

WATER SUPPLY BYLAW 2025

1. TITLE

- 1.1. This bylaw is the Porirua City Council Water Supply Bylaw 2025.

2. COMMENCEMENT

- 2.1. This bylaw comes into force on 15 August 2025.

3. PURPOSE

- 3.1. The Local Government Act 2002 (the Act) enables the Council to make bylaws for the management and protection of water supplies, waste water, drainage and sanitation.

4. SCOPE

- 4.1. This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its Customers by the Porirua City Council. The supply of water by the Porirua City Council is subject to:

Statutory Acts and Regulations:

- a) Building Act 2004.
- b) Building regulations 1992
- c) Fire and Emergency New Zealand Act 2017.
- d) Health Act 1956.
- e) Local Government Act 2002.
- f) Local Government (Rating) Act 2002.
- g) Resource Management Act 1991. Relevant Codes and Standards:

Drinking Water Standards for New Zealand 2022.

- h) SNZ PAS 4509:2008 New Zealand Fire Service fire fighting water supplies code of practice.
- i) NZWWA Backflow Code of Practice 2019.
- j) NZWWA Water Meter Code of Practice 2003.
- k) AS/NZS 2845.1 Water supply – Backflow prevention devices
- l) Wellington Water Regional Standard for Water Services
- m) Wellington Water Regional Specification for Water Services

5. DEFINITIONS

In this bylaw, except where the context requires otherwise:

"Approved" means approved by the Council or by an officer authorised by Council.

"Approved Council Officer" means an officer authorised by Council

"Council" means Porirua City Council.

"Agent of Council" and **"Council approved contractors"** means an Agent such as Wellington Water, and contractors approved in writing by Council.

"Customer" is the owner or occupier of the premises that is being supplied with water.

“Domestic use” is the use of water for:

- a) Human consumption;
- b) Maintaining sanitary conditions;
- c) Garden watering by hand;
- d) fire sprinkler systems installed to comply with NZS 4517:2010 Fire Sprinkler Systems for Houses; NZS 4541 Automatic fire sprinkler systems; and NZS 4515 Fire sprinkler systems for life safety on sleeping occupancies (up to 2000m²).

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

“Hose” means any flexible or moveable tube for conducting water.

“Mechanical sprinkler or sprinkler” means a revolving spray, sprinkler pipe, or similar to distribute water for garden or lawn watering, but does not include a hand-held hose, or object installed exclusively for the purpose of extinguishing fire.

“Non-domestic uses” means the use of water for all purposes other than domestic use.

“Point of Supply” means the point on the service pipe leading from the water main to the premises which marks the boundary of responsibility between the customer and the Council, irrespective of property boundaries.

“Publicly Notified” means published on one occasion in one daily or weekly newspaper circulating in the district, or under emergency conditions, in the most effective way to suit the particular circumstances.

“Restrictor” means a control device fitted to the service pipe or service valve to regulate the flow of water to a customer’s premises.

“Rural area” means all land parcels zoned rural in the District Plan.

“Supply Pipe” means the pipe provided by the consumer to connect the service pipe to the premises and includes pipes, tanks, valves and fittings connected thereto within the premises.

“Urban Water Supply Area” means all land parcels not zoned rural in the operative District Plan.

6. ORDINARY SUPPLY

- 6.1. An ordinary supply is an on-demand supply type used solely for domestic use.
- 6.2. Ordinary supply is available only within the urban water supply area.
- 6.3. Every person with an ordinary connection must pay to the Council the appropriate rates or charges levied in respect of ordinary supply of water.

7. EXTRAORDINARY SUPPLY

- 7.1. An extraordinary supply is an on-demand supply type that is for non-domestic uses.
- 7.2. In the case of a private swimming pool where water is drawn from the Council reticulation for filling pools of 2000 litres or greater capacity, a meter will be installed and a charge will be made for the water used. Where the pools are filled with an approved type

reticulation/filtration plant, a fee equal to the cost of three (3) complete fills of the pool will be charged annually. Where no such plant is in use, the water supply for the whole property is to be metered at the pool owner's expense and all water used above that paid for by way of rates is to be charged to the pool owner at the current rate of extraordinary water. Filling pools by hose is permitted only if a fixture is provided on the pool so that an air gap of 150 millimetres or more exists between the nozzle of the hose and the top of the pool. If an installed water pipe is used, a similar air gap or other approved type backflow preventer must be provided.

- 7.3. The Council is not obligated to give or continue an extraordinary supply of water.
- 7.4. An extraordinary supply of water to any property will be metered except where otherwise stated in this bylaw. Where the supply of water consists of both ordinary and extraordinary supply the Approved Council Officer may require that the whole supply is metered as an extraordinary supply. In any case of doubt or dispute regarding the use of an ordinary supply the supply will be metered as an extraordinary supply.
- 7.5. The Council may set a schedule of alternating actual and estimated consumption or supply based on the average of the previous four quarterly periods charged to the ratepayer, or to another ratepayer that is comparable to the ratepayer concerned. When by reason of a large variation of consumption due to seasonal or other causes the average of the previous four quarterly 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.

8. RESTRICTED FLOW SUPPLY

- 8.1. A restricted flow supply is a supply type where a small or trickle type flow of water is supplied through a flow control device (restrictor), to private water storage supplied by the customer.
- 8.2. Restricted flow will be available to premises within a rural water supply area where the property boundary is within 100 meters of the urban network.

9. POINT OF SUPPLY

- 9.1. The point of supply is the point is the boundary where the council responsibility ceases and private ownership begins. The location, ownership and responsibility for fittings is set out in the Wellington Water Regional Standard and Specifications.
- 9.2. Except with the written consent of the Approved Council Officer no rateable property will be supplied with more than one (1) service pipe and where this consent is given, only under such conditions as the Approved Council Officer prescribes.
- 9.3. Except with the written consent of the Approved Council Officer a service pipe (and associated meter where fitted) will only supply one premises. Consent will be given for a serviced pipe to supply water to two premises only where both the premises are held under one rating assessment.

10. CONTINUITY OF SUPPLY

- 10.1. The Council does not guarantee the uninterrupted supply of water, whether in cases of ordinary, extraordinary or restricted supply. No allowance or compensation will be made or allowed on account of water being shut off for the purpose of laying mains, effecting repairs, attaching new services, or for any other purpose or reasons whatsoever.
- 10.2. A customer for whose purpose an uninterrupted supply of water is essential must provide storage tanks necessary to give effective continuity for his or her particular purposes.

11. APPLICATION FOR SUPPLY

- 11.1. Any consumer requiring a water supply of any type must make application to Council for the supply.
- 11.2. Every application must state the purpose for which the supply is required, and any other relevant information as may be required by an authorised officer and must be signed by the owner or lessee of the premises for which water is required.
- 11.3. Every application must be accompanied by a scaled plan and any such additional information as required by an authorised officer that clearly shows the work proposed to be carried out.
- 11.4. The applicant must enter into such agreement as the Approved Council Officer may require in relation to such supply and the Approved Council Officer may determine the method of supply by meter or otherwise.

12. CONNECTIONS, DISCONNECTIONS

- 12.1. No person, other than an authorised officer of Council or Agent of Council will make any connection with or otherwise interfere with any part of the urban water supply system.
- 12.2. Where any water fitting is to be permanently disconnected, the portion of pipe that supplies water to that fitting only, and is not required to supply water to any other fitting, will also be disconnected in an approved manner.
- 12.3. When any building or property supplied with water by the Council becomes unoccupied or for any other reason a supply of water is no longer required, the owner or occupier must give notice in writing to the Council.
- 12.4. Whenever the water supply has been turned off, the supply will not be turned on except upon payment of a fee as may from time to time be fixed by resolution of the Council and the payment of any water fees and charges which are unpaid.

13. DETERMINATION OF SIZE AND SERVICE

- 13.1. Council has the right to estimate the proposed consumption and will in accordance with the regional standards and specifications determine the size of main tapping, the size of meter, and the size of service pipe required for the supply.

14. PRESSURE

- 14.1. The Council does not guarantee any specified maximum or minimum pressure in its distribution system. No allowance or compensation will be made on account of change of pressure in the supply.

15. WORK NOT TO BE COMMENCED WITHOUT PERMIT

- 15.1. No person will attach, connect or permit to be attached or connected any water work service pipe, any supply pipe, sanitary fittings, hydraulic machinery or apparatus requiring a gap separation or a backflow preventer, unless that person is the holder of a permit issued under the Drainage and Plumbing Regulations 1978 and subsequent amendments.
- 15.2. No person, without the prior consent of the Approved Council Officer in writing, will carry out any work otherwise than in accordance with the permit granted.

16. METERS

- 16.1. Installation of meters

When a supply of water is required by the Council to be metered, the meter will be supplied and installed by the Council. The property owner will pay all costs associated with supply and installation of the meter and service pipe to the Council mains.

- 16.2. Without the prior written authority of an Approved Council Officer no branch fitting will be connected to the service pipe between the main and the meter.

- 16.3. Approved high pressure isolating valves will be fixed on either side of the meter, one valve by the Council, the other by the consumer.

- 16.4. The Council may recover from the consumer the full cost of locating, repairing, or replacing any meter on the consumer's supply, found buried or damaged.

- 16.5. Testing of meters

All tests of meters will be made at the Council's workshop. The test will be made by running a measured quantity of not less than 2000 litres through the meter and the meter will be deemed to be correct if it registers within four (4) percent either less or more than the measured quantity. In addition, the meter will be capable of registering small flows from two (2) percent of normal flow and upward; the consumer will have the right of witnessing the test.

- 16.6. Should a consumer dispute the accuracy of a meter they may apply to the Council to have the meter tested and if it is found to be over-reading there will be no charge for the test. If the meter is correct or under-reading the consumer must pay to the Council the cost of replacing the meter, in addition to the testing fee.

- 16.7. Should any meter which is owned by the consumer be out of repair, or cease to register, or register inaccurately, the consumer, on receiving written notice to that effect, must immediately have the meter put in order, forward the meter to the Council's designated workshop to be tested, and obtain from the Council a certificate of its accuracy before

refixing the same and will pay for such testing. All costs incurred in removal, repairs, and re-installation will be borne by the consumer.

- 16.8. The fee to be paid for testing a meter under the foregoing provision will be as set by resolution of the Council (from time to time) and publicly notified.
- 16.9. Meter account adjusted
- Should any meter after being tested be found to be reading incorrectly the Approved Officer will make an adjustment in accordance with the results of such test after due allowance for permissible tolerances, and the consumer will pay accordingly for such adjustment.
- 16.10. Should any meter have its seal or dial broken or appear to the Approved Officer to have been tampered with, the Approved Officer may declare the reading void and estimate the consumption in any manner considered fit, and the consumer will pay according to such estimate, and may be required also to pay for the repair to the meter and for all attendant charges.
- 16.11. Estimating consumption when meter out of repair
- Should any meter be out of repair or cease to register (except as in clause 16.10 above) the authorised officer will estimate the consumption for the period since the previous reading of such meter (based on the average of the previous four periods charged to the consumer) and the consumer will pay on this estimated consumption.
- 16.12. If large variation of consumption due to seasonable or other causes have occurred and the average of the previous four periods would be an unreasonable estimate of the consumption, the Approved Officer will be entitled to take into consideration other evidence for the purpose of arriving at a reasonable estimate. Such decision will be final, and the consumer must pay according to the decision
- 16.13. Reading of meters and accounts
- Meters will be read and accounts rendered at intervals the Council may from time to time decide. Council may apply a reading schedule where alternate billing amounts are based on actual readings and estimated consumption.
- 16.14. In the event that charges for Extraordinary Supply are not paid Council may install a restrictor to the connection to the premises until the bill has been paid or council has agreed to a payment plan.
- Fees specified by Council will include but not be limited to:
- a) Meter re-read fee
 - b) Meter test fee
 - c) Backflow Preventor fee
 - d) Turning on fee
 - e) Fire-fighting connection (unmetered)
 - f) Meter installation and Meter Fee
 - g) Fire Hydrant Permit fee

17. WATER SUPPLIED BY HYDRANT STANDPIPE

- 17.1. For approved purposes and subject to such conditions as the Approved Council Officer may prescribe, any extraordinary supply of water may be given by means of a standpipe to be placed on a specified fire hydrant. An application on a form to be obtained at the Council must be made for supply and for the hire of a standpipe if supplied by the Council.
- 17.2. Where water is supplied by standpipe, the applicant will be responsible for the full cost of any repairs found necessary following the use of the standpipe. Water used must be paid for at normal rates for extraordinary supply or as determined by prior agreement. The consumer must also pay any hire charges as required by the Council in the event of using a Council standpipe.
- 17.3. Meter supply to non-rateable properties
The charges for water supplied to a non-rateable property in the district will be by meter of such amounts as may from time to time be fixed by resolution of the Council in that behalf, publicly notified, or as may be agreed on with any person receiving that supply. Minimum charges for extraordinary supply may be specified in the resolution or agreement.
- 17.4. Supplies to local authorities
Except where otherwise arranged by contract, the charges to another local authority for water supplied to that other authority will be of amounts as may from time to time be fixed by resolution of the Council, publicly notified, or as may be agreed on with any local authority receiving that supply. Minimum charges for supply may likewise be specified in the resolution or agreement.

18. WATER FOR EXTINGUISHING FIRES

- 18.1. Unmetered connections provided for fire protection systems will not be used for any other purpose. They must be independent of any other service connection to the property.
- 18.2. In any case in which, in the opinion of an Approved Officer, a fire connection is so constructed or so located that it is likely that water will be drawn from it or from any part of it by any person for purposes other than firefighting, the Approved Officer may cause a water meter to be installed on such fire-fighting connection or on such part. In every case water has been used for firefighting purposes, the Approved Officer will estimate the quantity of water so used and a sum based on such estimate at the appropriate charge rate, will be allowed against the cost of such amount of water charged to the owner's account.
- 18.3. A fire sprinkler system will and must be designed to NZS 4541 – Automatic Fire Sprinkler Systems; NZS 4515 Fire sprinkler systems for life safety in sleeping occupancies (up to 2000m²); NZS 4517 Fire sprinkler systems for houses, and constructed, installed and maintained in good order.
- 18.4. In the case of premises outside the District, a connection for a sprinkler system may be provided from a local authority main, with the prior consent of the Council.

- 18.5. Hose reels used solely for fire protection purposes may be installed only under conditions prescribed by an Approved Officer.
- 18.6. An annual licence fee of an amount fixed by resolution of the Council must be paid by the consumer to the Council in respect of installation.

19. WATER RESTRICTION

- 19.1. The Council may at any time, by resolution publicly notified, and until a further public notice of the rescission of such resolution has been given, restrict or prohibit the use of water for any one or more of the purposes covered in the definition of extraordinary supply. It will thereafter be an offence against this bylaw for any person to use water in the manner so restricted or prohibited.
- 19.2. The Council may consider that because of drought or other reasons the available water supply is not sufficient to allow the unrestricted consumption of water, and that extraordinary measures are necessary in order to conserve such available water supply. The Council may restrict or prohibit the use of water, whether an ordinary, extraordinary or restricted supply, for any specified purpose or for any specified periods or may restrict the quantity which may be used. They will publicly notify this resolution, and publicly notify the rescission of the resolution.
- 19.3. Any such restriction or prohibition may apply to the whole of the district or if the circumstances so require to a portion only of the district.
- 19.4. No consumer will, in case of any such restriction or prohibition under clauses 19.1 or 19.2, be entitled to any payment or compensation.
- 19.5. Any person offending against or failing to observe or comply with the provisions of any resolution under clause 19.1 or 19.2 will be guilty of an offence against this bylaw.
- 19.6. In the case of urgency an authorised officer may prohibit the use of water for any extraordinary purpose that is deemed necessary pending the next succeeding meeting of the Council.

20. HOSES AND SPRINKLERS

- 20.1. Garden hosing, limited to one hose per household, is permitted at any time provided the hose is held in the hand.
- 20.2. Either one automatic watering device or one fixed hose per household may be used on alternate days between the hours of 6:00am and 8:00am and 7:00pm and 9:00pm as follows:
- 20.3. Even numbered houses on even days of the month, odd numbered houses on odd days of the month for the period of Daylight Savings Time; provided that in no circumstances the water is wastefully used.
- 20.4. The garden hosing restrictions contained in clause 19.2 do not apply to households that have installed an authorised water meter provided that nothing in this clause will exempt the persons of a household which has a water meter installed from complying with the provisions of clause 19.1 of this bylaw.

- 20.5. Sprinklers or unattended hoses may only be used when authorised by resolution of the Council and then only during the periods determined in the resolution and subject to such sprinklers or unattended hoses being under the immediate personal care of some competent person at all times when in operation.

21. SUPPLY OUTSIDE THE DISTRICT

- 21.1. Where the Council, with the consent of the local authority of the area in which the supply is given, supplies any person outside the District with water then for that purpose all the provisions of the Local Government Act 2002 relating to water works, and all the provisions of this Part of this bylaw will apply equally to all places, persons and things outside the District as they apply to the same within the District.

22. PROTECTION OF WATER SUPPLY AND OTHER PROPERTY

- 22.1. No person will permit or cause any damage to any part of the water works, pipes, hydrants, valves, stopcocks, or appliances, whatever or permit or cause any displacement of the ground in which they are laid. Council may require any displacement or damage to be made good and recover the full cost.

- 22.2. The Customer will be liable to pay for the supply of water and related services in accordance with Porirua City Council current Fees and Charges.

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

- 22.4. Offences and penalties

Every person commits an offence against this bylaw who:

- a) does or permits anything contrary to this Bylaw;
- b) omits or neglects to do anything which ought to be done at the time and in the manner provided in this Bylaw;
- c) fails to comply with any duty, obligation, or condition imposed by this Bylaw;
- d) fails to comply with any resolution made under this Bylaw;
- e) fails to comply with any approval granted under the Bylaw, including any condition of an approval granted under this Bylaw;
- f) provides an incorrect application for supply which fundamentally affects the provisions;
- g) gains access to and draws water from a fire hydrant without prior approval from the Council;
- h) makes any connection to the water supply system without prior written approval from the Council; or
- i) tampers or interferes with Council equipment or water supply system, either directly or indirectly.

- 22.5. Notice to Remedy Breach

In the event of a breach, the Council will serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the customer persists in the breach, the Council reserves the right to reduce the flow rate of water to the customer without notice. In such an event the full service of the supply will be re-established only after payment of the appropriate fee and remedy of the breach to the

satisfaction of the Council. In addition, if the breach is such that the Council is required to disconnect the supply for health or safety considerations, such disconnection should be carried out forthwith.

22.6. Interference with Equipment

Any tampering or interfering with Porirua City Council water supply network equipment, either directly or indirectly, will constitute a breach. Without prejudice to its rights and remedies, Porirua City Council will be entitled to estimate and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

22.7. Penalties

Any person who commits a breach of any other part of this bylaw will be liable to the penalties for breach of bylaw prescribed by the Local Government Act 2002. Without prejudice to any of the foregoing, the Council may pursue any other legal steps it is authorised to take. Please refer to sections 171-173 (Power of Entry) and sections 192 - 193 (Wastage of Water and Power to Restrict Water Supply) of the Local Government Act 2002.