

CHRISTCHURCH CITY COUNCIL

CHRISTCHURCH CITY WATER RELATED SERVICES BYLAW 2001

In pursuance of the powers vested in it by the Local Government Act 1974 and the Health Act 1956, the Christchurch City Council makes this Bylaw.

1. SHORT TITLE AND COMMENCEMENT

- (1) This Bylaw may be cited as the Christchurch City Water Related Services Bylaw 2001.
- (2) This Bylaw shall come into force on 8 October 2001.

2. INTERPRETATION

In this Bylaw, unless the context otherwise requires:

“City Manager” means the principal administrative officer, as defined in section 2 of the Local Government Act 1974, of the Council.

“Common Private Drain” means a drain which passes through or serves separately owned premises but excludes land held under strata titles, company share block titles, cross lease titles, and unit titles.

“Condensing Water” means any water used in any trade, industry, or commercial process or operation in such a manner that it does not materially change its chemical or physical state.

“Consumer” means the owner as defined in Section 2 of the Rating Powers Act 1988, or the authorised agent to whom water is supplied by the Council, or his agent.

“Council” means the Christchurch City Council.

“Cross Sewer” means a private drain in a public road which connects the premises to an outfall controlled by the Council.

“Design Flood Level” means that level calculated by the Council as a consequence of appropriate rainfall intensity.

“Direct Connection” includes any submersed or submersible outlet or any arrangement of pipes, hoses or fittings temporary or otherwise which renders possible backflow into the public water supply.

“Discharge Unit” means the unit of measure that expresses the hydraulic load the plumbing system places on the drain and is based on the rate of discharge, length of time of discharge, and the frequency of discharge from the fittings connected to it.

“*District*” means the whole of the area from time to time which is included within the Christchurch City.

“*Drain*” means sewage drain or stormwater drain; and drainage has a corresponding meaning.

“*Drainage System*” means the system of pipes and any appurtenance installed on the premises to convey the foulwater or surface water of the premises to the public sewerage or stormwater system and where a public system is not available includes any approved disposal systems within or outside the confines of the premises.

“*Drainage Works*” includes all lands, drains, pipes, treatment works, buildings, machinery, and appliances and other things of any kind vested in the Council or acquired or constructed or operated by or under the control of the Council for or relating to the purpose of drainage, whether within or outside the district.

“*Drainlayer*” means a person who is registered as a drainlayer under the Plumbers, Gasfitters and Drainlayers Act 1976.

“*Effluent*” means the discharge from any primary treatment tank or process.

“*Existing Flood Channel*” means that area between the waters edge at the design flood level on the bank of any drainage channel, watercourse, open drain or creek.

“*Extraordinary Supply*” means water that is not Ordinary Supply, and includes water supplied to:

- (a) land under single ownership on a single certificate of title and used for 3 or more household residential units;
- (b) boarding houses;
- (c) motels;
- (d) rest homes;
- (e) fire protection systems.

“*Fitting*” means any apparatus or appliance together with the necessary appurtenances and connection which may be attached to or associated with the plumbing or drainage system of any premises, or which is intended for the collection or retention of any waste materials or liquid wastes for ultimate discharge to a drain.

“*Fire Sprinkler System*” means a fixed 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 actuated when a nozzle opens allowing the pressure to fall to mains pressure.

“*Foulwater Sewer*” means a drain primarily for the reception and discharge of pollutants.

“*Household Unit*” means a self-contained residence of a person or family.

“*Interceptor Trap*” means any trap used to prevent any unwanted material or substance (liquid or solid) from entering a public drain or any gases escaping from the system and includes a grease trap, master trap, silt trap, petrol and oil interceptor.

“*Land Held Under the Same Title*” includes land that is:

- (i) A unit under the Unit Title Act 1972; or
- (ii) Leased under a cross lease registered under the Land Transfer Act 1952; or
- (iii) Leased under a company lease registered under the Land Transfer Act 1952.

“*Occupier*” means the person by whom or on whose behalf, any premises are for the time being occupied and in relation to trade premises includes any agent, manager, or other person acting or apparently acting in the general management or control of trade premises.

“*Ordinary Supply*” means water supplied from public water supply for solely domestic residential purposes, and excludes Extraordinary Supply.

“*Outfall*” means an extension of a drainage system that is under the jurisdiction of the Council or other owner, or an approved disposal system within or outside the confines of the premises.

“*Permit*” means any permit or consent required by any relevant legislation.

“*Pollutant*” includes any matter that, when added to or mixed with any natural water will contaminate the water so as to change the physical or chemical condition thereof in such a manner as to:

- (i) make the water unclean, noxious, or impure; or
- (ii) be detrimental to the health, safety, or welfare of persons using the water; or
- (iii) render the water undrinkable to farm animals; or
- (iv) be poisonous or harmful to animals, birds, or fish around or in the water; or
- (v) have an adverse effect on the drainage works,

and includes any solid or liquid excremental matter, waste water, sewage tank effluent, petrol, sediment, oil, paint or detergent.

“*Premises*” includes buildings and parts of buildings and land held under the same title.

“*Private Water Supply*” means the water supply system installed within the premises to provide the piped supply of hot and cold water to the sanitary fixtures and appliances fitted within the premises.

“*Public Water Supply*” means the land, watersheds, catchment areas, water collection areas, reservoirs, dams, bores, tanks and pipes and all buildings, machinery and appliances of every kind, vested in the Council or acquired or constructed or operated by or under the control of the Council under the Local Government Act 1974, for or relating to the purpose of water supply, whether within or outside the district.

“*Sanitary Fixture*” means any fixture which is intended to be used for sanitation, personal washing or excretion.

“*Service Pipe*” means that section of the pipe conveying water from the road main to the consumer’s premises, including stop taps and other fittings which lie between the main and a point at the premises boundary and includes:

- (a) The ferrule or stop-tap at the junction of the service pipe with the main;
- (b) Any stop-tap fitted at the end of the service pipe; and
- (c) Any stop tap fitted between the main and the end of the service pipe.

“*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.

“*Stop-tap*” includes stopcock, stopvalve, and any other device for stopping at will the flow of water in a line of pipes located in the road.

“*Stormwater*” includes surface water, ground water, subsoil water, artesian water, and rainwater, and water emanating from a drain, stream, river, lake, estuary, or sea and where so designated by the Council, condensing water or cooling water.

“*Stormwater Drain*” means a drain primarily for the reception and discharge of stormwater.

“*Supply Pipe*” means the pipe provided by the consumer to connect the service pipe to his premises to supply water to the fittings and fixtures at the mains pressure of the water supply.

“*Surface Water*” means all naturally occurring water, other than sub surface water, which results from rainfall on the site or water flowing onto the site including that flowing from a drain, stream, river, lake or sea.

“*Trade Premises*” means any premises used or intended to be used for carrying on any trade or industry; and includes any land or premises wholly or mainly used (whether for profit or not) for agricultural or horticultural purposes.

“*Valve Vented Hot Water Storage Vessel*” means a hot water storage vessel which does not have a vent permanently open to the atmosphere.

“*Waste Disposal Unit*” means a device designed to disintegrate organic waste material to a state suitable for disposal to a foulwater drain.

“*Waterway*” includes a watercourse (as defined in Section 2 of the Soil Conservation and Rivers Control Act 1941) and drainage channel (as defined in Section 503 of the Local Government Act 1974), and any open drain or creek.

PART I - PUBLIC WATER SUPPLY

3. OBJECTIVE

The objective of this part of the Bylaw shall be to:

- (a) Define the obligations of installers, owners and the public in matters related to the public water supply;
- (b) Prescribe the conditions which shall apply to water distribution systems on private property which shall be designed and maintained to minimise the risk of infection or pollution of the public water supply they are connected to; and
- (c) Ensure that all fittings and appliances connected directly or indirectly to the public water supply achieve optimum performance with a minimum of consumption of water and incorporate safeguards to prevent waste.

4. WORK NOT TO BE COMMENCED WITHOUT PERMIT OR CONSENT

No person shall attach or connect or permit to be attached or connected with the public water supply any service pipe, supply pipe, stop-tap or apparatus requiring air-gap separation or backflow prevention device unless a permit or consent is issued by the Council.

5. CONNECTION FEE

- (1) There shall be payable in respect of any connection to the public water supply such connection fee as may be prescribed by the Council by resolution and publicly notified.
- (2) The connection fee shall cover the provision and maintenance of the service pipe and any meter required to provide the supply of water to the consumer. The service pipe and the meter shall remain the property of the Council which shall be responsible for all normal maintenance.

6. RESPONSIBILITY FOR WORK PERFORMED

Every person to whom a permit or consent is issued shall be responsible for ensuring to the Council that the work is done in accordance with this Bylaw and where applicable the Water Supplies Protection Regulations 1961.

7. INSPECTION AND TESTS

- (1) Every person to whom a permit or consent is issued shall notify the Council when the work is ready for inspection, and no work shall be covered up or enclosed until the Council has approved it. Where any work has been covered up or

enclosed, it shall be uncovered to an extent that is, in the discretion of the Council, necessary to enable inspection.

- (2) The Council may require the application of suitable tests at such pressure as it may prescribe.
- (3) Whenever, in the opinion of the Council, the work is identified as being defective on the final inspection or is in any way so contrary to this Bylaw that further inspections are necessary, the person to whom the permit is issued shall, if required by the Council, pay in respect of each further inspection such inspection fee as may be prescribed by the Council by resolution and publicly notified.

8. INSPECTION OF INSTALLATIONS

In accordance with the Local Government Act 1974 or the Health Act 1956, any duly authorised officer or agent of the Council may enter upon any land, and enter into any building for the purposes of inspecting all or any of the fittings and other apparatus connected directly or indirectly with the public water supply.

9. QUALITY OF MATERIALS

- (1) Pipes, pipe connections and fittings that are used in the water supply installation of any premises, shall be of types and materials which meet an appropriate New Zealand Standard [or an equivalent] acceptable to the Council and in every case shall be capable of standing a suitable pressure test. Where such pipes are made of a corrodible material they shall be protected against external corrosion and, unless they form part of a closed circuit from which water is not drawn, against internal corrosion.
- (2) The Council may prohibit the use of any material to be used in the supply of water pursuant to this Bylaw if it is considered that local conditions may be detrimental to the expected life of the material.

10. EXISTING PIPES AND FITTINGS

- (1) Any existing supply or distributing pipes or fittings in any premises connected to the public water supply at the commencement of this Bylaw may remain in use provided they were not installed in contravention of any previous Bylaw.
- (2) Any existing supply pipes, distributing pipes or fittings may be connected to the public water supply after the commencement of this Bylaw, with the approval of the Council.

11. PUBLIC WATER SUPPLY

All supply from the Public Water Supply shall be Ordinary Supply or Extraordinary Supply.

12. POINT OF SUPPLY

- (1) The point of supply to the consumer shall be at a position, at the road boundary, determined by the Council and the limit of the Council's responsibilities shall be at the road boundary. In places where such alignment is inconvenient for making a connection, by reason of fences, walls or other causes, it shall be sufficient if the service pipe is laid by the Council to a point as close to such road boundary as is reasonably possible.
- (2) The connection of the supply pipe to the service pipe and its extension within the premises shall be provided by the consumer at his own cost and expense, to the satisfaction and approval of the Council.
- (3) Where a domestic supply is connected to a fire service supply and requires metering, the meter may be installed on the fire service supply pipe by arrangement between the Council and the consumer.

13. ONLY ONE POINT OF SUPPLY

Without the written consent of the Council not more than one service pipe shall be provided to each parcel of land for which a separate certificate of title (excluding strata titles, company share-block titles, cross-lease titles and unit titles) is available. Where this consent is given it shall be subject to such conditions as the Council prescribes.

14. ONE SERVICE PIPE NOT TO SERVE MORE THAN ONE PARCEL OF LAND

Without the written consent of the Council the supply pipe which is connected to the service pipe shall not extend beyond the boundaries shown on the Certificate of Title of that parcel of land which the service pipe serves. Such consent will not be given unless the parcels of land are held in one rating assessment.

15. CONTINUITY OF SUPPLY

- (1) The Council does not guarantee the uninterrupted supply of water, and no allowance or compensation will be made or allowed on account of the supply of water being shut off, whether for the purpose of laying mains, effecting repairs, attaching new services, or for any other purpose or reason whatsoever.
- (2) The owners of all hospitals, schools, factories, office blocks, theatres, restaurants, hairdressing salons, hotels, motels, boardinghouses, blocks of flats, and all consumers who, for the purpose of continuing a business or process, or for any reason are dependent upon a constant supply of water for their operations, shall provide water storage of a minimum capacity as the Engineer prescribes.

16. PRESSURE

The Council does not guarantee any specified maximum or minimum pressure in its public water supply and no allowance or compensation will be made or allowed on account of a change of pressure in the supply.

17. DAMAGE

The Council shall not be held responsible for any damage that may in any way arise by the bursting or overflow of any pipes, fittings, valves or appliances connected to the consumers' supply pipes from any cause whatsoever.

18. WORK IN ROAD AND PUBLIC PLACES

Except with the written consent of the Council no person shall carry out work in relation to the public water supply in any road, or public place. Any person having obtained such consent shall carry out and complete the work in accordance with the conditions as may be prescribed by the Council and without unnecessary delay, and shall backfill and compact all trenches to the Council's specification, and shall remove all waste materials from each road or public place as soon as possible. The Council may specify the hours in which such work may be undertaken.

19. PROHIBITION OR RESTRICTION OF SUPPLY

- (1) If at any time the Council considers that because of drought or for any other reason 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 by resolution publicly notified, and until public notice of the rescission of such resolution has been given, restrict or prohibit the use of water for any specified purpose or for any specified period or may restrict the quantity which may be used. 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.
- (2) In the case of emergency, of which the City Manager shall be the sole judge, the City Manager may, by notice, restrict or prohibit the use of water for any specified purpose or for any specified period. The City Manager shall report every such restriction or prohibition to the Council at its next meeting.
- (3) The City Manager may delegate to any other officer of the Council the City Manager's powers under subclause (2) of this clause.
- (4) No consumer shall in case of any such restriction or prohibition be entitled to any payment or compensation whatsoever.
- (5) No person shall use, and no person being the occupier of any premises shall cause, permit or suffered to be used there, any water in contravention of any restriction or prohibition made under this clause.

- (6) Notice of any restriction or prohibition made under this clause may be given by public advertisement, by radio or by television or by direct notice to the consumer.

20. SUPPLY FROM STANDPIPES OR HYDRANTS

No person shall take water from standpipes or hydrants except in an emergency and then only subject to the approval of the Council.

21. SUPPLY FROM SERVICE TAPS

No person shall take water from any service tap without the approval of the Council.

22. TEMPORARY SUPPLY

The provision of a temporary water supply for a specific function shall be the subject of an agreement with the Council.

23. DISCONNECTION AND RESTRICTION OF SUPPLY (FOR NON-PAYMENT OR NON COMPLIANCE)

- (1) If default shall be made for more than one month in the payment of any monies payable in respect of and incidental to the supply of water from the public water supply, the Council may cut off or restrict the water supply upon one month's notice, and may recover all monies owing in any Court of competent jurisdiction as a debt owing to the Council.
- (2) The Council may stop or restrict the supply of water to any premises where a consumer:
 - (a) Fails to comply with a notice from the Council requiring the repair of defective water supply pipes, distribution pipes or fittings; or
 - (b) Permits or suffers water to run to waste or be misused.
- (3) Such supply will be restored only when the repair of the notified defects have been completed or a satisfactory undertaking as to avoidance of future waste or misuse has been given and such reconnection fee, as may be prescribed by the Council by resolution and publicly notified, has been paid.

24. NO PERSON TO CONNECT TO SYSTEM

No person shall, unless authorised by the Council, make any connection with or otherwise interfere with, any part of the public water supply.

25. APPLICATION FOR SUPPLY

- (1) Any person requiring a new connection for the supply of water, shall complete and sign an application form obtained at an office of the Council.
- (2) Every applicant shall state any relevant information as may be required by the Council and in the case of any premises the application shall be completed and signed by the consumer for whom water is required.
- (3) Every application shall be accompanied by a satisfactory plan showing the proposed work.

26. ACCEPTANCE OF SUPPLY

- (1) In the case of any application for supply, the acceptance by the consumer of that supply from the Council, shall constitute an agreement between the consumer and the Council for the consumer to comply with the requirements of this Bylaw.
- (2) In the case of any change of consumer, the acceptance by the new consumer of an existing supply from the Council shall constitute an agreement between the new consumer and the Council for the new consumer to comply with the requirements of this Bylaw.
- (3) In the case of any supply where special conditions of supply occur, the applicant or consumer shall enter into such agreement as the Council may require in relation to such supply and the Council may determine the method of supply.

27. DETERMINATION OF SIZE OF SUPPLY

The size of the connection must be related to the ability of the public water supply to meet the estimated demand. The Council shall have the right to require information necessary to estimate the proposed consumption and to determine the size of main tapping, the size of meter, and the size of service pipe required for the supply.

28. SUPPLIES TO NON SANITARY APPLIANCES

Hydraulic lifts, engines, machinery and other non-sanitary appliances, where permitted to be supplied with water from the public water supply, shall be fitted with such valves, air chambers, or other devices as may be required by the Council and such valves, chambers or devices shall be fitted and maintained to the satisfaction of the Council.

29. NOTICE WHEN SUPPLY NOT REQUIRED

- (1) When any premises supplied with water by the Council becomes unoccupied or for any other reason a supply of water is no longer required, the consumer shall forthwith give notice in writing to the Council.
- (2) If the water supply connection has not been used for a period of 12 months or it is left in a condition that could be detrimental to the public water supply, the

Council shall have the right to remove that water supply connection. Reinstallation of the connection shall be a cost borne by the consumer.

- (3) When any building is to be demolished the consumer shall notify the **Council** so that the water supply connection may be removed. There shall be no charge for this removal. If notification is not given the cost of removal shall be borne by the consumer.

30. DEFICIENT PIPES

Where, in the opinion of the **Council**, any supply or distributing pipe, tap, appliance, or fitting in connection with any water service of any premises has deteriorated, or is of inferior quality or workmanship, or is causing or is likely to cause waste of water, or is insufficient for the proper supply of water, the **Council** may give the consumer notice in writing requiring the work as specified in such notice to be carried out, and failure by that consumer to comply with the requirement of such notice within the time specified shall be an offence against this Bylaw.

31. DISUSED PIPES

Where any water fitting is to be permanently disconnected, the consumer shall arrange for the portion of pipe that supplies water to that fitting and is not required to supply water to any other fitting to be disconnected in a manner approved by the **Council**.

32. MAINTENANCE AND CONSERVATION OF WATER

- (1) No consumer shall allow any supply or distributing pipe, tap or other fitting on premises connected to the public water supply to be out of repair or in any way defective so that water is wasted, misused, or contaminated, or water hammer is caused.
- (2) No person shall use or permit to be used any water obtained directly or indirectly from the public water supply, in an improper or wasteful manner or in a way which is contrary to the provisions of this Bylaw.
- (3) Shower heads shall be incapable of supplying water at a greater rate than 12 litres per minute.
- (4) Water closet flushing cisterns shall have a dual flushing mechanism approved by the **Council**.
- (5) Urinal flushing cisterns shall have a sensor control unit approved by the **Council** which detects usage of the urinal and operates precise flushing at a predetermined time or with those types of water misers which operate on a differential water pressure principle.

33. OBJECTIVE

The objective of clauses 34 to 42 is to determine the volumes of water consumed on the premises for rating purposes prevent wastage, locate leakage and provide methods for the resolution of disputes.

34. INSTALLATION OF METERS

- (1) When a supply of water is required by the Council to be metered, the meter shall be supplied and installed by the Council.
- (2) Without the prior written authority of the Council no branch fitting whatsoever shall be connected to the service pipe between the main and the meter.

35. READING OF METERS AND ACCOUNTS

- (1) Meters will be read and accounts rendered at such intervals as the Council may by resolution determine.
- (2) Meter readings made at the request of the consumer shall be charged for at a rate as shall be determined by the Council by resolution and publicly notified.
- (3) The consumer shall pay all charges of such amounts for the supply of water as shall be determined by the Council and publicly notified.
- (4) If any meter is out of repair or cease to register (except as in clause 36 herein) the Council shall 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), which decision shall be final, and the consumer shall pay according to such decision.

Provided that when, by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four periods would be an unreasonable estimate of the consumption, the Council shall be entitled to take into consideration other evidence for the purpose of arriving at a reasonable estimate, and such decision shall be final, and the consumer shall pay according to such decision.

36. PROTECTION OF METERS

Where meters are to be installed on the premises the consumer shall:

- (a) Provide an approved site within the premises for the meter;
- (b) Take sufficient precaution to protect the meter from damage at all times;
- (c) Enclose the meter in a suitable box or other enclosure and shall in cases where natural support is absent provide suitable wall brackets or other support; and
- (d) Ensure that the meter is readily accessible for reading and servicing at all times.

37. TESTING OF METERS

If a consumer disputes the accuracy of a meter the consumer may apply to the Council for, and pay a fee to have, the meter tested. If the meter is found to be over-reading there shall be a refund of the test fee. If the meter is correct or under-reading the consumer shall pay to the Council the cost of reinstalling the meter, in addition to the testing fee.

38. METHOD OF TESTING METERS

All tests of meters shall be made by the Council after payment of the test fee. The test will be made by running a measured quantity of not less than 2,000 litres of water through the meter and the meter shall be deemed to be correct if it registers within 2 per cent more or less of the measured quantity. In addition, the meter shall be capable of registering small flows from 2 per cent of normal flow and upwards. The consumer shall have the right of witnessing the test.

39. FEE FOR TESTING METERS

The test fee to be paid for testing meters under the provisions of this Bylaw shall be such as is prescribed by the Council by resolution and publicly notified.

40. METER ACCOUNT ADJUSTED

If any meter, after being tested, is found to be reading incorrectly, the Council shall make an adjustment to the consumer's account in accordance with the results of such test and the consumer shall pay according to such adjustment.

41. METERS TAMPERED WITH

If any meter has its seal or dial broken or appears to the Council to have been tampered with, the Council may declare the reading void and estimate the consumption in an appropriate manner, and the consumer shall pay according to such estimate, and may also be required to pay for the repair or the replacement of the meter and for all attendant charges.

42. WATER FOR EXTINGUISHING FIRES

- (1) An unmetered fire connection may be provided for fire protection systems and shall be used for no other purpose and shall be independent of any other water connection to the premises.
- (2) Where, in the opinion of the Council, 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 fire fighting, the Council may cause a water

meter to be installed on such fire connection. In every such case whenever water has been used for fire fighting purposes, the Council shall estimate the quantity of water so used and a sum based on such estimate at the appropriate charge rate, shall be discounted from the amount charged to the consumer's account.

- (3) A fire sprinkler system shall be constructed and installed and thereafter maintained in good order to the satisfaction of the Council and shall be so designed and fixed that water cannot be drawn from it for any other purpose.
- (4)
 - (a) Connections for fire hose reel services shall be metered.
 - (b) Fire hose reels used solely for fire protection purposes may be installed under conditions prescribed by the Council.
- (5) A fire fighting connection fee of such amount as shall be prescribed by the Council by resolution and publicly notified, shall be paid by the consumer to the Council in respect of each unmetered fire connection provided for fire protection systems.
- (6) Water used for the purpose of extinguishing fires shall not be charged.

43. OBJECTIVE

The objective of clauses 44 to 53 is to protect reservoirs and headworks from damage or pollution, safeguard the public water supply from contamination so as to ensure a good supply of potable water and to prevent waste.

44. PROTECTION OF WATERWORKS

- (1) No person shall enter onto any land owned or occupied by the Council and used for waterworks purposes without first obtaining the permission of the Council.
- (2) No person shall pollute or cause to be polluted any water that is part of the public water supply, whether prior to the withdrawal of the water from the supply or by some pipe unlawfully connected to the supply.

45. NO CONNECTIONS TO OTHER SUPPLIES

- (1) In any system of supply or distributing pipework supplied with water by the Council, no direct connection with any other sources of supply of water shall be made.
- (2) No direct connection shall be made or maintained to any drainage system, drainage or sanitary fixture, or to any fittings or apparatus including steam boilers, used for the reception or conveyance of any liquid, gas, or drawn water without suitable separation as prescribed in the Water Supplies Protection Regulations 1961.

46. DRAWN WATER NOT TO BE RETURNED

No person shall return or allow to return to any main or service pipe or any other part of the public water supply, any water drawn from any part of such supply or from any other source except with the consent of the Council and then only when the installation and operation are totally under the control of the Council.

47. PRIMING OF PUMPS

No pump shall be equipped with a direct connection for priming or other purposes. Priming may be arranged by means of a discharge point and funnel where the discharge point is a minimum of 25 mm above the funnel as a defined air gap.

48. MINIMUM AIR GAPS

The minimum air gap between the outlet of a water supply pipe or fitting which is directly connected to the public water supply and the highest possible water level of the fixture or distributing pipe or receptacle into which water is drawn or used shall be twice the diameter of the effective opening of such supply pipe or fitting but in no case shall it be less than 25 mm under full flow conditions.

49. PREVENTION OF BACKFLOW

Where in the opinion of the Council any consumer has a piping system which may be connected or used in such a manner as to be a possible source of contamination to the public water supply, the consumer shall protect the service connection as close as possible to the point of supply and shall comply with the requirements of the Water Supplies Protection Regulations 1961.

50. PROTECTION OF SUPPLY PIPES

No supply pipe or fitting shall be laid or fixed through, in, or into any drain, sink, ashpit, or manure pit, nor through, in, or near any place where the public water supply may become liable to be contaminated.

51. CHECK VALVES IN MULTIPLE SERVICES

Where a supply of water to premises from more than one point of supply by the Council is permitted and where in the opinion of the Council they may be interconnected, the supply at each point shall be through a checkvalve installed between two isolating gate valves with a bleedvalve fitted on the delivery side of the supply isolating valve so that the effectiveness of the checkvalve may be readily determined.

52. WATER USED FOR COOLING

Air conditioning or industrial plant using water from the public water supply for cooling purposes shall be provided with water conservation equipment so that the consumption is limited to that required to make up reasonable losses due to evaporation, wind, flushing, and similar effects. The use of water through a cooling system that is without recirculating equipment is prohibited without the written consent of the Council. If approval is given it will be subject to the water supply being controlled through an approved valve operated system, installed in such a manner that the water supply is shut off automatically when the equipment is not operating.

53. SUPPLIES TO GARDEN HOSES, IRRIGATION AND HORTICULTURE SYSTEMS

- (1) Water supplied from the public water supply for the purpose of garden hoses, irrigation and horticulture shall be used in an efficient and conservative manner.
- (2) Where a water discharge point for an irrigation or horticulture water system is less than 50 mm above the immediate ground level or where there is a situation from which backflow may occur, an approved backflow device shall be installed to meet the requirement of the Water Supplies Protection Regulations 1961.

PART II - SEWAGE AND STORMWATER DRAINAGE

54. OBJECTIVE

The objective of this part of the Bylaw shall be to:

- (a) Define the Council's requirements and provide for the protection of the drainage works; and
- (b) Provide for the safety of the public and minimise interruption to traffic while work is being carried out on the road or in a public place.
- (c) Prescribe the conditions which shall apply to a drainage system which shall be designed and maintained to minimise the risk of damage to the drainage works to which they connect.

55. DRAINAGE WORK IN ROADS OR PUBLIC PLACES

- (1) No person shall carry out any drainage work in any road or public place unless that person has been authorised to do so by the Council. The work shall be carried out in accordance with the procedure determined by the Council and upon payment of any fees as may be determined by the Council by resolution and publicly notified.

- (2) No person, being the owner or occupier of any land adjoining a road or public place shall cause or permit any water, liquid or other discharge to flow from such land onto or over any road or public place.
- (3) A drainlayer making, repairing, altering or disconnecting a connection to a sewer shall not use a mechanical digger in a position where damage may be done to any sewer, any connection to the sewer, or any other service.
- (4) Any damage that may occur to a sewer, a connection to it or any other service shall be made good at the drainlayer's expense, if such damage is caused by the wilful or negligent actions of the drainlayer, his employees or contractors.

56. RESPONSIBILITY FOR WORK PERFORMED

Every person to whom a permit or consent is issued shall be responsible for ensuring that the work described in the permit or consent is carried out in accordance with this Bylaw.

57. DRAINAGE CONNECTIONS

Without the written permission of the Council no person shall:

- (a) Install any cross-sewer in a public road; or
- (b) Connect any drain to an existing drain which in the opinion of the Council has reached the end of its functional life or which is no longer in use.

58. INSPECTION OF INSTALLATIONS

In accordance with the Local Government Act 1974, or the Health Act 1956, any duly authorised officer or agent of the Council may enter any land, and enter into any building for the purposes of inspecting all or any of the fittings and other apparatus therein connected directly or indirectly with the drainage works.

59. PROTECTION OF THE DRAINAGE WORKS

Unless authorised by the Council no person shall:

- (a) Cause, permit or suffer the entry into any drain or fitting any earth, stones, sand, silt, refuse, nightsoil, or material except such matter as is normally discharged through a house drain.
- (b) Enter any drain, pumping station building or appurtenance thereof, or any sewage treatment area.
- (c) Operate, remove or interfere with any cover of any manhole, inlet or other appurtenance of any drain.

- (d) Damage, interfere with or cause to be inoperative any machinery or plant in any pumping station or treatment works or any appurtenance of any pumping station or treatment works.
- (e) Obstruct, impede, or cause to be impeded the flow in any drain nor interfere with the free discharge of ventilation thereof nor clog up any appurtenance thereof.
- (f) Cover, cause to be covered or allow to remain covered any manhole, master trap, silt trap, grease trap, or similar structure with soil, concrete paving or other material or structure. If the level of the ground adjacent to a manhole is raised above the manhole top and in the opinion of the Council access to or use of the manhole is impeded thereby, then the property owner shall either raise the manhole top to the new ground level or make other approved provision to provide for the removal of the lid and use the manhole.
- (g) Break, injure, damage or interfere with any drain whether by excavating or otherwise, such that pipes are broken or loosened, foundations are disturbed, sand, earth, or water are admitted, or take any other action prejudicial to the proper and efficient functioning of the drain.
- (h) Erect any structure over, or within a distance of one metre from the side of any public drain.
- (i) Lay any public or private utility service or private drain:
 - (i) Along the line of an existing public drain; or
 - (ii) Within a parallel distance of one metre from the nearest part of any public drain.

60. SEWAGE DRAIN

Unless authorised by the Council no person shall:

- (a) Cause, permit or suffer any water from a water pipe, artesian well, ram or other hydraulic appliance or any surface water, subsoil drainage, roof water or condensing water to enter a sewage drain or a drain connected with a sewage drain.
- (b) Cause, permit or suffer any water which may contain fat, sediment or other extraneous matter to be discharged from a butcher's shop, fish shop, restaurant or other premises (except a dwelling) where food is prepared, processed or served, directly to a sewage drain or a drain connected to a sewage drain.
- (c)
 - (i) Connect any commercial Waste Disposal Unit with any drainage works; or
 - (ii) Use any Waste Disposal Unit connected to any drainage works other than for the purpose of disposing of domestic household waste that would normally be so disposed of.

- (d) Cause, permit or suffer any steam, or any other matter (solid or liquid) at a temperature higher than 50°C to pass into any sewage drain.

61. STORMWATER

Unless authorised by the Council no person shall:

- (a) Cause, permit or suffer any pollutant to be discharged to a stormwater drain or to any drain connected to a stormwater drain;
- (b) Cause, permit or suffer any noxious or offensive matter to discharge into any stormwater drain or into any drain connected with a stormwater drain;
- (c) Conduct surface water or subsoil water, into a stormwater drain, except through a master trap or silt trap situated in an approved position within the premises;
- (d) Allow a drain to remain in use where silt or solids are likely to enter a stormwater drain through such drain; or
- (e) Cause or permit or suffer any steam, or any other matter (solid or liquid) at a temperature higher than 50°C to pass into any stormwater drain.

62. PROTECTION OF WATERWAY

Unless authorised by the Council no person shall:

- (a) Sweep, rake, place, throw, or discharge any matter or thing including any dust, earth, rubbish, refuse, grass clippings or animals into any waterway.
- (b) Discharge, permit or suffer to be discharged any pollutant into any waterway.
- (c) Cause, permit or suffer any noxious or offensive matter to discharge into any waterway or into any drain connected with a waterway.
- (d)
 - (i) Erect a structure, place any material or thing, or plant trees, hedges or other plants within 3 metres of the bank of any waterway under the Council's control where it will obstruct or be likely to obstruct the free passage along the banks of the waterway of machinery or apparatus used for the purpose of improving, cleaning or maintaining the watercourse.
 - (ii) If any structure is erected, material or thing is placed, or any tree, hedge or other plant is planted in breach of paragraph (i) of this sub-clause, the Council may by notice in writing require the owner or occupant of the land on which the breach has occurred to remove such structure, material, thing, tree, hedge or other plant.
- (e) Erect any structure within any existing flood channel.
- (f) Widen, deepen or alter the course of any waterway or interfere with the bank of any waterway.

- (g) Erect or construct any bridge, culvert or crossing or any other structure whatsoever in on or over any waterway under the control of the Council.

63. REMOVAL OF OBSTRUCTIONS AND RISKS IN THE WATERWAY

The Council may require the removal, burning, poisoning, cutting, or treating (whether with or without the removal of the burnt, poisoned, cut or treated portions) of trees, plants, weeds, or growths that obstruct or will be likely to obstruct the free flow of water in any waterway.

64. DAMS AND WEIRS

- (1) The Council may from time to time alter the position of or remove any dam or weir built across any watercourse whether or not the dam or weir was made or erected by the Council or any other person.
- (2) The maintenance, repair and upkeep of dams and weirs shall be borne and paid for by the person or territorial authority at whose request they were erected.
- (3) No person shall damage or interfere with any dam or weir or construct any dam or weir across any watercourse within the district of the Council.

PART III - PRIVATE DRAINS

65. PRIVATE DRAIN TO SERVE LAND HELD UNDER THE SAME TITLE

A private drain shall pass only through land held under the same title it is intended to serve, and shall not pass through adjacent land without the approval of the Council.

66. PRIVATE DRAIN TO SERVE LAND HELD UNDER MORE THAN ONE TITLE

- (1) No land shall share a common private drain unless approval in writing is given by the Council and that approval shall be subject to any conditions that the Council may consider appropriate.
- (2) No permit shall be issued for a common private drain which has to traverse any land other than that which it is intended to serve to reach an approved outfall unless the Council is satisfied that the drain is of sufficient capacity to serve the total development possible on that land.

67. COMMON PRIVATE DRAINS

- (1) A 100 mm common private drain shall not serve more than three parcels of land for which separate certificates of title are available.

Provided that land, for which a separate certificate of title is available and which contains more than three household units shall be drained separately to a public drain or to a 150 mm common private drain.

- (2) Every common private drain shall be provided with an inspection chamber or manhole at a position approved by the Council.

68. INTERCEPTOR TRAPS

An interceptor trap shall be installed in any property where, in the opinion of the Council, any pollutant is likely to enter any drain or sewer or where any nuisance is created.

69. MAINTENANCE OF PRIVATE DRAINS

- (1) The maintenance of a private drain shall be the responsibility of the owner(s) or occupier(s) of those premises that the private drain serves.
- (2) Where any private drain becomes blocked the owner(s) or occupier(s) of the premises served by the private drain shall have it cleared immediately. If immediate arrangements are not made to clear the blocked private drain, the Council shall serve notice on all owners or occupiers of the premises the private drain serves to have the blockage cleared within twenty four (24) hours of the issue of that notice.
- (3) Where there is failure to comply with a notice the Council may cause a blocked private drain to be cleared, and whether this action is taken or not, may recover the cost of the work from the owner(s) and/or occupier(s) of the premises served with the notice.
- (4) Where the Council is notified of a structural failure in the cross sewer within a road and the cause of the failure is not caused by misuse by the owner or occupier of premises served by the cross-sewer or damage by services not under control of the Council, the Council will undertake the repair of that cross sewer.

70. QUALITY OF MATERIALS

- (1) All materials used for work on drains shall meet a New Zealand Standard approved by the Council. The materials shall be free from any defects, cracks or other deterioration.
- (2) The Council may prohibit the use of any material if, in its opinion, local conditions may be detrimental to the expected life of the material.
- (3) All drains and private drains shall be protected in an approved manner where they could be damaged by vehicular traffic, impact or tree root penetration, or wherever in the opinion of the Council, conditions so warrant.

71. DISUSED DRAINS

The owner of any premises within which there is a disused private drain, branch private drain or other drainage facility shall arrange for it to be disconnected and sealed in an approved manner.

72. NOTIFICATION OF BLOCKED DRAINS

- (1) Any drainlayer employed to clear a blocked private drain shall notify the Council of the blockage within twenty four hours of clearing the private drain.
- (2) Notification of any blockage shall be made on an approved form.

73. SEWAGE TANKS AND PRIVIES

No person shall install any sewage tank or fitting on any premises without the written approval of the Council which approval shall be subject to such conditions as are necessary as to ensure the satisfactory operation of the drainage system.

PART IV - PRIVATE WATER SUPPLIES

74. OBJECTIVE

The object of this part is to avoid:

- (a) Injury, due to explosion of a pressure vessel.
- (b) Illness resulting from infection or contamination through the lack of suitable water for drinking, washing, personal hygiene and cleaning.
- (c) Nuisance of unsightly appearance, unpleasant odour, or the accumulation of visually offensive matter associated with the lack of suitable water for drinking, washing, personal hygiene and cleaning.

75. FIXTURES AND APPLIANCES

- (1) Every sanitary fixture or sanitary appliance shall be provided with a piped supply of water which shall be:
 - (a) Delivered at a temperature of not less than 35°C, or capable of being heated to not less than 35°C, when intended to be used for washing associated with personal hygiene or the washing of utensils.
 - (b) Potable when intended to be used for human consumption, cooking, food preparation or the washing of utensils.

- (c) Clearly identified where non potable water is provided.
- (d) Pipes, pipe connections and fittings that are used in the water supply installation of any premises, shall be of types and materials which meets a New Zealand Standard approved by the Council and in every case shall be capable of standing a suitable pressure test. Where such pipes are made of a corrodible material they shall be protected against external corrosion and, unless they form part of a closed circuit from which water is not drawn, against internal corrosion.
- (e) The Council may prohibit the use of any material if it is considered that local conditions may be detrimental to the life of the material.

76. SAFETY - HOT WATER STORAGE VESSELS

- (1) Vessels used to store hot water shall be provided with devices to relieve pressure during abnormal conditions and they shall discharge safely in a visible place.
- (2) Where valve vented vessels are used to store hot water they shall be fitted with devices to prevent the temperature of the stored water at any time exceeding 98°C.
- (3) Valve vented hot water storage vessels are not permitted to be fitted in a ceiling space and shall only be installed in readily accessible positions.

77. TEMPERATURE - STORED HOT WATER

If hot water is stored, the storage vessel shall be able to maintain a water temperature of not less than 55°C in order to prevent the multiplication of Legionella bacteria.

78. MEANS OF COMPLIANCE

Compliance with the provisions of this part of the Bylaw can be met, provided the installation is completed in accordance with the Christchurch City Council's "*Code of Recommended Practice*" (and including any amendments to such Code or any Code made in substitution) and that all the work meets the requirements of the Water Supplies Protection Regulations 1961.

PART V - MISCELLANEOUS

79. REVOCATIONS AND SAVINGS

- (1) The bylaws specified in the First Schedule to this Bylaw are hereby revoked.
- (2) All approvals, permits and other acts of authority which originated under any bylaws hereby revoked, and all applications and other acts of parties and generally all documents, matters, acts and things which so originated and are continuing at

the commencement of this Bylaw, shall for the purpose of this Bylaw inure as if they had originated under this Bylaw and shall where necessary be deemed to have so originated.

- (3) The revocation of the bylaws specified in sub-clause (1) above shall not prevent any legal proceedings, criminal or civil, being taken to enforce those bylaws and such proceedings shall continue to be dealt with and completed as if the bylaws had not been revoked.

The resolution to make this Bylaw was passed by the Christchurch City Council at an Ordinary meeting of the Council held on the 23rd day of August 2001 which resolution was confirmed at a subsequent meeting of the Council held on the 27th day of September 2001.

THE COMMON SEAL of the)
CHRISTCHURCH CITY COUNCIL)
was affixed in accordance with the)
Special Order made by the Council)
on the day of 2001)

MAYOR/COUNCILLOR

ADMINISTRATION MANAGER

FIRST SCHEDULE
BYLAWS REVOKED

(Clause 78(1))

1. Christchurch City Water Related Services Bylaw 1992.
 2. Christchurch City Water Related Services Alteration Bylaw 2001.
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THE CHRISTCHURCH CITY WATER RELATED SERVICES BYLAW 2001

ANALYSIS

1. Short Title and commencement
2. Interpretation

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6. Responsibility for work performed
7. Inspection and tests
8. Inspections of installations
9. Quality of materials
10. Existing pipes and fittings
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13. Only one point of supply
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17. Damage
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22. Temporary Supply
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27. Determination of size of supply
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39. Fee for testing meters
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41. Meters tampered with
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48. Minimum air gaps

49. Prevention of backflow
50. Protection of supply pipes
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SEWAGE AND STORMWATER DRAINAGE

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PRIVATE DRAINS

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67. Common private drains
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PART IV

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77. Temperature – stored hot water
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PART V

MISCELLANEOUS

79. Revocation and savings

(Price \$5.00)