



New Plymouth District Council Bylaw 2008

(as amended and readopted, September 2014)

Water, Wastewater and Stormwater Services

The purpose of this part is to manage and regulate the Council's water supply, wastewater and stormwater drainage services and associated assets.

(ECM 1592082)



Te Kaunihera-ā-Rohe o Ngāmotu

**New Plymouth
District Council**

Version history

Date	Version	Comments
23 September 2014	1	Replaced Part 14 Wastewater Bylaw 2008 and Part 15 Water Supply Bylaw 2008
15 December 2015	2	Added new clause 4.1.2.1 and amended clause 9.7.2
19 May 2021	3	Various amendments to provide for universal water metering and other minor issues.

1. Authority

1.1 This part is made under the authority of sections 145 and 146 of the Local Government Act 2002.

1.2 The supply of water, wastewater and stormwater services by the Council is subject to:

- a) Statutory Acts and Regulations:
 - i) Building Act 2004.
 - ii) Fire and Emergency New Zealand Act 2017.
 - iii) Health Act 1956.
 - iv) Local Government Act 2002.
 - v) Local Government (Rating) Act 2002.
 - vi) Resource Management Act 1991.
 - vii) Utilities Access Act 2010.
- b) Relevant Codes and Standards:
 - i) Drinking Water Standards for New Zealand 2005 (Revised 2008).
 - ii) BS EN 14154-3:2005 Water meters. Test methods and equipment.
 - iii) SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice.
 - iv) Water New Zealand Boundary Backflow Prevention for Drinking Water Suppliers Code of Practice 2013.
 - v) *[Repealed]*
 - vi) Land Development and Subdivision Infrastructure Standards (New Plymouth District Council).
 - vii) NZS 4517:2002 Fire Sprinkler Systems for Houses.
 - viii) Ministry of Health Water Safety Plan Guides for Drinking Water Supplies.

1.3 A reference in this part to an Act, Regulation, code, or standard that has been revoked is to be taken as a reference to the Act, Regulation, code, or standard that replaces or corresponds to it.

1.4 On and from 29 September 2014, Part 14 Wastewater and Part 15 Water Supply are revoked and replaced by this new Part 14 which is called Water, Wastewater and Stormwater Services.

2. Purpose

2.1 The purpose of this part is to manage and regulate the Council's water supply, wastewater and stormwater drainage services and associated assets.

3. Interpretation

- 3.1** This part shall be in addition to the provisions of Part 1 Introductory and if this part is inconsistent with Part 1 Introductory then the provisions of this part shall prevail.
- 3.2** For the purposes of this part, the word 'shall' refers to practices that are mandatory for compliance with this part, while the word 'should' refers to practices that are advised or recommended.
- 3.3** In this part, unless the context otherwise requires:

Definitions

Acceptable discharge means wastewater with physical and chemical characteristics which comply with the requirements of the Council as scheduled in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.

Approved connection contractor means a person or entity that holds a current approval from the Council authorising them to carry out the work of an approved connection contractor under this bylaw.

Backflow means the unplanned reversal or siphonage of flow of water or mixtures of water and contaminants into the water supply system.

Backflow preventer means a device or an assembly which is used to protect potable water supplies from contamination or pollution due to backflow.

Buried services means all Council-owned reticulation and other infrastructure that is located underground.

Characteristic means any of the physical or chemical characteristics of a trade waste referred to in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.

Common Private Drain means a private drain that has two or more properties discharging to it.

Council means the New Plymouth District Council.

Council meter means a meter that is owned by, and was installed by or on behalf of the Council, and which may be used to calculate a volumetric targeted rate under section 19 of the Local Government (Rating) Act 2002.

Customer equipment means the customers plumbing system beyond the point of supply or point of discharge.

Critical main means a main that has a high consequence of failure but not necessarily a high probability of failure.

Detector check valve means a check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply. A check valve does not constitute a *backflow preventer*.

Domestic wastewater means either that wastewater which is discharged from premises used solely for residential activities, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an

acceptable discharge. Such activities shall include the draining of domestic swimming and spa pools subject to clause 10.7 of this part.

Drainage district means that area described within the Council's Assessment of Water and Sanitary Services as required under section 125 of the Local Government Act 2002.

Extraordinary supply means a category of on demand supply including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations.

Infiltration means water entering a public sewer or private drain from groundwater through defects such as poor joints and cracks in pipes or manholes. It does not include inflow.

Inflow means water discharged into a public sewer from non-complying connections or other drain-laying faults. It includes stormwater entering through illegal downpipe connections or from low gully traps.

Level of service means the defined quality for a particular service, against which performance may be measured.

Meter means a device that is manufactured for measuring the flow of water at the location at which the meter is installed.

On demand supply means a supply which is available on demand directly from the point of supply subject to the level of service.

Ordinary supply means a category of on demand supply used solely for domestic purposes.

Primary flow path means a system of pipes and open drains intended to convey stormwater to an outfall.

Point of connection means a generic term to represent the point of supply and point of discharge.

Point of discharge means the point on a sewer or stormwater service pipe denoting the boundary of responsibility between the customer and the Council.

Point of supply is in relation to the supply of water and means the point on the service pipe which denotes the boundary of responsibility between the customer and the Council. It is generally the tail piece of the Council meter, backflow preventer or service valve (to by) regardless of the property boundary.

Prohibited characteristics means wastewater which shall not be discharged into the Council's system, as scheduled in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.

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

Ranger means a person responsible for the management of a Council-controlled catchment area or water reserve.

Rating unit means a rating unit for the purposes of the Local Government (Rating) Act 2002 and the Rating Valuations Act 1998.

Restricted flow supply means a type of water supply connection where a small flow is supplied through a restrictor, and storage and pumping (if required) is provided by the customer to cater for the customer's demand fluctuations.

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

Reticulation means the network of various infrastructure and components set up to provide water, wastewater and stormwater services.

Rising main means a pipe through which water is pumped or a pressurised sewer main.

Rural water supply area means an area formally designated by the Council as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies without fire fighting capability. .

Secondary flow path means the route taken by stormwater when the capacity of the primary flow path is exceeded or restricted by blockage.

Service opening means a manhole, or similar means for gaining access for inspection, cleaning or maintenance of a public sewer.

Service pipe means the section of pipe between a main and the point of connection. This section of pipe is owned and maintained by the Council.

Service valve means the valve at the customer end of the water service pipe.

Storage tank means any tank having a free water surface (e.g. a non-pressurised tank).

Stormwater means rainwater that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, channels, or pipes into a defined surface water channel, open watercourse, or a constructed infiltration facility.

Stormwater ponding means the ground surface collection of stormwater.

Stormwater system means all the components of the network after the point of discharge from the customer which are owned and managed by the Council.

Supply pipe means the section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises.

Trade waste bylaw refers to Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008 regulating wastewater discharges from trade premises to a sewer.

Trunk main means a pipe which forms a part of the Council's reticulation system regardless of duty, and includes:

- a) All sewer mains 300mm and larger in diameter.
- b) A water main (of any size) from a reservoir to a reticulation system or cross-connecting reservoirs or reticulation systems.
- c) All water mains 250mm and larger in diameter.

Urban water supply area means an area formally designated by the Council as an area serviced by reticulated water supply system with a fire fighting capability, which is intended to supply water to customers via on demand supplies.

Wastewater system means all the components of the network after the point of discharge from the customer which are owned and managed by the Council.

Water supply system means all those components of the network between the point of abstraction from the natural environment and the point of supply, and any Council meter (including those installed on a supply pipe). This includes, but is not limited to, wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, falling mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.

Water unit means the basis of measurement for a restricted flow supply and equal to a volume of 365m³ delivered at the rate of 1m³ per day.

Water, wastewater and stormwater services means the service provided to the customer by the Council for all aspects water supply, wastewater and stormwater drainage.

4. Entitlement of service

4.1 Water Supply

Water supply

4.1.1 Every premise in an urban or rural water supply area is entitled to a water supply, as set out in this clause.

4.1.2 Every premise in an urban water supply area shall be entitled to an ordinary supply of water subject to the following conditions:

Urban water supply area

- a) The exclusion of its use under any restrictions made by the Council under this bylaw;
- b) Payment of the appropriate rates (set and assessed under the Local Government (Rating) Act 2002) and charges (under this bylaw) in respect of that premise;
- c) Any other charges or costs associated with subdivisional development; and
- d) Any other relevant conditions in this part.

4.1.2.1 Every new water connection must have a Council meter installed, with each Council meter being located and fitted in accordance with the Council's specifications.

Installation of Council meters

4.1.3 The Council shall be under no obligation to provide an extraordinary supply of water.

Extraordinary supply

4.1.4 A restricted flow supply shall only be available to premises in an urban water supply area under special conditions set by the Council.

4.1.5 Every premise in a rural water supply area is entitled to a restricted flow supply of water, subject to the following conditions:

- a) The water supply shall be restricted so as to deliver the agreed number of water units at a steady flow rate.
- b) The Council shall charge for the restricted flow supply by the nominated number of water units.

Note: An on demand supply of water in a rural water supply area is only available to customers who are in receipt of an on demand supply prior to the commencement of this bylaw and subject to the provisions of clause 9.1.3.

Anyone receiving water and not paying for the service will be converted to a restricted flow supply.

4.1.6 Ordinary use is for domestic purposes (which may include use in a fire sprinkler system to NZS 4517:2002) and shall include:

Ordinary use of water

- a) Washing down a car, boat or similar.
- b) Garden watering by hand.
- c) Garden watering by a portable sprinkler.
- d) Household use for drinking, washing and laundry.

4.1.7 Extraordinary use includes:

Extraordinary use of water

- a) Domestic use for spa or swimming pool in excess of 10m³ capacity and fixed garden irrigation systems.
- b) Commercial and business.
- c) Industrial.
- d) Agricultural.
- e) Horticultural.
- f) Viticultural.
- g) Lifestyle blocks (peri-urban or small rural residential).
- h) Fire protection systems other than sprinkler systems installed to comply with NZS 4517:2002.
- i) Out of district (supply to, or within another local authority).
- j) Temporary supply.

4.2 Wastewater

Wastewater

4.2.1 Every domestic premise shall be entitled to a wastewater service subject to:

- a) The premises lying within a current drainage district.
- b) Adequate capacity within the public wastewater system to cater for the additional connection. If there is not adequate capacity then the public system shall be upgraded at the cost of the applicant.
- c) Any other charges or costs associated with sub-divisional development.

- d) Payment of the appropriate rates (set and assessed under the Local Government (Rating) Act 2002) and charges (under this bylaw).
- e) Fulfilment of the requirements of this bylaw, any legislative requirements including those under the Resource Management Act 1991, Building Act 2004, any relevant Regulations or other bylaws, and any applicable consent conditions.

4.3 Stormwater **Stormwater**

4.3.1 Domestic premise may be entitled to a stormwater service subject to the provisions and requirements of the Land Development and Subdivision Infrastructure Standard. **Domestic premise**

4.3.2 Commercial and industrial premises may be entitled to a stormwater service subject to the provisions and requirements of the Land Development and Subdivision Infrastructure Standard. **Commercial and industrial premise**

4.4 Level of service **Level of service**

4.4.1 The Council shall provide water, wastewater and stormwater services in accordance with the level of service contained in the Council's Long-Term Plan. For those periods where the level of service allows non-compliance with the specified value(s) or level of service, the Council should make every reasonable attempt to achieve the specified value(s).

5. Continuity of service

5.1 The Council will continue to provide water, wastewater and stormwater services to existing customers and new customers once an approved connection to the water, wastewater or stormwater system has been made.

5.2 In the event of a domestic premise changing ownership, the new owner shall automatically become the new customer of that premise. **Change of ownership**

5.3 Due to practical and physical limitations, the Council cannot guarantee uninterrupted or constant water, wastewater and stormwater services. **Limitations on service**

5.4 Where works of a permanent or temporary nature are planned which will materially affect the service, the Council shall consult with, inform or give notice to all known customers likely to be substantially affected. **Permanent and temporary works**

5.5 Where immediate action to the service is required and notification is not practical, the Council may disrupt the service without notice. **Immediate action**

5.6 During an emergency the Council may restrict or prohibit water, wastewater or stormwater services for any specified purpose, for any specified period, and for any or all of its customers. Such restrictions will be publicly notified. The decision to make and lift restrictions and to enact additional restrictions shall be made by the authorised officer of the Council. Where immediate action is required, the authorised officer may enact emergency provisions as deemed necessary without public notification. **Emergency action**

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| 5.7 | Natural hazards, events or accidents beyond the control of the Council which result in disruptions to the ability of the Council to provide water, wastewater or stormwater services, will be deemed an emergency and exempted from the levels of service requirements above. | Natural hazards |
| 5.8 | The customer shall comply with any restrictions which may be approved by an authorised officer. Such restrictions shall be advised by public notice. | Restrictions |

6. General customer obligations

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| 6.1 | The rights and responsibilities set out in this part are personal to the customer and shall not be transferred, sub-licensed or assigned. | Transfer of rights and responsibilities |
| 6.2 | No person (other than an approved connection contractor) may, without approval from an authorised officer, make any connection to, or otherwise interfere with, any part of the Council's water, wastewater or stormwater systems. | No unauthorised connections |
| 6.3 | A customer in receipt of a water, wastewater or stormwater service shall not extend that service to another person or premise and shall ensure that the service pipe does not extend by any means beyond their premise other than to that of the approved connection. | No unauthorised connections or extensions of service |
| 6.4 | The customer shall take all due care not to damage or interfere with part of the water, wastewater or stormwater system. | Care of system |
| 6.5 | The Council may, by notice in writing, require the occupier or, in any case where there is no occupier, the owner of any land within the district to cut down or remove any tree on that land, or any specified part of any such tree, the roots of which in the opinion of the Council enter or are likely to enter the water supply system or stormwater reticulation. | Trees |
| | Note: section 468 of the Local Government Act 1974 deals with tree roots obstructing public drains. | |
| 6.6 | Point of connection | |
| 6.6.1 | Unless otherwise approved, there shall be only one point of connection for each service per rating unit. | One point of connection |
| 6.6.2 | The Council shall own and maintain the service pipe and all other equipment up to the point of connection, and any Council meter or backflow preventer installed on a supply pipe. The customer shall own and maintain the supply pipe and all other equipment beyond the point of connection (other than a Council meter or backflow preventer), irrespective of property boundaries. | Ownership and maintenance |
| 6.6.3 | Points of connection are to be designed and constructed to the requirements of the Council's Land Development and Subdivision Infrastructure Standard. | Design and construction of points of connection |
| 6.6.4 | Where the point of connection, or any Council meter, is on private property or the Council berm adjacent to the customer's property, the customer shall maintain the area in and around the point of connection or Council meter, keeping it free of soil, growth or other | Maintenance |

matter or obstruction which prevents, or is likely to prevent, convenient access.

6.6.5 Where the point of connection, or any Council meter, or backflow preventer, is on private property, the Council, or its agents, may exercise the applicable powers of entry under the Local Government Act 2002 to access (with any necessary equipment) the point of connection or Council meter or backflow preventer for the purposes of conducting inspections (including meter reading), monitoring, testing, maintenance work, replacement, or ascertaining whether non-complying connections have been made.

Access to point of connection

6.6.6 The Council shall give notice of entry as required under the Local Government Act 2002 (typically no notice is required for emergency situations).

Notice of entry and emergency access

6.7 Building over buried public services

6.7.1 No building or structure shall be built over any buried public services whether on public or private land.

Building over buried public services

6.7.2 No building or structure shall be built nearer than 1.5m from the centre line of any pipe or culvert, or the invert depth of the pipe plus the diameter of the pipe plus 0.2m, or the invert depth of the culvert plus the width of the culvert plus 0.2m, whichever is the greater distance.

Distance from buried public services

6.7.3 In exceptional circumstances, the Council may, at its discretion, grant approval for buildings or structures to be built nearer than the distance specified in clause 6.7.2, subject to the owner agreeing to and meeting the cost of any specific requirements and conditions imposed by the Council. The Council shall consider the criticality of the applicable public service, and must not provide approval for any critical main.

6.7.4 No person shall:

- a) Cause the crushing load imposed on a buried public service to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by the Waka Kotahi NZ Transport Agency's Bridge Manual); or
- b) Place any additional material over or near a buried public service without approval.

Crushing of buried public service

Where service openings are covered in any way without approval by the Council, removal of any covering material or adjustment of the opening shall be at the customer's expense.

6.8 Working near buried public services

6.8.1 The Council will keep permanent records of the location of its buried public services.

Buried public services records

6.8.2 Any person proposing to carry out excavation work shall view the as-built information to establish whether or not Council services are located in the vicinity.

Notify the Council

6.8.3 Any person proposing to carry out excavation work in road reserve shall submit a Corridor Access Request to the Council.

Working within road reserve

6.8.4	Any person proposing to carry out excavation work in the vicinity of its buried public services on any land (private or public, excluding road reserve) shall give the Council at least five working days notice in writing of the intention to excavate.	Working on any other land
6.8.5	Any excavation proposed to be undertaken in the vicinity of trunk and/or critical mains may be subject to a Council standover during the physical work.	Working near trunk and/or critical mains
6.8.6	Where appropriate the Council will mark out the location of its buried public services, and nominate in writing any restrictions on the work it considers necessary to protect its services.	Mark out of buried public services
6.8.7	The person undertaking the works shall physically locate the buried public services before commencing the works.	
6.8.8	The Council may charge the person carrying out the excavation work for any service provided by the Council as detailed in clauses 6.8.5 and 6.8.6.	Charges for Council services
6.8.9	When excavating and working around buried public services due care shall be taken by persons carrying out excavation work to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate Council specification. Persons carrying out excavation work shall follow the Safe System of Work as set out in WorkSafe's Guide for Safety with Underground Services, issued by the Department of Labour in 2002 (or any successor guidance material).	Guidelines for safe working
6.8.10	Any damage which occurs to a buried public service shall be reported to the Council immediately. Any person who damages a buried public service shall not repair the damage without prior approval of the Council. Repairs are to be arranged by the Council. The cost of the repair will be charged to the person or legal entity responsible for the damage (this will be the property owner where they have engaged or allowed a contractor to undertake work on their premise).	Cost of damage

7. General connection requirements

7.1	Any person wanting to connect to the water, wastewater or stormwater system has to apply to the Council for approval to connect. An application shall be made irrespective of whether or not a water, wastewater or stormwater system has already been laid up to the point of connection.	Application for connection
7.2	Every application for connection to the water, wastewater or stormwater system shall be made in writing on the form provided by the Council and be accompanied by payment of the prescribed charges. The applicant shall provide all the details required by the Council.	
7.3	On receipt of an application the Council shall, after consideration of all relevant matters either: a) Approve the application and inform the applicant of any particular conditions applicable; or	Consideration of application

- b) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

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| 7.4 | For the agreed level of service to the applicant, the Council may determine the sizes of all pipes, fittings and any other equipment, up to the point of connection. It may also determine the specifications of any Council meter, whether installed adjacent to the point of supply or on the supply pipe. The Council shall allow the supply and installation of the service pipe, and of any Council meter, to be carried out by an approved connection contractor at the applicant's cost. | Equipment requirements |
| 7.5 | Where an application has been accepted by the Council which requires a connection to be constructed from the existing system to the point of connection, the customer shall pay such charges as agreed between themselves and the approved connection contractor for this work. The service pipe shall normally be supplied and installed up to the point of connection except as provided for under a subdivision approval or consent. The customer is responsible for all costs associated with the supply and installation of the service pipe. | Work to public system |
| 7.6 | An approved application which has not been actioned within six months of the date of application will lapse unless a time extension has been applied for and approved. Any refund of fees and charges shall be at the discretion of the Council. | Lapse of approved application |

8. General disconnection requirements

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| 8.1 | Any person wanting to disconnect from the water, wastewater or stormwater system has to apply to the Council for approval to disconnect. | Application to disconnect |
| 8.2 | Every application for connection to the water, wastewater or stormwater system shall be made in writing on the form provided by the Council and be accompanied by payment of the prescribed charges. The applicant shall provide all the details required by the Council. | |
| 8.3 | The applicant shall have the authority to act on behalf of the owner of the premises for which the disconnection is sought, and shall produce written evidence of this if required. | Owner representation |
| 8.4 | The Council will only authorise disconnection from the stormwater service where the customer can ensure that all stormwater from their site is contained on site. | Stormwater disconnection |

9. Water supply

9.1 Water supply service

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| 9.1.1 | Clauses 9.1.2 and 9.7.13 cover specific requirements for water supply additional to the general requirements in this bylaw. | |
| 9.1.2 | If a customer has a particular requirement for an uninterrupted level of service (flow, pressure or quality), it shall be the responsibility of that customer to provide any storage, back-up facilities or equipment necessary to provide that level of service. | Uninterrupted service |

<p>9.1.3 Where a customer seeks a change in the level of service or end use of water supplied to a premise, and/or the supply changes from an ordinary to an extraordinary type or vice versa, a new application for supply shall be submitted by the customer and it shall be treated as an application for a new connection.</p> <p>If a customer in a rural water supply area moves from on demand to restricted flow they cannot move back to an on demand supply.</p>	<p>Change of water supply level of service</p>
<p>9.2 Protection of water supply system</p>	
<p>9.2.1 No person other than the Council and its authorised agents may access any part of the water supply system, except to:</p> <ul style="list-style-type: none"> a) connect to the point of supply, subject to clause 7; b) install, maintain, replace, or relocate a Council meter, provided this work has been approved by the Council and is carried out by an approved connection contractor; c) read a meter; or d) operate the service valve. 	<p>Access to system</p>
<p>9.2.2 Only the attending Fire and Emergency New Zealand officers shall gain access to, and draw water from fire hydrants for the purpose of fighting fires, training and testing.</p>	<p>Fire hydrants</p>
<p>9.2.3 The right to gain access to, and draw water from the water supply for uses other than fire fighting (e.g. flow testing or pipe flushing) shall be restricted to:</p> <ul style="list-style-type: none"> a) The Council or its agents. b) Permit holders, being those persons who after having submitted an application to the Council are subsequently approved to draw water from designated tanker filling points. Such permits shall be valid only so long as the permit holder complies with the conditions endorsed on the permit. Without prejudice to other remedies available, the Council may remove and hold any equipment used by an offender to gain access to, or draw water from a fire hydrant, and assess and recover the value of water drawn without authorisation and any other associated costs from the offender. 	<p>Other uses</p>
<p>9.3 Protection of source water</p>	
<p>9.3.1 No person shall knowingly or willingly undertake an activity in any surface water or groundwater catchment areas that contribute to the contamination or destruction of the water supply.</p>	
<p>9.4 Catchment classes</p>	
<p>9.4.1 Surface water and groundwater catchment areas from which untreated water is drawn for the purposes of water supply may be designated by the Council as:</p> <ul style="list-style-type: none"> a) Controlled; b) Restricted; or c) Open. 	<p>Catchment classes</p>
<p>9.4.2 The following conditions apply:</p> <ul style="list-style-type: none"> a) Catchment areas which are designated as controlled, or any area held by the Council as a water reserve, shall not 	<p>Controlled catchments</p> <p>Entry</p>

be entered by any person except those specifically authorised or permitted in writing by the Council. Within such areas unless provided for by the Council no person shall:

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

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

Permits

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

c) Unless otherwise stated in the permit:

- i) No person to whom any permit has been issued shall enter or leave any controlled catchment area or land held by the Council as a water reserve without presenting such a permit for inspection by the ranger and notifying the ranger of their intention of entering or leaving such an area as the case may be.
- ii) Every person on any controlled catchment area or land held by the Council as a water reserve shall upon demand produce any such permit for inspection by the ranger.
- iii) No permits issued are transferable.

d) The Council may at any time, by notice in writing delivered to the holder, revoke or suspend any permit for such time as shall be stated in the notice.

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

- i) Every person acting in contravention of this part shall upon the request of the ranger or authorised officer of the Council immediately leave the controlled catchment area or land held by the Council as a water reserve and be liable to be prosecuted for the breach of any of the provisions of this part. Failure to leave shall constitute a further offence.
- ii) No person shall obstruct or hinder any duly appointed officer of the Council in the exercise of any powers vested in that officer under the provisions of this part.

Interference and obstruction

<p>9.4.3 Catchment areas which are designated as restricted shall allow for certain activities, but shall be treated as controlled catchments for other activities. Those activities may include unrestricted entry for:</p> <ul style="list-style-type: none"> a) Tramping. b) Shooting (other than animals, i.e. target shooting). c) Fishing. d) Off-road cycling. 	<p>Restricted catchments</p>
<p>No person shall without approval of an authorised officer in any water catchments:</p>	
<ul style="list-style-type: none"> a) Camp. b) Take or allow to stray any livestock. c) Bathe or wash anything. d) Urinate or defecate. e) Light or maintain any fire. f) Hunt, trap or shoot any animals. g) Use any boat. h) Use any pesticide, herbicide or toxic substance for any purpose whatsoever. 	
<p><i>Note: Lake Mangamahoe is designated as a restricted catchment. Refer to the New Plymouth District Lake Mangamahoe Management Plan for defined catchment area.</i></p>	
<p>9.4.4 In open catchment areas whether designated or not, there will generally be no restriction on activities other than any provisions of the regional or district plan and any National Environmental Standard.</p>	<p>Open catchments</p>
<p>9.4.5 In the event of a spillage, or any event which may compromise the water supply, the person responsible for the spillage event shall advise the Council with due urgency. This requirement shall be in addition to those other notification procedures which are required for other authorities.</p>	
<p>9.5 Fire protection connection</p>	
<p>9.5.1 Any proposed connection for fire protection shall be the subject of a specific application (on the standard Council form) made to the Council for approval. Any such connection shall be subject to the conditions specified by the Council.</p>	<p>Connection application</p>
<p>9.5.2 It shall be the customer's responsibility to ascertain in discussion with the Council and monitor whether the supply available is adequate for the intended purpose.</p>	<p>Design</p>
<p>9.5.3 It is the customer's responsibility to ensure fire protection is designed to be adequate at the Council's lowest normal operating pressure of 300kPa.</p>	
<p>9.5.4 Where a Council meter has been installed for the supply of water to any premises, the Council may allow installation of a bypass to the Council meter, provided that it is for the purposes of fire fighting and that:</p> <ul style="list-style-type: none"> a) The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of Fire and Emergency New Zealand; or 	<p>Fire protection connection metering</p>

- b) A Council approved detector check valve has been fitted on the meter bypass.

Any unmetered connection provided to supply water to a fire protection system shall not be used for any purpose other than fire fighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS 4517:2002.

Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than fire fighting, the Council may require the supply to be metered.

9.5.5 Where the supply of water to any premises is metered, fire hose reels shall be connected only to the metered supply, not to the fire protection system. The water supply to the fire hose reels shall comply with the requirements of NZS 4503:2005. **Fire hose reels**

9.5.6 Customers intending to test fire protection systems in a manner that requires a draw-off of water, shall obtain the approval of the Council beforehand. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by the Council. **Testing of fire protection systems**

9.6 Backflow prevention

9.6.1 It is the customer's responsibility (under this bylaw, the Health Act 1956 and the Building Act 2004) to take all necessary measures on the customer's side of the point of supply to prevent water which has been drawn from the Council's water supply from returning to that supply. These include: **Customer responsibility**

- a) Backflow prevention either by providing an adequate air gap, or by the use of an appropriate backflow prevention device.
- b) The prohibition of any cross-connection between the Council water supply and:
 - i) Any other water supply (potable or non-potable).
 - ii) Any other water source.
 - iii) Any storage tank.
 - iv) Any other pipe, fixture or equipment containing chemicals, liquids, gases or other non-potable substances.
- c) The customer shall be responsible for the cost of installing, maintaining and testing their backflow prevention.

NOTE: Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or a storage tank or fire pump that operates at a pressure in excess of the Council's normal minimum operating pressure.

9.6.2 Any new industrial or commercial development, or upgrade of existing site, requires as a minimum, a medium risk backflow preventer to ensure that any pollutants or contaminants from the industrial activity do not enter the Council's water supply. **Industrial or commercial activity**

9.6.3 Home based businesses require a backflow preventer to ensure that any pollutants or contaminants from the activity do not enter the Council's water supply. **Home based business**

9.6.4	All extraordinary supplies of water require as a minimum, a medium risk backflow preventer.	Extraordinary water supply
9.7 Meters and flow restrictors		
9.7.1	A Council meter must be installed for all water connections made on or after 1 July 2021, so that each rating unit has its own meter. All Council meters are to be fitted and located in accordance with the Council's specifications. The Council may charge the customer for the cost of the Council meter and any installation costs in accordance with clause 12.	Metering of ordinary use of water- new connections
9.7.1.1	The Council will install a Council meter for each rating unit for which a connection was made prior to 1 July 2021, unless the Council considers the installation of a Council meter to be impractical, unreasonable, or otherwise inappropriate, in the particular circumstances. The cost of the Council meter and any installation costs shall be borne by the Council.	Metering of ordinary use of water- existing connections
9.7.2	A Council meter must be installed for an extraordinary supply. All Council meters are to be fitted and located in accordance with the Council's specifications. The Council may charge the customer for the cost of the Council meter and any installation costs in accordance with clause 12. Where the extraordinary use is for fire protection only, this supply shall not normally be metered but should be fitted with a detector check assembly.	Metering of extraordinary use of water
9.7.3	Council meters and restrictors shall, where practicable, be located immediately on the Council side of the point of supply. In the event that the point of supply is on private property, the Council will consider using its power in section 181 of the Local Government Act 2002 to install the Council meter or restrictor.	Location
9.7.3.1	Despite clause 9.7.3, where multiple rating units are serviced by a single point of supply and the Council has determined under clause 9.7.1.1 that installation of a Council meter on one or more of the rating units should occur, a Council meter may instead be located on the supply pipe for the rating unit concerned, as close as practicable to where it connects with a shared section of the supply pipe. In these circumstances, the Council will consider using its power in section 181 of the Local Government Act 2002 to install the Council meter.	
9.7.3.2	In determining the location of a Council meter or restrictor under clause 9.7.3 or clause 9.7.3.1, consideration shall be given to ensuring the Council meter or restrictor is readily accessible for reading and maintenance.	
9.7.3.3	Where a rating unit has been approved to have more than one connection under clause 6.6.1, each connection shall have a Council meter.	Rating units with multiple connections
9.7.3.4	Any customer who wishes to relocate a Council meter on the customer's private property (e.g. to accommodate new building work) must obtain the Council's agreement on the proposed location (which shall not be unreasonably withheld), and provide written consent for installation of the Council meter under section 181(3)(a) of the Local Government Act 2002. The relocation of the Council meter must be carried out by an approved connection contractor, with any costs being borne by the customer.	Relocation of a meter on private property

<p>9.7.3.5 As owner of all Council meters, the Council shall be responsible for their maintenance and replacement. The Council shall bear the costs of maintenance and replacement except where they result from wilful or negligent damage caused by the customer or any person resident at, visiting, or attending the property concerned. In such cases, the person responsible for the damage will be liable for all costs resulting from the damage, in accordance with section 175 of the Local Government Act 2002.</p>	<p>Maintenance, repair, and replacement</p>
<p>9.7.4 Without limiting clause 6.6.5, where a Council meter is on private property, the Council may exercise its power of entry in section 181(4) of the Local Government Act 2002 to access the meter for the purposes of:</p> <p>a) Meter reading.</p> <p>b) Maintenance work, or meter replacement.</p>	<p>Right of access</p>
<p>9.7.5 Where the Council exercises its section 181(4) power of entry as outlined in clause 9.7.4, the Council will give notice as required under section 181(5) of the Local Government Act 2002.</p>	<p>Notice of access</p>
<p>9.7.6 In the event that a customer were to refuse the Council's entry under clause 9.7.4, or otherwise block it, the Council may charge a fee (for 'meter reading by appointment') for any return visit that is required. (This clause does not prejudice the Council's right to pursue any lawful enforcement of its power of entry.)</p>	
<p>9.7.6.1 A customer may request that the Council carry out a meter reading on a particular date. The Council will comply with such a request if it has officers or agents available to carry out the reading on the particular date, and provided that the customer has paid the prescribed fee (for 'meter reading by appointment').</p>	<p>Requests for meter reading on a particular date</p>
<p>9.7.7 Council meters shall be tested as and when required by the Council.</p> <p>Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period of not less than one minute at the expected minimum operating pressure.</p> <p>A copy of independent certification of the test result shall be made available to the customer on request.</p> <p>Any customer who disputes the accuracy of a Council meter or restrictor may apply to the Council for it to be tested, provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy above, the customer shall not be charged for the test. If the test shows compliance, the customer shall pay a fee in accordance with the prescribed fees and charges.</p>	<p>Testing of meters</p>
<p>9.7.8 If any Council meter or restrictor, after being tested, is found to register or restrict a greater or lesser consumption than the quantity of water actually passed through such a meter, the Council shall cancel the last issued volumetric water invoice issued to the relevant customer and issue an amended invoice in accordance with section 47 of the Local Government (Rating) Act 2002.</p>	<p>Adjustment and issue of amended invoice</p>
<p>9.7.9 Should any Council meter be out of repair or cease to register, or be removed, the Council shall estimate the consumption for the period since the previous reading of such meter (based on the average of the previous four billing periods charged to the customer) and the customer shall pay according to such an</p>	<p>Estimating consumption</p>

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

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

- 9.7.10** Where a situation occurs, other than as provided in clause 9.7.9, where the recorded consumption does not accurately represent the actual consumption or supply to a customer, the amount shall be adjusted using the best information available to the Council. Such situations include, but are not limited to, misreading of the Council meter, errors in data processing, meters assigned to the wrong account and unauthorised supplies.

Incorrect amounts

Where an adjustment is required, the Council will correct any errors on the rating information database and rates record and issue amended assessments and invoices as required in accordance with the Local Government (Rating) Act 2002.

- 9.7.11** Where a leak is identified at a customer's property, and the customer undertakes a diligent and timely approach to fixing the leak, the Council will remit half of the rates attributable to the leak. A customer is eligible for only one such remission in any 24 month period.

Remission of volumetric water rates due to leakage

The Council shall estimate the consumption that would have otherwise occurred without the leak to determine the rates attributable to the leak. The Council shall estimate the consumption that would have occurred for the period since the previous reading of such meter (based on the average of the previous four billing periods charged to the customer). Provided that when, by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of the consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate.

The Council will only apply this remission if there is an applicable rates remission policy under section 102(3)(a) of the Local Government Act 2002.

- 9.7.12** Quick-closing valves, pumps or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the Council to maintain its stated levels of service shall not be used on any piping beyond the point of supply. In special circumstances such equipment may be approved by the Council.

Plumbing system

In accordance with the Building Regulations 1992 the plumbing system shall be compatible with the water supply. Specific features of the Council supply which need to be taken into account are contained in table 1.

Table 1: Compatibility features

Feature	Value
Maximum pressure	1,200 kPa
Minimum pressure	200 kPa
Normal operating pressure	300 – 1,000 kPa

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

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

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

9.7.13.1 Where a Council meter has been installed, whether at the point of supply or on a supply pipe, no person may install, or permit the installation of, a bypass to the Council meter, other than a bypass installed in accordance with clause 9.5.4 (for fire fighting purposes).

No bypassing Council meter

9.7.13.2 In accordance with section 227 of the Local Government Act 2002, it is an offence to alter the index of, or in any other manner tamper with, a Council meter, or to alter the position of a Council meter, without the Council's prior written authorisation.

No tampering with Council meter

10 Wastewater

10.1 Clauses 10.2 to 10.9.5 cover specific requirements for wastewater additional to the general requirements in this bylaw.

10.2 Any new property within a wastewater reticulated area is required to connect to the reticulated drainage system.

Requirement to connect to system

Any existing property within a wastewater reticulated area that is not connected to the reticulated system and where there is evidence of environmental or public health risk associated with existing onsite systems will be required to connect to the reticulated system.

10.3 No domestic wastewater shall:

- a) Exceed the substance limits scheduled in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.
- b) Contain any substances prohibited in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.

Limits on domestic wastewater

10.4 Where part of a domestic premises is used as an office or other trade related activity from which no trade waste could be produced, and which no other persons apart from those living at those premises use, then it shall be treated as domestic premises. Any trade activity which produces or has the potential to produce wastewater shall be treated as being from trade premises.

Business from home

- 10.5** The acceptance of trade wastes is the subject of Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008. **Trade waste**
- 10.6** The customer serviced by the public sewer network shall not store raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which, when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to the Council wastewater system or the health and safety of the Council staff and public, without taking all reasonable steps to prevent entry into the Council sewer from leakage, spillage or other mishap. **Storage of harmful substances**
- 10.7 Customers drainage system**
- 10.7.1** The customer's drainage system is governed by the Building Act from inside the building to the point of discharge.
- 10.7.2** The customer's drainage system shall be designed, installed and maintained, both in its component parts and in its entirety, to ensure that it complies with the Building Act and the New Zealand Building Code.
- 10.7.3** A customer whose gully trap is overflowing or has other reasons to suspect a blockage, shall first call a drainlayer to clear and remove any blockage in their private drain (including common private drains).
- 10.7.4** If the drainlayer finds that the blockage is within the public sewer, then the drainlayer or customer shall contact the Council to clear and remove the blockage and clean up all affected areas. Provided that the blockage has not been forced downstream into the public sewer in the act of clearing it from the private drain, or that the customer has not been wilful or negligent in discharging non-acceptable wastewater, then the Council shall reimburse the customer for actual and reasonable drainage costs. If otherwise, the Council shall recover the costs of the unblocking work from the customer.
- 10.7.5** Any private wastewater drain shall not extend by pipe or any other means to serve another premise unless it is a common private drain.
- 10.7.6** Private drains shall be kept and maintained in a state which is free from cracks and other defects which may allow infiltration.
- 10.7.7** The maximum instantaneous flow rate discharged from a domestic premise shall not exceed 2.0 litres/sec. The Council may also set a lesser daily flow rate discharged from a domestic premise. **Flow rate**
- 10.7.8** Customers with swimming or spa pools shall be required to demonstrate that the pool drain has been fitted with a flow limiting device to ensure the discharge does not exceed the maximum instantaneous flow requirement of 2.0 litres/sec. **Swimming/spa pools**
- 10.8 Common private wastewater drains**
- 10.8.1** Common private drains shall serve a maximum of seven single dwelling units, and shall have one point of discharge only (in common). **Common private drains**

The maintenance and management of a common private drain is the responsibility of the owner or owners of the common private drain.

10.9 Pump stations

10.9.1 Private wastewater pump stations will be approved only where there are no practical alternatives for a gravity flow discharge to the public sewer.

10.9.2 A private wastewater pump station for a single dwelling unit represents an alternative solution in terms of the Building Act. As such, the customer will be required to demonstrate that the pump station complies with the provisions of the New Zealand Building Code when seeking a consent.

10.9.3 A private wastewater pump station for multiple dwellings must comply with Council approved specification, have a compliance schedule and an annual building warrant of fitness if that pump station has one or more of the specified systems listed in Schedule 1 Specified Systems of the Building (Specified Systems, Change the Use and Earthquake-prone Buildings) Regulations 2005 (SR 2005/32).

10.9.4 A Common Pump Station Agreement shall be required between all owners of a private wastewater pump station. The agreement will specify that the owners are responsible for the construction, operation and maintenance of the pump station, including appropriate maintenance of rising mains. It shall be registered against the Certificate of Title of each party.

10.9.5 The combined rate of discharge to the public sewer shall not exceed the rate specified by the Council.

Multiple ownership

11 Stormwater

11.1 Clauses 11.2 to 11.8 cover specific requirements for stormwater additional to the general requirements in this bylaw.

11.2 Flow paths

Flow paths

11.2.1 The Council will supply all available information to any person wanting to know the location of overland flow paths on their property.

11.2.2 No person shall intentionally block a primary or secondary flow path on their premise or any other land.

11.2.3 If a flow path is found to be blocked, the Council will require the removal of the cause of the blockage at the cost of the owner.

11.2.4 Any flooding or other damage caused by a deliberate blocking of a flow path will be the responsibility of the person who blocked the flow path.

11.3 The customer shall take all practicable steps to prevent any stormwater or groundwater entering the wastewater drainage system. This includes roof downpipes, surface water run-off, overland flow, and sub-surface drainage.

Note: For trade premises where stormwater cannot be separated from wastewater refer to Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.

- 11.4** The customer shall ensure that stormwater is excluded from the wastewater drainage system by ensuring that:
- a) There is no direct connection of any stormwater pipe or drain to the wastewater system.
 - b) Gully trap surrounds are set above stormwater ponding levels (refer New Zealand Building Code G13), and secondary overland flow path flood levels.
 - c) Inspection covers are in place and are appropriately sealed.
- 11.5** Stormwater which is contaminated may be accepted as a trade waste discharge. Refer to Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.
- 11.6** For large impervious areas (e.g. stock yards or truck washing facilities), specific provision shall be made by the customer for a permanent barrier preventing water from outside the confines of the facility from entering the wastewater system. This could be by way of a nib wall or appropriately graded surrounds.
- 11.7** Where it is impractical to cover a large impervious area, the system shall detain run-off from the first foul flush for ultimate disposal to the wastewater system, with subsequent run-off disposal as stormwater.
- 11.8** No person shall allow the discharge of contaminants, either directly or indirectly, into any part of the public stormwater network unless:
- a) The discharge is permitted by a rule in a regional plan; OR
 - b) Is authorised by a resource consent.

No unauthorised discharges

Note: Rules and requirements to ensure the quality of stormwater and prevent contamination and pollution are required, monitored and enforced by the Taranaki Regional Council through the Taranaki Regional Freshwater Plan.

12 Fees and charges

- 12.1** Where this bylaw provides for a connection to the water, wastewater or stormwater service, or the provision of any good, service, or amenity (including ordinary and extraordinary supply of water) the Council may require payment of a fee for that service, as determined by the Council under section 150 of the Local Government Act 2002.
- 12.2** Charges applicable at the time of connection may include:
- a) Connection application fee, including the cost of any Council meter.
 - b) Payment to the approved connection contractor for the cost of the physical works required to provide the connection.
 - c) A development contribution charge determined in accordance with the Local Government Act 2002.

- d) A financial contribution charge determined in accordance with the Resource Management Act 1991, only as part of a subdivision or development.

12.3 Where this bylaw provides for a disconnection to the water, wastewater or stormwater service, or the provision of any good, service, or amenity the Council may require payment of a fee for that service, as determined by the Council under section 150 of the Local Government Act 2002.

12.4 Rates may be set in accordance with the Local Government (Rating) Act 2002 for a Council metered water service including for extraordinary use, ordinary use, and restricted flow.

12.5 Without prejudice to its other rights and remedies, the Council shall be entitled to estimate (in accordance with clause 9.7.10) and charge for the additional water consumption not recorded or allowed to pass where a Council meter or restrictor has been tampered with, and recover any costs incurred.

13 Offences

13.1 Without limitation, the following are deemed breaches of the conditions to supply water, wastewater or stormwater services:

Breaches of conditions

- a) An unauthorised connection to the service.
- b) An incorrect application for the service, which fundamentally affects the conditions of supply of service (clause 7).
- c) Failure by the customer to meet and comply with any conditions.
- d) Unauthorised excavation or building near buried services.
- e) Any tampering or interfering with Council equipment, either directly or indirectly.
- f) Failure to meet any obligation placed on the customer under all current Acts and Regulations.
- g) Frustration of the Council's ability to adequately and effectively carry out its obligations.
- h) Failure to pay the appropriate charges by the due date.

13.2 Without limitation, the following are deemed breaches of the conditions to supply water:

Breaches for water supply

- a) Failure to repair a leak, or in any way wilfully allowing water to run to waste, or to be misused.
- b) The fitting of quick-closing valves, pumps or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system or compromise the ability of the Council to maintain its stated levels of service.
- c) Failure to prevent backflow.
- d) Failure to comply with water use restrictions or prohibitions introduced by the Council for any specified purpose.
- e) Using water or water pressure directly from the supply for driving lifts, machinery, eductors, generators or any other similar device, unless specifically approved by the Council.

- f) Using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved.
- g) Extending by hose or any other pipe a private water supply beyond that customer's premise.
- h) Providing water drawn from the Council supply to any other party without approval of the Council.
- i) Taking water from the Council supply otherwise than via an approved and compliant connection.

13.3 Without limitation, the following are deemed breaches of the conditions to wastewater:

Breaches for wastewater

- a) Failure of any new property within a wastewater reticulated area to connect to the reticulated drainage system.
- b) Failure to ensure domestic wastewater does not exceed the substance limits scheduled in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.
- c) Failure to ensure domestic wastewater does not contain the substances prohibited in Part 11 Trade Waste of the New Plymouth District Council Bylaw 2008.
- d) The storing raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive materials, or any material which, when mixed with the wastewater stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to the Council wastewater system or the health and safety of the Council staff and public, without taking all reasonable steps to prevent entry into the Council sewer from leakage, spillage or other mishap.
- e) Failure to ensure that any private drain shall not extend by pipe or any other means to serve another premises unless it is a common private drain.

13.4 Without limitation, the following are deemed breaches of the conditions to stormwater:

Breaches for stormwater

- a) Block a primary or secondary flow path on their premise or any other land.
- b) Failure to remove a cause of a blockage to a primary or secondary flowpath.
- c) Having a direct connection of any stormwater pipe or drain to the wastewater system.
- d) Failure to ensure that gully trap surrounds are set above stormwater ponding levels (refer New Zealand Building Code G13), and secondary overland flow path flood levels.
- e) Failure to ensure that inspection covers are in place and are appropriately sealed.

13.5 In the event of a breach, the Council shall serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it.

13.6 In accordance with section 239 of the Local Government Act 2002, any breach of this bylaw (including those breaches listed in clauses 13.1 to 13.4 above) will constitute an offence, which may, on conviction, attract a fine not exceeding \$20,000.

14 Transitional provisions

- 14.1** Any application to connect to, or disconnect from a water, wastewater or stormwater service or application to carry out any other works, made under New Plymouth District Council Bylaw 2008 (Water or Wastewater) for which approval has been granted, but works not yet completed at the time of commencement of this part shall be deemed to be an application made under this part.
- 14.2** Applications as specified in clause 14.1 shall be completed within two years of the commencement of this part.

**Existing
applications and
approvals**