **council**.
- (2) No person other than **council** or its agents may make or maintain a **direct connection** between the **treated water supply system** and any drainage system, sanitary fitting, or any apparatus used for the reception or conveyance of any liquid, gas, or drawn water.

### 32 Fittings to be in good repair

- (1) A person must not allow any pipe, tap, or other fitting connected with the water supply on their premises to be out of repair or in any way defective so that water is wasted, misused or contaminated.
- (2) Where, in the opinion of the **council**, any pipe, appliance or fitting connected to the water system at any premises –
  - (a) has deteriorated; or
  - (b) is of inferior quality or workmanship; or
  - (c) is causing or is likely to cause the waste of water; or
  - (d) is insufficient for the proper supply of water –the **council** may require, by notice in writing, the **customer** to carry out any work the **council** considers is necessary to remedy the pipe, appliance or fitting.
- (3) The **customer** must comply with a notice given under subclause (2) within 10 working days, except if the notice is given under subclause (2)(c), where the **customer** must comply within 5 working days.
- (4) Subject to the provisions of the Local Government Act 2002, the **customer** must allow the **council** and its agents to enter the property with or without equipment, access any area of the property for the purposes of determining compliance with these requirements.

#### Related information

Under section 171(1) of the Local Government Act 2002 the **council** cannot enter a dwelling house to determine compliance.

- (5) If the **occupier** fails to carry out the work required by the **council**, the **council** or its agent may make the repair at the **occupier's** expense.

### 33 Prevention of contamination

- (1) Every **customer** must prevent **backflow** either by providing an adequate air gap or by using a **backflow prevention device**.

#### Related information

Under clause G12.3.2 of the Building Code (Schedule 1 of the Building Regulations 1992) all buildings are required to have equipment installed to prevent contamination of the water supply system. This equipment is usually in the form of a **backflow prevention device**. Technical details regarding **backflow prevention devices** are included in the **engineering standards**.

- (2) No person may return, or allow to return, any water drawn from the **council's** water supply system to any main or pipe or any other part of the **treated water supply system**.

### 34 Access to inspect and maintain

- (1) In order to read meters, the **council** may enter private land within 24 hours of providing notice to the **owner** or **occupier**. The **council** will read meters between the hours of 8am and 6pm.

- (2) In order to inspect, test, or maintain **the treated water supply system**, the **council** may enter private land 24 hours after providing notice to the **owner** or **occupier**. The **council** will inspect, test or maintain the system between the hours of 8am to 6pm.
- (3) Under emergency conditions the **council** may enter private land without notice to the **owner** or **occupier** to maintain or repair the treated water supply system. This may occur at any hour.

## Part 6: Charges

### 35 Charges

Charges involving the **treated water supply system** are listed in the **council's** Fees and Charges.

#### Related information

These charges can be found on the **council's** website at

<https://www.fndc.govt.nz/files/assets/public/objectivedocuments/policy-and-planning-pol/ltf-and-annual-plans/fees-and-charges/fees-and-charges.pdf>

## Part 7: Offences and penalties

### 36 Offences

Any person who breaches this bylaw commits an offence under section 239 of the Local Government Act 2002.

#### Related information

A person who is convicted of an offence of breaching this bylaw is liable to a fine of up to \$20,000 under section 242(4) of the Local Government Act 2002. Examples of breaches of this bylaw include:

- use of **ordinary supply** for extraordinary purposes
- use of **extraordinary supply** for purposes other than specified by the **council**
- not meeting the conditions of an **approval**
- not complying with a restriction or prohibition on the use of treated water without a temporary exemption granted by the **council**
- work on the **treated water supply system** without an **approval**
- connecting to or disconnecting from the **treated water supply system** without an **approval**
- failure to remedy deficient pipes

## Part 8: Savings and transitional provisions

### 37 Water supply bylaw revoked

The Water Supply Bylaw made by the **council** on 16 October 2009 and all amendments made to that bylaw are revoked.

### 38 Applications, approvals etc under previous bylaw

- (1) Every licence, permit, dispensation, permission or other form of **approval** granted under the Water Supply Bylaw revoked in clause 37, except for **ordinary supply approvals**, that was in force immediately before the commencement of this bylaw, continues in force as if it is an **approval** of that kind issued under this bylaw; but –
  - (a) it expires on the date specified in that **approval**; or

- (b) if no expiry date is specified, it expires on the date 12 months after the commencement of this bylaw.
- (2) Any application for a licence, permit, dispensation, permission or other form of **approval** made under the Water Supply Bylaw revoked in clause 37, filed before the day on which this bylaw commenced, must be dealt with by the **council** as if it was made under this bylaw.
- (3) Any meter which was installed by the **customer** before the commencement of this bylaw must continue to be maintained by the **customer** until it is, in the opinion of **council**, no longer fit for use, when it will be replaced by a **council** meter.



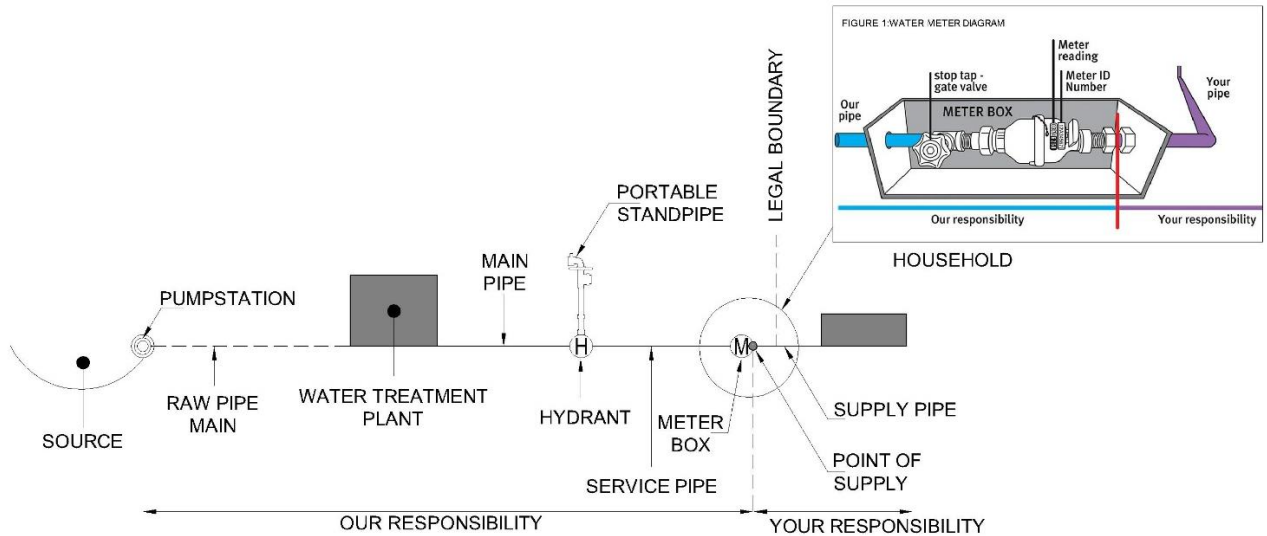
## Schedule: Diagrams illustrating parts of the water supply system

Clauses 5, 6, 7, 8, 9 and 18

The Schedule is included solely to assist in understanding the meaning of some provisions of this bylaw, it has no legal effect and if there is an inconsistency between the content of the Schedule and the provisions of this bylaw, the provisions of this bylaw prevail.

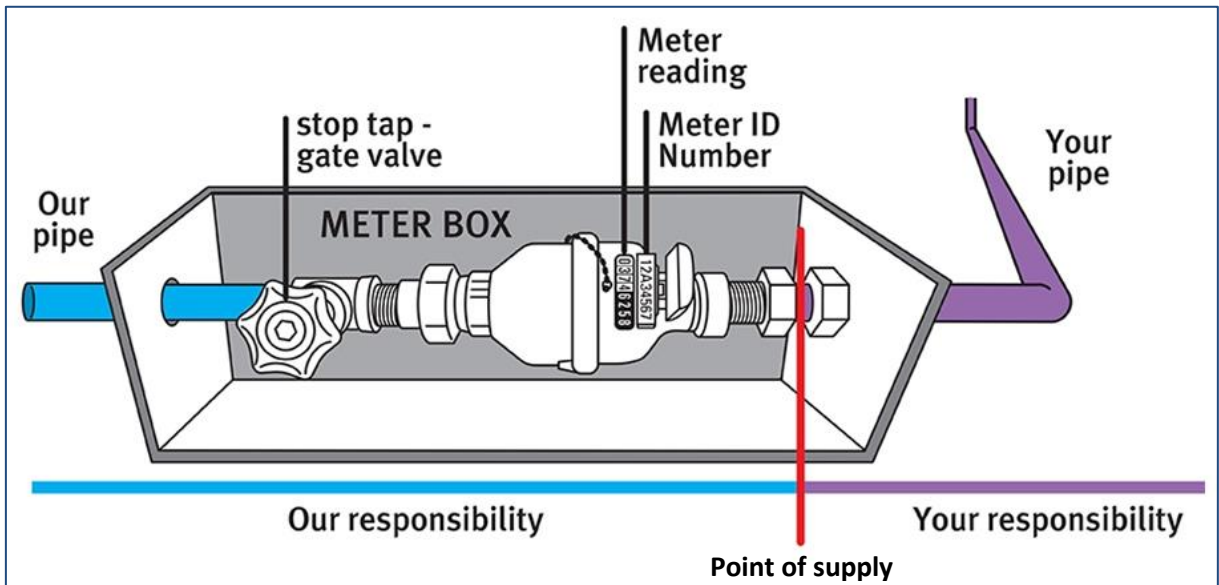
### Part 1: Treated water supply system

Illustration of the components of the **treated water supply system**.



Part 2: Point of supply layout

Illustration of typical layout of the fittings at the **point of supply**.



Part 3: Zone of influence

Illustration of the zone of influence around a **public water line**.

