

WATER SUPPLY BYLAW 2026			
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This bylaw is made under the authority of the Local Government (Water Services) Act (2025).

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1 APPLICATION

- 1.1. This bylaw applies to Dunedin City.

2 PURPOSE

- 2.1. The purpose of this bylaw is to provide for the management and use of the Council's water supply network in a manner that:
- (a) Enables efficient and effective management of the water supply network, including connection to the water supply network.
 - (b) Protects the Council's water supply and water supply network and equipment from contamination and against damage, misuse or interference.
 - (c) Protects against water wastage to better conserve drinking water.

3 DEFINITIONS

- 3.1. In this bylaw, unless the context otherwise requires:

ACT	Means the Local Government (Water Services) Act 2025 (and any amendments).
AIR GAP	Means a minimum vertical air gap as defined by the Building Code G12 Water Supplies between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.
ANCILLARY UNIT	Has the same meaning as defined in the Dunedin District Plan.
APPROVAL OR APPROVED	Means approval or approved in writing by the Council.
BACKFLOW	Means the unplanned reversal of flow of water or mixtures of water and contaminants into the public water supply network.
BOUNDARY BACKFLOW PREVENTION DEVICE	Means a device that prevents backflow and is installed at or near the point of supply to prevent backflow occurring into the public water supply network.
BUILDING WORK	Has the same meaning as in the Building Code, namely, work for or in connection with the construction, alteration, demolition, or removal of a building; and includes sitework. The Building Code defines sitework as work on a building site, including earthworks, preparatory to or associated with the construction, alteration, demolition, or removal of a building.

COMPLIANCE OFFICER	Means a person appointed by the Council under section 278 of the Act, and as an enforcement officer under section 177 of the Local Government Act 2002.
COUNCIL	Means the Dunedin City Council inclusive of its officers and/or agents.
CUSTOMER	Means a person who uses or has the right to use or direct the manner of use of water supplied by the Council to any property. (EXPLANATORY NOTE: The customer is normally the owner and/or ratepayer of the property.)
DEDICATED FIRE SUPPLY	Means a category of on-demand supply used solely for the operation of an automatic fire suppression system (e.g. sprinklers) as opposed to other purposes such as drinking water and water for sanitation.
DETACHED MINOR RESIDENTIAL UNIT	Has the same meaning as in the Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025, namely, a minor residential unit that is completely detached from its principal residential unit.
DRINKING WATER QUALITY ASSURANCE RULES	Means the Drinking Water Quality Assurance Rules 2022 (revised 2024) and any subsequent revisions.
EMERGENCY CONDITIONS	An emergency has been declared under the Water Services Act 2021, the Civil Defence Emergency Management Act 2002, the Hazardous Substances and New Organisms Act 1996, or the Biosecurity Act 1993 and immediate action is necessary to respond to the emergency; or any officer, employee, or agent of the Council believes, on reasonable grounds, that a specified serious risk exists.
EXCESSIVE	In relation to water use, means the amount of water used at a property is greater than the amount of water use reasonably expected for an ordinary supply.
EXTRAORDINARY SUPPLY	Means a category of on-demand supply of metered water for extraordinary use that may be subject to specific conditions and limitations and includes: (a) Properties situated within a water supply area that do not meet the definition of an ordinary supply (i.e. because the water use at the property is an 'extraordinary use'); or (b) Properties where a connection has been installed or located outside a water supply area prior to 1 April 2011 and that has subsequently been approved by the Council.
EXTRAORDINARY USE	Means the use of water for the following purposes other than ordinary use and includes, but is not limited to: (a) Commercial and business use (b) Industrial use (c) Horticultural use (d) Viticultural use

	(e) Agricultural use (f) Use at a property zoned Rural or Rural Residential (g) Use at an educational facility (e.g. schools, early-childhood centres, tertiary education institutions) (h) Use at any property that is over 1ha in size that is zoned Large Lot Residential, Low Density Residential or Township and Settlement (i) Use at any property where livestock (excluding poultry) is kept (j) Fire protection systems other than sprinkler systems installed to comply with NZS4517 which have prior approval of the Council (k) Temporary supply (l) Use at any property with: (i) A spa in excess of 10m³ capacity (ii) A swimming pool in excess of 10m³ capacity (iii) A water service pipe with a diameter greater than 25mm (iv) Any other nominated use as provided by a decision pursuant to clause 5.6 (m) Use of water at a property outside the water supply area boundary (n) Excessive water use.
FEES AND CHARGES	Means the list of items, terms and prices for services associated with the supply of water as adopted by the Council in accordance with the Act and the LGA.
INFRINGEMENT FEE	In relation to an infringement offence, means the infringement fee for the offence specified in this bylaw made under the Act.
INFRINGEMENT OFFENCE	Means an offence that is identified in this bylaw made under the Act as being an infringement offence and is an offence as outlined in clause 6.10 of this bylaw.
LGA	Means the Local Government Act 2002 (and any amendments).
MULTIPLE OWNERSHIP	Includes the following forms of property ownership: Company Share/Block Scheme (Body Corporate), Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, and Unit Title (Body Corporate).
NOTICE	Means written notice.
OWNER	Means the person owning the property to which water is supplied.
ON-DEMAND SUPPLY	Means a supply of water that is available on demand directly from the point of supply. It includes ordinary supply, extraordinary supply and dedicated fire supply.
ORDINARY SUPPLY	Means a category of on-demand supply to a property within a water supply area used solely for ordinary use.

ORDINARY USE	Means the use of water solely for domestic purposes in a dwelling (which may include use for accommodation rental activities in a residential unit, ancillary unit or a detached minor residential unit, e.g. Airbnb). This includes the use of a hose for: (a) Washing down a car, or other domestic vehicle, boat, house, windows or the like (b) Filling a spa or swimming pool with a capacity of up to and including 10m³ (c) Garden watering by hand (d) Garden watering by a portable sprinkler (e) Water blasting. A property that uses water solely for domestic purposes in a dwelling and meets the definition of extraordinary use will be managed as an extraordinary supply.
PERSON	Means a natural person, and includes a corporation sole, a body corporate and an unincorporated body.
POINT OF SUPPLY	Means the point on the service pipe that marks the boundary of responsibility between the customer and the Council, irrespective of a property boundary, as determined under clause 5.20.
PROPERTY	Means the land and buildings to which water is supplied.
RAW WATER SUPPLY PIPELINE	A Council pipeline that conveys untreated water (raw water) abstracted from the environment to a storage facility or a water treatment plant facility.
RESTRICTED SUPPLY	Means water supply that is restricted due to non-compliance with the bylaw and is different from restricted flow supply.
RESTRICTED FLOW SUPPLY	Means a supply where a small continuous flow is supplied by a flow control device, and storage is provided by the customer to cater for the customer's demand fluctuations.
RURAL WATER SUPPLY AREAS	Means areas serviced by a restricted flow supply and/or on-demand supply but not necessarily with firefighting capability. These are shown on maps on the DCC's website.
SERVICE PIPE	Means a section of water pipe between a Council watermain and the point of supply, that is owned and maintained by the Council.
SERVICE VALVE	Means the valve at the end of the service pipe, which is on the Council side of the point of supply and is owned and maintained by the Council.
SPECIFIED SERIOUS RISK	Has the same meaning as in section 256 of the Act, namely, a serious risk of, or to, any of the following relating to the delivery of water services: (a) Illness, injury or death

	(b) Public health (c) The natural or built environment (d) Water services infrastructure (e) Sites of cultural significance.
STORAGE TANK	Means any tank having a free water surface.
SUPPLY PIPE	Means the section of pipe between the point of supply and the customer's property through which water is conveyed to the property and owned and maintained by the customer.
TERMS AND CONDITIONS	Means those clauses outlined in this bylaw that apply to the supply of water by the Council.
URBAN WATER SUPPLY AREAS	Means areas serviced by a reticulated water supply network that is intended to supply water to customers via an on-demand supply with firefighting capability. These are shown on maps on the DCC's website.
WATER SERVICES INFRASTRUCTURE	Has the same meaning as in section 4 of the Act, namely, (a) means infrastructure that is associated with, or necessary for, providing water services; and (b) includes the capability and capacity of that infrastructure to perform necessary processes, including the attenuation, treatment, and conveyance of water. In the context of this bylaw, the term 'water services infrastructure' refers specifically to the water supply network and does not refer to the wastewater network or the stormwater network.
WATER SUPPLY NETWORK	Has the same meaning as in section 4 of the Act, namely, the infrastructure and processes that are – (a) used to provide a water supply service; and (b) owned by, or operated by, for, or on behalf of, the Council. In relation to the Council's water supply network, this includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, raw water pipelines, treatment plants, treated water reservoirs, trunk mains, service mains, watermains, rider mains, pump stations and pumps, valves, hydrants, service pipes, boundary assemblies, meters, manifolds, service valves, Council-owned boundary backflow preventers and tobies.
WATER UNIT	Means one water unit that is delivered at the rate of 1m ³ per day (1,000 litres) and is the basis of measurement for a restricted flow supply in a rural water supply area.
WORKING DAY	Means any day of the week, other than:

	(a) A Saturday, a Sunday, Waitangi Day, Otago Anniversary Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Matariki Observance Day, Labour Day; and (b) A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year.
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- 3.2. Part 2 of the Legislation Act 2019 applies to the interpretation of this bylaw.
- 3.3. Every schedule to this bylaw forms part of the bylaw.
- 3.4. Every appendix to this bylaw does not form part of the bylaw, and may be inserted, altered or removed at any time without any formal process. Appendices are provided for information purposes only.
- 3.5. Explanatory notes are not part of the bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

EXPLANATORY NOTE: Explanatory notes are used to explain the intent of a clause in less formal language and/or to include additional helpful information.

4 PROTECTION OF THE WATER SUPPLY NETWORK

Access to the system

- 4.1. No person other than the Council and its authorised agents shall access any part of the water supply network except to connect to the point of supply, where a connection is approved, and to operate the service valve.

No person to connect to or interfere with the water supply network

- 4.2. Except as set out in clauses 4.3 and 4.4, no person may connect to, or otherwise interfere with, any part of the water supply network.

Fire Hydrants

- 4.3. Drawing water from fire hydrants through the use of a standpipe is not permitted except by Fire and Emergency New Zealand, other emergency services, the drinking water supplier, or authorised contractors to the drinking water supplier where it is reasonably necessary to access the network for the operation of the drinking water supply.

Approvals to access water

- 4.4. A person may make a written application to the Council using the appropriate form supplied by the Council for approval to access water from a Council water tanker filling station. Any approval is valid only for the term specified, and subject to compliance with all terms and conditions specified on the approval.

Working around buried water services infrastructure

- 4.5. Approval from the Council must be obtained prior to carrying out building work over or near Council water services infrastructure. Applications for approval must be in writing using the appropriate form supplied by the Council. For the purposes of this clause, building work is near water services infrastructure if it is:

- (a) Less than 2 metres from a water services infrastructure pipe that is less than 300mm in diameter; or
- (b) Less than 10 metres from a water services infrastructure pipe that is 300mm or more in diameter,

except that any person who has obtained a resource consent that includes building work near any water services infrastructure may carry out the work in accordance with the setback distances specified in that consent.

EXPLANATORY NOTE: The Council keeps accurate permanent records (as-builts) of the location of its buried water services infrastructure. This information is available for inspection at no cost to the public. Reasonable charges may apply to cover the costs of providing copies of this information.

- 4.6. Any person proposing to carry out excavation or building work must view the as-built information to establish whether or not components of the Council's water services infrastructure are located in the vicinity. At least five working days' notice in writing must be given to the Council of an intention to excavate in the vicinity of its water services infrastructure.

- 4.7. A fee may be payable if the Council considers it is appropriate to mark out to within +/- 0.5m on the ground the location of its water services infrastructure and to advise in writing any restrictions on the work it considers necessary to protect its services.
- 4.8. When excavating and working around buried services due care must be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate Council specifications.
- 4.9. Any damage that occurs to Council water services infrastructure must be reported to the Council immediately. The person causing the damage must reimburse the Council for all costs associated with repairing the damaged service, and any other costs the Council incurs as a result of the incident.

EXPLANATORY NOTE: Excavation within roadways is also subject to the permit process of the appropriate Roadway Authority. Excavation and building work around Council water services infrastructure may also be subject to the requirements of the Council's District Plan. Electronic maps showing indicative locations of buried DCC water services infrastructure are available on the DCC website (water services map) and via beforeudig.co.nz.

Water Supply Catchment Management

Catchment Classes

- 4.10. Council-owned water supply catchments from which water is abstracted for the purposes of the water supply service are classified as:
 - (a) Controlled;
 - (b) Restricted;
 - (c) Open.

Council's water supply catchments and their classifications are set out in Schedule 1.

Controlled catchments

- 4.11. The following conditions apply to controlled catchments.

Entry

- (a) Controlled catchments must not be entered by any person except those specifically approved by the Council.

Approvals

- (b) A person may apply in writing to the Council using the appropriate form supplied by the Council for approval to enter a controlled catchment. Any approval is valid only for the term specified, and subject to compliance with all terms and conditions specified on the approval. Approvals may forbid or impose conditions to regulate activities such as:
 - (i) Hunting, trapping, shooting or fishing;
 - (ii) Lighting or maintaining any fire;
 - (iii) Taking of any dog or other animal into a catchment area;

- (iv) Damaging or destroying any trees, shrubs, or other existing cover, or interference with any property;
 - (v) Excavation;
 - (vi) 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; and
 - (vii) Use of any pesticide or toxic substance for any purpose whatsoever;
 - (viii) Pest control activities;
 - (ix) Track maintenance.
- (c) Every person issued with an approval by the Council under this clause of the bylaw must produce their approval for inspection by a compliance officer.
- (d) An approval issued under this clause cannot be transferred.
- (e) The Council may at any time, by notice in writing delivered to the holder, suspend any approval for such time as stated in the notice, or may revoke the approval.

Interference and obstruction

- (f) If requested by the Council a person must immediately leave a controlled catchment.

EXPLANATORY NOTE: The person may also be liable for a breach of any of the provisions of this bylaw. Failure to leave the area constitutes a further offence.

- (g) A person must not obstruct or hinder any compliance officer in the exercise of any powers under this bylaw.

Restricted Catchments

- 4.12. Within a restricted catchment, persons undertaking the following activities will be allowed unrestricted entry:

- (a) Tramping, trail running or any similar 'on-foot' activity on existing tracks, including with a dog (subject to the terms and conditions of the Dunedin City Council Dog Control Bylaw 2024 or any replacement);
- (b) Fishing.

For any other activities, the restricted catchment area will be managed as if it was a controlled catchment area (see clause 4.11).

Open Catchments

- 4.13. In open catchments there are no restrictions on activities under this bylaw, except in relation to:

- (a) where a reservoir is in an open catchment as set out in clause 4.14;
- (b) hunting and trapping in an open catchment, for which approval should be sought in accordance with clause 4.11(b) of the bylaw.

EXPLANATORY NOTE: Activities in natural waterways are regulated by the Resource Management Act 1991 rather than this bylaw. In addition to this bylaw, there may also be provisions of regional plans, district plans and/or National Environmental Standards that apply to activities on land in controlled, restricted and open catchments.

Additionally, users are reminded that the DCC's Reserves and Beaches Bylaw (2017) and its rules apply to all DCC water supply catchment lands. It is recommended that if users are crossing between DCC catchment land and neighbouring land owned by, for example, the Department of Conservation, to check the adjacent landowners' access rules.

Reservoirs

4.14. Swimming, bathing, boating or any similar activity, and the dumping of any rubbish or release of other potential sources of contaminants, is prohibited in all Council reservoirs. No person, or their pets, may enter the following:

- (a) Southern Reservoir;
- (b) Rossville Reservoir;
- (c) Cedar Farm Reservoir;
- (d) Ross Creek Reservoir;
- (e) Sullivans Dam;
- (f) Mt Grand Reservoir;
- (g) West Taieri Reservoir.

Spillages and adverse events

4.15. No person may apply any toxic or hazardous substances to land or water within any water supply catchment unless approved by the Council. The person responsible for any spillage or other event that releases or is likely to release hazardous substances into the waters of any catchment, or may compromise any part of the water supply network, must advise the Council immediately. This requirement is in addition to other notification procedures required by other authorities.

5 CONDITIONS OF SUPPLY

Water Supply Areas

- 5.1. The urban and rural water supply areas are in Schedule 2 of this bylaw.
- 5.2. No new supply connections will be permitted to properties lying outside a water supply area.
- 5.3. Where a water supply connection was installed or located outside the water supply area boundaries prior to 1 April 2011 without any formal approval by the Council, the Council will review the connection to ensure the safety and integrity of the water supply network. Following the review the Council at its discretion, may approve the connection as an

extraordinary supply or take any other reasonable actions to preserve the safety and integrity of the water supply network.

EXPLANATORY NOTE: In rare instances where the water supply area boundary bisects a property, the Council will determine whether the property is to be treated as falling within or outside of the water supply area, taking into account the proportions of the property within and outside the water supply area, the zoning of property as defined in the Dunedin City District Plan, and the availability of appropriate water supply network infrastructure to establish a water supply connection at the property.

Application for Supply

5.4. Any person wishing to:

- (a) Establish a point of supply;
- (b) Change the use of an existing supply;
- (c) Make a change to boundary backflow prevention measures; or
- (d) Use water for any purpose other than ordinary use;

shall make a written application to Council using the appropriate form supplied by the Council.

EXPLANATORY NOTE: Council staff are available to discuss the requirements of the bylaw with prospective applicants before they prepare a water supply application. Please contact the DCC on 03 477 4000 to ask for assistance. Pre-application discussions are particularly encouraged where application proposals are complex.

5.5. A person may apply in writing to the Council to connect to a water supply using the appropriate form supplied by the Council and accompanied by payment of the prescribed charges. The application must provide all the details required by Council.

5.6. The Council will follow the 3-step approval process below:

- (a) *Step 1:* Assess the concept plan for a water connection, to ensure that the water supply network has enough capacity for the proposed supply and will comply with the requirements of clauses 5.19-5.52 (Point of Supply and Types of Supply). If satisfied of these matters, the Council will approve the concept plan.
- (b) *Step 2:* Assess the engineering plans for a water supply connection, to ensure that the proposed activity can be implemented. If satisfied that the plan can be implemented, the Council will approve the engineering plans.
- (c) *Step 3:* Final approval and sign off – if the Council is satisfied, after considering the inspections of completed works and supporting documentation, that the work has been completed to an acceptable standard and in accordance with the approvals

given under steps 1 and 2, the Council will give final approval and sign off for the connection.

- 5.7. All applicants who apply for a water supply connection:
- (a) May apply for an approval of more than one step in clause 5.6 at the same time.
 - (b) May amend the application for approval at any stage before the application has been approved.
 - (c) May amend the application for approval after the Council has made its decision (in which case the Council will consider the amended application using the same process as outlined above in clause 5.6).
- 5.8. The applicant must obtain any other relevant resource consents, before the Council makes the connection to the water services network and confirm with the Council that any relevant resource consents have been obtained, before completing the connection to the water services network.
- 5.9. If not advised earlier, following approval under Step 1, the Council will inform the applicant of the type of supply, the size of the connection, any conditions applicable and the general terms and conditions under which water will be supplied.
- 5.10. If an applicant has applied for more than one step at the same time, the Council may approve more than one step of the approval process at the same time.
- 5.11. If the application for a water connection is declined, the applicant may apply in writing to the Council for an internal review of that decision within 20 working days of the original decision coming to the applicant's notice. An internal review of the decision must proceed in accordance with sections 151-157 of the Act.

EXPLANATORY NOTE: Council does not approve new connections to private watermains that have been established historically. If a person wants to establish a new connection to a private watermain they should seek their own advice as to their authority to connect.

Council authorisation for the supply of water by way of an Application for Supply (as provided for in this bylaw) is still required.

Connections Process

- 5.12. No connection may be made to the water supply network without approval from the Council.
- 5.13. The Council will supply and install the service pipe and associated fittings (including the service valve) up to the point of supply at the customer's cost; or may allow the supply and installation of the service pipe and associated fittings (including the service valve) up to the point of supply to be carried out by approved contractors engaged by the customer at the customer's cost.
- 5.14. An agent for the owner must have the authority to act on behalf of the owner of the property for which the supply is sought and must produce written evidence of this if required.

- 5.15. An approved application for supply which has not been actioned within 12 months of the date of approval, will lapse unless a time extension has been approved.
- 5.16. New supplies from any raw water supply pipeline will not be permitted.
- 5.17. As part of a subdivision process, the Council will require individual supply connections to resultant properties that originally shared a supply connection prior to subdivision. The Council will notify property owners if this requirement is triggered.
- 5.18. If a new individual water supply connection is required after a property is subdivided, any cost for the new supply connection must be met by the owner of the new property requiring the new individual water supply connection.

Point of Supply

- 5.19. The Council will own and maintain the service pipe, service valve and fittings up to the point of supply. The customer owns and maintain the supply pipe beyond the point of supply.
- 5.20. The point of supply is any of the following:
 - (a) the downstream thread on the service valve within the toby, manifold or stopcock assembly for ordinary supply;
 - (b) the downstream thread of the tailpiece on an in-line water meter for extraordinary supply;
 - (c) the downstream side of the restrictor for restricted supply and restricted flow supply;
 - (d) the downstream thread on the service valve for dedicated fire supply;
 - (e) the final fitting on a Council tanker filling station; or
 - (f) as determined by the Council where none of (a) – (e) apply.

EXPLANATORY NOTE: The Council gives no guarantee regarding the serviceability of the service valve located on the service pipe. Where there is no customer stopcock, or where maintenance is required between the point of supply and the customer stopcock, the customer may use the service valve to isolate the supply. The Council reserves the right to charge for maintenance for the service valve if damaged by such customer use.

Single Ownership

- 5.21. For each individual property there must be only one point of supply unless otherwise approved, or unless required by another provision of this bylaw.
- 5.22. For individual customers the point of supply should be located 250mm from the roadside property boundary or as near as practicable to the roadside property boundary as determined by Council.
- 5.23. Where individual customers' properties are individual lots accessed by a shared private right of way the point of supply must be located as follows:

- (a) For 2-4 customers on a shared private right of way each customer must have an individual supply with the point of supply 250mm from the roadside property boundary.
- (b) For 5 or more customers on a private right of way each property that fronts the Right of Way must have its own point of supply located either:
 - (i) where there is a Council watermain installed in the right of way, 250mm from the property boundary that fronts the Right of Way; or
 - (ii) where there is no Council water main installed in the right of way, individual supplies with the point of supply 250mm from the roadside property boundary.

EXPLANATORY NOTE: Typical point of supply layouts and locations for ordinary and extraordinary supplies are shown in Appendix 1, Examples 1, 2 and 3.

In relation to clause 5.23(a), see Appendix 1, Example 4.

In relation to clause 5.23(b), see Appendix 1, Example 5 for (b)(i) or Appendix 1, Example 4 for (b)(ii).

Where a watermain is proposed to be installed in a private right of way for the purpose of servicing five or more customers whose properties are individual lots accessed by the shared private right of way, the watermain may be vested in Council if it is designed and constructed to Council specifications and has the capacity for any future development that could occur on the site under permitted density rules of the District Plan.

Multiple Ownership

- 5.24. The point of supply for multiple ownership is located 250mm from the roadside property boundary or as otherwise approved by the Council.

EXPLANATORY NOTE: In relation to clause 5.24, see Appendix 1, Example 6 or Example 7.

EXPLANATORY NOTE: Private watermains that service more than one property are not an acceptable option for new subdivisions or developments if a legal entity has not been legally established to own and manage the private watermain.

- 5.25. Where any property contains multiple units owned by one customer (e.g. flats or community housing) and are subsequently subdivided into separate lots, all resulting lots must have individual water supply connections that comply with this bylaw at the time of subdivision. All works to provide individual supplies, and thereby ensuring compliance with the bylaw, are at the customer's expense.

EXPLANATORY NOTE: When new multiple residential units are being developed on a lot owned by one ratepayer with the intention that they will be subdivided or individually sold at a later date, the landowner/developer is strongly recommended to provide individual water connections to the

residential units at the time of development to avoid Council requiring installation of individual supplies at the time of subdivision.

Dedicated fire supply

- 5.26. For commercial and industrial properties with automatic fire suppression systems (and residential properties where a sprinkler system is to be installed) separate water supply connections are required (a) for fire-suppression purposes and (b) all other purposes (e.g. water supply for drinking and sanitation).

EXPLANATORY NOTE: See clause 5.20(d) for the point of supply for dedicated fire supplies. Also see Example 8 or 9 in Appendix 1.

Access to and about the point of supply

- 5.27. Where the point of supply is on private property the customer will allow the Council access to, and about the point of supply between 7.30am and 6.00pm on any day for:
- (a) Meter reading without notice; or
 - (b) Checking, and testing, with the customer's agreement, and
 - (c) Maintenance work, with ten working days' notice being given by the Council.
- 5.28. Where access is not made available under clause 5.27 and a return visit is required by the Council, the Council reserves the right to charge customers for the time spent and any cost incurred to make the meter accessible.
- 5.29. Under emergency conditions, or to address a specified serious risk, the customer must allow the Council free access to and about the point of supply at any hour on any day. As soon as practicable after the Council gains access it will inform the customer of the emergency entry.

Maintenance of Access

- 5.30. The customer must maintain the area in and around the point of supply keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent, convenient access.

Types of Supply

- 5.31. The water supply provided by the Council is classified as either 'on-demand supply' or 'restricted flow supply'. On-demand supplies are further classified as 'ordinary supply' or 'extraordinary supply' or 'dedicated fire supply'.

On-demand/Ordinary Supply

- 5.32. Ordinary supply is for ordinary use as defined in this bylaw.
- 5.33. Every property where an on-demand supply is available is entitled to an ordinary supply of water, subject to the following conditions:

- (a) The property is within a water supply area (refer to electronic maps on the DCC website).
 - (b) The exclusion of its use for any specified purpose, and in particular for garden irrigation, under any restrictions made by the Council under clause 5.56 or clause 5.58.
 - (c) Payment of the appropriate charges in respect of that property.
 - (d) Any other charges or costs associated with subdivision and land-use development.
 - (e) The supply is not used for any extraordinary use or is not a dedicated fire supply.
 - (f) Any relevant provisions of this bylaw.
- 5.34. An ordinary supply of water will not normally be metered, but the Council reserves the right to fit a meter and charge where it considers the customer's water use is excessive.
- 5.35. The Council will determine whether the use is excessive by taking into account the number of users at the property, the Council's per person per day average water consumption target and making a reasonable allowance for some leakage.

EXPLANATORY NOTE: the Council's per person per day average water consumption target is currently <240 litres, as stated in Dunedin's 9-Year Plan 2025-34.

- 5.36. Any determination that water use is excessive may not be notified to the customer before a meter is fitted. The customer may ask for the decision to be reviewed in accordance with clause 7.1 of the bylaw.

On-demand/Extraordinary Supply

- 5.37. An extraordinary supply is normally metered and charged for in accordance with this bylaw and must have an appropriate boundary backflow prevention device.
- 5.38. The Council is not obliged to provide an extraordinary supply of water to any property.
- 5.39. Where the supply of water to any property changes and/or consists of both ordinary and extraordinary supply, the Council may require that each supply is separated into ordinary supply and extraordinary supply at the customer's cost, as deemed reasonable in each particular case.

EXPLANATORY NOTE: This means that for multi-use or multi-tenanted properties, a combination of water rates and charges may apply.

On-demand/Dedicated Fire Supply

- 5.40. The Council is under no obligation to supply water for fire protection purposes at any particular flow or pressure.
- 5.41. It is the customer's responsibility to ascertain and monitor whether the supply available for fire protection purposes is adequate for the intended purpose.

- 5.42. A service pipe used for dedicated fire supply:
- (a) must be an entirely separate service pipe from any other service pipe to the property;
 - (b) must not be used for any purpose other than use and testing of the fire protection system;
 - (c) is not normally metered. If metering is required, the meter must be a unit complying with the relevant fire sprinkler standard. Mechanical flow meters shall not be installed on dedicated fire supply lines, as they could compromise flow under fire conditions.
- 5.43. Where the supply of water to any property is metered, the Council may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the water meter, provided that:
- (a) The drawing of water will only be permitted in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
 - (b) Where a Council approved detector check valve has been fitted on the meter bypass.
- 5.44. Where it is likely or possible that water will be drawn from it by any person for purposes other than firefighting, the Council may require the supply to be metered. If metering is required, the meter shall not compromise flow under fire conditions.
- 5.45. Fire hose reels must be connected only to the metered supply, not to the dedicated fire supply line.
- 5.46. Water used for the purpose of extinguishing fires will be supplied free of charge. Where water has been used for firefighting purposes from a metered connection, the Council will estimate the quantity of water used, and credit the customer's account an amount based on the estimate.
- 5.47. Water used for routine flushing and flow testing for dedicated fire supply lines does not constitute waste but the quantity of water used may be assessed and charged for by the Council.

Restricted Flow Supply

- 5.48. Restricted flow supply is available only to property within a rural water supply area, or under special conditions set by the Council.
- 5.49. The water supply will be restricted to deliver the agreed number of water units over a 24-hour period.
- 5.50. It is the customer's responsibility to supply water storage for their needs.
- 5.51. All storage tanks used by customers with restricted flow supplies must include an air gap for the purpose of backflow prevention.
- 5.52. The Council will charge for the restricted flow supply by either:
- (a) The volume passing through a meter at the sole discretion of the Council; or
 - (b) The agreed number of water units.

Continuity of Supply

- 5.53. Due to practical and physical limitations the Council cannot guarantee an uninterrupted or constant supply of water in all circumstances or the continuous maintenance of any particular pressure but will endeavour to provide a continuous supply, subject to the exemptions contained in clauses 5.56, 5.58 and 5.59. Refer also to clause 5.55.
- 5.54. Where works of a permanent or temporary nature are planned which will substantially affect an existing supply, the Council will consult with, or inform or give notice to all known customers likely to be substantially affected.

Uninterrupted Service

- 5.55. If a customer has a particular requirement for an uninterrupted service (flow, pressure or quality), it will be the responsibility of that customer to provide any storage, back up facilities, or equipment necessary to provide that service.

Demand Management

- 5.56. The customer will comply with any restrictions which may be approved by the Council to manage high seasonal or other demands (which may also be related to Otago Regional Council resource consent compliance requirements or any variation to a resource consent). Such restrictions will be publicly notified.
- 5.57. Even when such restrictions apply, the Council will take all practical steps to ensure that an adequate supply for ordinary use is provided to each point of supply.

Emergency Restrictions

- 5.58. During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, for any or all of its customers. Such restrictions shall be publicly notified.

Maintenance and Repair

- 5.59. Wherever practical the Council will make every reasonable attempt to notify the customer of a scheduled maintenance shutdown of the supply before the work commences. Where immediate action is required and notification is not practical, the Council may shut down the supply without notice. A shutdown will normally not exceed 8 hours.

EXPLANATORY NOTE: Notification to consumers and the provision of alternative means of supply will comply with the requirements of the Water Services Act 2021.

Liability

- 5.60. The Council is not liable for any loss, damage or inconvenience which the customer (or any person using the supply) may sustain as a result of deficiencies in, or interruptions to, the water supply.

Boundary Backflow Prevention

- 5.61. The customer is responsible for:

- (a) Taking all necessary measures to prevent backflow into the Council's water supply network.
- (b) Implementing boundary backflow prevention measures either by providing an adequate air gap or using an appropriate boundary backflow prevention device and by ensuring the device or air gap is operating effectively at all times.
- (c) In the case of a restricted flow supply, not making any connections between the point of supply and the air gap at the inlet to the customer storage tank. All household plumbing and outdoor taps must be supplied from the customer storage tank.

EXPLANATORY NOTE: The process for determining an appropriate boundary backflow prevention device is set out in the Council's Boundary Backflow Prevention Policy. For the purposes of 5.61(b), use of an appropriate boundary backflow prevention device for properties with a 'very low' risk hazard classification can be achieved by use of the device provided (and owned) by the Council.

Compliance under the Building Act 2004 does not absolve the property owner from the requirements of the Water Services Act 2021 for point of supply backflow prevention.

- 5.62. Any person must immediately notify the Council if they have reason to believe that backflow has occurred into the Council's water supply network.
- 5.63. At the Council's request, the customer must provide any information about any water use or activity on the customer's side of the point of supply in relation to a boundary backflow risk classification, and/or take any action(s) requested by the Council to ensure boundary backflow prevention is achieved to the Council's satisfaction.
- 5.64. Where there is a change of water use or activity carried out on the customer's side of the point of supply that may alter the boundary backflow risk classification, the customer must:
 - (a) Notify the Council in writing of any change of water use or activity; and
 - (b) Demonstrate how boundary backflow prevention will be achieved in relation to the change, to the Council's satisfaction; and/or
 - (c) Install an appropriate boundary backflow prevention device and comply with any other requirement made by the Council, including, under section 27 of the Water Services Act 2021.
- 5.65. Council-owned boundary backflow prevention devices will be located on the Council side of the point of supply, generally in the manifold assembly with the service valve.
- 5.66. The Council will approve the location and installation requirements for a customer-owned boundary backflow prevention device. The Council will apply the following matters related to device location and installation specifications:
 - (a) Customer-owned boundary backflow prevention devices must be located immediately downstream of the point of supply, just inside the customer's property boundary. If this location is not possible, the written approval of the Council is required for an alternative installation location.

- (b) Devices must be sited for safe and easy testing and maintenance access (including easy access to the test cocks and shut off valves) and away from other hazards, for example, heavy traffic.
 - (c) Devices must be accessible at all times for inspection, testing and maintenance purposes.
 - (d) Devices must be serviceable in-line, i.e. without removal from their position in the pipe.
 - (e) Plantings must not interfere with access to and operation of the device.
 - (f) Reduced Pressure Zone devices are to be installed above ground with a minimum vertical clearance of 300mm between finished ground level and the lowest point on the device's relief valve.
 - (g) For testable boundary backflow prevention devices, with the exception of devices installed on a dedicated fire supply, all boundary backflow prevention devices must be installed with an isolating valve and line strainer upstream, and an isolating valve downstream of the device. Where the customer needs continuous supply, two devices with isolating valves should be installed in parallel so that one is still available for use while the other is being tested or maintained.
 - (h) Where testable double check valve devices are installed in an underground chamber, the design must allow for servicing by top entry and the chamber must be well drained. For larger sized testable double check valve devices above 50mm diameter, these shall be installed above ground unless written approval is provided from Council. This is to allow for ease of access and possible future upgrading to reduced pressure zone devices.
 - (i) Any other matter the Council considers relevant to the specific device location and installation.
- 5.67. Boundary backflow prevention devices and air gaps used for boundary backflow prevention purposes must be registered with the Council using the appropriate form within 10 working days of installation.
- 5.68. Where a customer considers that the type of boundary backflow prevention device in use is no longer necessary, they may apply to Council for the device to be removed and another device type (e.g. a non-testable device) installed in its place. The customer is responsible for providing all relevant evidence and risk assessments to support their application and meeting all costs of processing the application.
- 5.69. Where the request is granted, the removal and replacement procedures must be approved by Council and all costs involved borne by the customer. Any Building Consent required, or Building Consent exemption is the responsibility of the customer. Full and appropriate records of the change must be provided to Council.

EXPLANATORY NOTE: Council's Boundary Backflow Prevention Policy sets out additional matters the Council may consider in relation to location and installation.

Boundary backflow hazard risk category

- 5.70. The Council will assess all water supply connections for backflow hazards and risk and assign a boundary backflow hazard risk category. The customer must use a boundary backflow prevention device appropriate to the hazard risk category determined by the Council.
- 5.71. The customer must not bypass a boundary backflow prevention device or an air gap used for boundary backflow prevention purposes unless the bypass is also fitted with an approved boundary backflow device appropriate for the same hazard risk category.

EXPLANATORY NOTE: Council's Boundary Backflow Prevention Policy provides more information about boundary backflow hazard risk categories.

Boundary backflow prevention device testing and air gap verification

- 5.72. Testable boundary backflow prevention devices must be tested as soon as practicable after installation to verify correct installation and function. The customer must arrange the first, post-installation test of a new boundary backflow prevention device by an Independently Qualified Person (IQP) approved for backflow prevention device testing (Specified System 7) by the South Island IQP Panel and provide the test result to the Council, within 10 working days of the installation of the device.
- 5.73. Testable boundary backflow prevention devices must be tested annually.
- 5.74. In circumstances where annual testing of a boundary backflow prevention device is undertaken by the customer, the test results must be provided to the Council's 3 Waters Group within 10 working days of the test. For the avoidance of doubt, this includes the results of the annual testing of boundary backflow prevention devices installed on dedicated fire supplies that are tested by the customer for a Building Warrant of Fitness.
- 5.75. In the event a boundary backflow prevention device fails a test, the customer must arrange for the device to be repaired within a timeframe determined by the Council.
- 5.76. In addition to annual testing, boundary backflow prevention devices installed on dedicated fire supplies must be tested immediately after use of the dedicated fire supply for fire suppression and after each full flow test conducted on the fire suppression system. This testing is to be arranged by the customer and the customer must provide the results to the Council's 3 Waters Group within 10 working days of the test.
- 5.77. The customer must arrange the first, post-installation verification of a new air gap used for the purpose of boundary backflow prevention by a suitably qualified and experienced person, and provide the test to the Council, within 10 working days of the installation of the air gap.
- 5.78. Air gaps used for the purpose of boundary backflow prevention must be verified annually.

EXPLANATORY NOTE: Council's Boundary Backflow Prevention Policy provides more information about annual boundary backflow prevention device testing.

Unmanaged risk

- 5.79. Where there is a risk of backflow to a reticulated drinking water supply and the customer does not take action to provide adequate boundary backflow prevention, the Council may fit a boundary backflow prevention device on the Council side of the point of supply. In these circumstances, the installation, testing and maintenance shall be at the customer's expense.

Boundary backflow prevention for dedicated fire supply

- 5.80. A dedicated fire supply must be fitted with a testable double check valve backflow prevention device on the customer side of the point of supply in the valve house. Additionally, a reduced pressure zone backflow prevention device must be fitted on the customer side of the point of supply at the boundary if chemicals are added to the fire protection system.

EXPLANATORY NOTE: See Appendix 1, Example 8.

- 5.81. Council reserves the right to require additional backflow protection on the dedicated fire supply line depending on the location of the valve house and the distance between that and the point of supply.

EXPLANATORY NOTE: In the case of dedicated fire supply lines, a long distance between the point of supply on the water main to the double check valve in the valve house can lead to large volumes of water sitting unused in pipelines for long periods of time. To prevent this unused water from returning to the public water supply network, the Council may require the installation of an additional boundary backflow prevention device on the customer's side of the point of supply. See Appendix 1, Example 9.

- 5.82. Backflow prevention devices associated with dedicated fire supply are to be installed in the sprinkler valve house, or other secured environment as approved by Council. If Council requires additional backflow prevention on the dedicated fire supply line close to the boundary, this device must not compromise the performance of the fire suppression system.

Council Equipment and Inspection

- 5.83. The customer must take due care not to damage any part of the water supply network, including but not limited to pipework, valves, meters, restrictors, chambers and backflow prevention devices.
- 5.84. Subject to the provisions of the Act, or the Water Services Act 2021, as appropriate, the customer will allow a compliance officer or authorised agent of the Council, with or without equipment, access to any area of the property for the purposes of determining compliance with this bylaw.

Meters and Flow Restrictors*Installation*

- 5.85. Meters for on-demand supplies, restrictors for restricted flow supplies, and restrictors for restricted supplies will be supplied, installed and maintained by the Council and will remain the property of the Council.

Accuracy

- 5.86. Meters shall be tested as and when required by the Council and as prescribed in the current Water Meter Code of Practice (OIML R49) published by the New Zealand Water and Wastes Association.
- 5.87. Restrictors shall be tested by measuring the quantity that flows through the restrictor in a period of not less than one hour at its expected minimum operating pressure. A copy of independent certification of the test result shall be made available to the customer on request.
- 5.88. Any customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested, provided that it is not within three months of the last test. If the test shows the meter or restrictor is not accurate, the customer will not be charged for the test. If the test shows the meter or restrictor is accurate, the customer must pay for the cost of the test as prescribed by the Council.
- 5.89. If a tested meter is found to be reading inaccurately, the Council will adjust the customer's account accordingly, and either refund or charge the customer according to the adjusted account.

Estimating Consumption

- 5.90. Should any meter be out for repair, or cease to register, or be removed or is inaccessible or is not read for any other reason, the Council will estimate the consumption for the period since the previous reading of such meter, (based on the average of usage over the previous 12 months charged to the customer) and the customer will pay according to such an estimate. Provided that when, by reason of a large variation of consumption due to seasonal or other causes, the average of the previous 12 months 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 will pay according to such an estimate.
- 5.91. Where the seal or dial of a meter is broken, the Council may declare the reading void and estimate consumption as described in clause 5.90.

Incorrect Accounts

- 5.92. Where a situation occurs other than as provided for in clauses 5.90 and 5.91, where the recorded consumption does not accurately represent the actual consumption on a property, then the account shall be adjusted using the best information available to the Council. Such errors include, but are not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies. Where an adjustment is required in favour of the Council or the customer, this shall not be backdated more than 36 months from the date the error was detected.

Prevention of Waste

- 5.93. The customer must:
 - (a) prevent and not intentionally allow water to run to waste from any pipe, tap or other fitting;
 - (b) not create a nuisance by allowing water to run onto an adjoining property;

- (c) not allow the condition of the plumbing within the property to deteriorate to the point where leakage and or wastage is uncontrolled.

- 5.94. The Council provides water for consumptive use not as an energy source. The customer must not use water or water pressure directly from the supply for driving lifts, machinery, educutors, generators or any other similar device, unless specifically approved by Council.
- 5.95. The customer must not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by Council.

Transfer of Rights and Responsibilities

- 5.96. Reallocation of water units for restricted flow supply:
 - (a) Where a customer relinquishes one or more water units, then the water units will be made available for reallocation by the Council at its discretion. Any relinquished units must not be traded between customers in the rural water supply area;
 - (b) Where a customer subdivides their property, any existing water units may be re-allocated within that subdivided parcel of land and as determined by agreement with the Council.

Change of Ownership

- 5.97. In the event of a property changing ownership the Council will automatically record the new owner as being the customer at the property.
- 5.98. Where a property is metered the outgoing customer must give the Council at least two working days' notice to arrange a final reading.

Disconnection at the customer's request

- 5.99. The customer must give 20 working days' notice in writing to the Council of the requirement for disconnection of the supply.

6 BREACHES AND INFRINGEMENT OFFENCES

Breach of Bylaw

- 6.1. A person breaches this bylaw when they fail to comply with any provision in this bylaw.

Breaches of Conditions of Supply

- 6.2. The following are breaches of the terms and conditions to supply water, and also a breach of this bylaw:
- (a) The provision of false information in an application for supply connection that fundamentally affects the conditions of supply.
 - (b) Failure by the customer to meet and comply with the conditions of supply in this bylaw.
 - (c) Frustration of the Council's ability to adequately and effectively carry out its obligations.
- 6.3. In the event of a breach of the terms and conditions of supply, the Council may serve notice on the customer advising the nature of the breach, the steps to be taken to remedy the breach, and the date by which the breach must be remedied. If the breach is not remedied by the date specified in the notice the Council may restrict the supply to the property in accordance with the Water Services Act 2021.
- 6.4. In the event Council acts to restrict supply, full supply will be reinstated only after payment of the appropriate reconnection fee and remedy of the breach to the satisfaction of the Council.

Offences and Penalties

- 6.5. Any breach of this bylaw which is an infringement offence specified in clause 6.10 is subject to an infringement fee.
- 6.6. Every person who breaches any other provision of this bylaw commits an offence and is liable on conviction to a fine not exceeding \$500.

Infringement Offences

- 6.7. A compliance officer may issue an infringement notice for infringement offences under the Act, specified in clause 6.10 of the bylaw.
- 6.8. The infringement notice must be in the form prescribed in Schedule 3 of the bylaw. The form of reminder notice is set out in Schedule 4 of the bylaw.
- 6.9. The infringement fee for infringement offences in clause 6.10 is set at \$1000 for an individual, or \$3000 for a body corporate.
- 6.10. A person commits an infringement offence if they:

- (a) Carry out building work over or near water services infrastructure contrary to clause 4.5 of the bylaw.
- (b) Discharge into the water supply network without authorisation.
- (c) Connect to or disconnect from the water supply network, or extend their supply connection to supply water to another property without authorisation.
- (d) Carry out work on or in relation to the water supply network without notifying the Council and obtaining authorisation from the Council, or carry out work that is not in accordance with the terms and conditions of any authorisation.
- (e) Breach a source water risk management plan or permit under this bylaw.
- (f) Fail to comply with any duty in this bylaw relating to equipment or device and that failure causes a specified serious risk.
- (g) Fail to notify the Council of a notifiable risk or hazard, where that person has a duty to do so, and that failure causes a specified serious risk.
- (h) Fail to comply with a water use restriction or limit under this bylaw and that failure causes a specified serious risk.
- (i) Fail to comply with the bylaw by undertaking specified classes of work, namely building work, near, under or above the water supply network.
- (j) Fail to comply with a direction given by a compliance officer.
- (k) Fail to comply with a compliance order or court order.
- (l) Tamper with a water meter without prior authority from the Council.

Interference with Equipment

- 6.11. No person shall tamper or interfere with Council equipment. The Council shall be entitled to estimate (in accordance with clause 5.90) and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

7 BYLAW ADMINISTRATION

Review of Decision

- 7.1. If any person is dissatisfied with any decision by the Council or a compliance officer made under this bylaw, that person may, by notice delivered to the Chief Executive of the Council no later than five working days after the decision by the compliance officer is notified to that person, request the Chief Executive to review any such decision. The decision made by the Chief Executive will be final.
- 7.2. Where the decision to be reviewed under clause 7.1 is a decision to restrict supply and a request for a review of the decision is received before the Council restricts the supply, the Council must not restrict the supply until the Chief Executive has made a decision on the review. This does not apply to situations where health and safety concerns or a specified serious risk require the Council to proceed with immediate steps to restrict the supply.
- 7.3. Nothing in this clause affects any right of appeal or review, including any internal review process, available under the Act.

Charges and Payments

Fees and Charges

- 7.4. The Council may prescribe fees and charges for the performance of any function or power or provision of any service under the bylaw in accordance with section 258(3) the Act.

EXPLANATORY NOTE: The Council generally sets its fees and charges annually and uses rates to fund the water supply service, as provided for in the Local Government (Rating) Act 2002.

Payments

- 7.5. The customer is liable to pay for the supply of water and related services in accordance with the Council's fees and charges.
- 7.6. The customer is liable for the cost of water which passes through the meter regardless of whether this is used or is the result of leakage.

Recovery of Costs

- 7.7. The Council may recover costs in accordance with the Act and the Local Government Act 2002.

Cease to Supply

- 7.8. The customer is deemed to be continuing to use the water supplied and will be liable for all charges, until the final meter reading, when water ceases to be supplied to the customer.

Savings

- 7.9. Any approval, permission, exemption or other authorisation given by the Council prior to the commencement date of this bylaw, in relation to matters addressed in this bylaw, continues

to have effect for the purpose of this bylaw, but is subject to the application of any relevant clause in this bylaw.

SCHEDULE 1: WATER SUPPLY CATCHMENTS

Maps showing the water supply catchments can be found on the DCC website: [Water Supply Bylaw \(2026\)](#)

Water Supply Catchments and their classifications are as follows:

Catchment	Classification
Deep Stream	Controlled
Silverstream – Part A	Restricted
Silverstream – Part B	Restricted
Silverstream – Part C	Open
Port Chalmers – Cedar Farm Catchment	Restricted
Port Chalmers – Rossville Reservoir Catchment	Open

SCHEDULE 2: WATER SUPPLY AREAS

Maps showing the urban and rural water supply areas can be found on the DCC website:
[Water Supply Bylaw \(2026\)](#).

SCHEDULE 3: INFRINGEMENT NOTICE

INFRINGEMENT NOTICE Section 272 Local Government (Water Services) Act 2025

NOTICE NO:

ENFORCEMENT AUTHORITY: Dunedin City Council

TO: [full name, full address, other identifying detail, if known, for example date of birth]

Details of alleged infringement offence

Provision of the Local Government (Water Services) Act 2025 and/or the Water Supply Bylaw 2026:

Description of offence:

Location:

Date:

Approximate Time:

The fee for this infringement is [\$1000.00 / \$3000.00]

Time and place for payment of infringement fee

The infringement fee is payable to the Dunedin City Council within 28 days after *[date notice is delivered personally or served by post]*

The infringement fee is payable to the Dunedin City Council at:

- <http://www.dunedin.govt.nz/do-it-online/pay-online>
- in person at The Dunedin City Council, Customer Service Centre, The Civic Centre, 50 The Octagon, Dunedin or the Mosgiel, South Dunedin, Port Chalmers, Blueskin or Waikouaiti Public Library Service Centres

If proceedings for the infringement offence described in this notice are commenced:

- a) it is a defence if you prove that the infringement fee has been paid to the Council using one of the methods above, before or within 28 days after the service of a reminder notice on you, but
- b) it is not a defence that the infringement fee has been paid other than as stated in a).

Right to request a hearing

You must write to the Council if you wish to do any of the following things:

- (a) raise a matter concerning the circumstances of the alleged offence for consideration by the Council; or
- (b) deny liability for the alleged offence and request a court hearing; or
- (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise.

In your letter, you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the Council will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the Council will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

Next steps

If you do not request a hearing and you do not pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, you will become liable to pay a fine and court costs.

Contact details:

Dunedin City Council

50 The Octagon

Dunedin

Phone: 03 477 4000

Email: dcc@dcc.govt.nz

Date:

Signature:

(Enforcement Officer)

SCHEDULE 4: INFRINGEMENT NOTICE REMINDER

Reminder Notice No:

Informant:

Name:

Address:

Details of person to whom infringement notice issued

Full name: *[first name(s), family name]*

Full address:

Date of birth:

Gender:

Occupation:

Telephone number(s):

Details of alleged infringement offence

The informant shown above alleges that you committed an infringement offence:

On: *[date and time of offence]*

At: *[place]*

In that you: *[specify details of offence]*

The offence is one against *[specify enactment and provision contravened]*.

Name or number, if any, of officer who issued notice: *[specify]*

Service details

(To be provided for filing in court.)

Infringement notice served by personal service/by prepaid post/electronically (if permitted)* on: *[date]*

Reminder notice served by personal service/by prepaid post/electronically (if permitted)* on: *[date]*

At: *[address]*

*Select one.

Infringement fee

The infringement fee for this offence is: *[\$[amount]*

Amount of infringement fee unpaid: *[\$[amount]*

Other fees *[specify (if any)]*: *[\$[amount]*

Total payable: *[\$[amount]*

Other penalties *[specify (if any)]*:

Procedure for payment of infringement fee

[Specify method(s) of payment.]

You must pay the infringement fee within 28 days after the service of this notice. The last day for payment is *[date]*.

Information

If you wish to deny the alleged offence or wish to have a court consider submissions, follow the directions in paragraph 4 of the notes below.

If, under [section 21\(3A\) or \(3C\)\(a\)](#) of the Summary Proceedings Act 1957, you enter or have entered into a time-to-pay arrangement with the informant in respect of an infringement fee payable by you, paragraphs 4(b) and (c) below do not apply and you are not entitled either to request a hearing to deny liability or to ask the court to consider any submissions in respect of the infringement.

Please read the notes below. If there is anything you do not understand in the notes, you should consult a lawyer.

Notes to defendant

Payment

1 If you pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, no further enforcement action will be taken against you.

Defences

2 You will have a complete defence against proceedings relating to the alleged offence if you can show the infringement fee or the amount of the infringement fee remaining unpaid has been paid to the informant and received at the address shown on the front page of this notice within 28 days after the service of this notice.

3 Late payment, or payment made to any other address, will not constitute a defence to proceedings in respect of the alleged offence.

Further action

4 You must write to the informant if you wish to do any of the following things:

- (a) raise a matter concerning the circumstances of the alleged offence for consideration by the informant; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the offence, but have the court consider submissions as to penalty or otherwise.
- In your letter, you must request a hearing, admit liability in respect of the offence, and set out the submissions that you would like the court to consider.

You must ensure that your request is received on or before the last day for payment.

If you deny liability and request a court hearing, the informant will then, if it decides to commence court proceedings in respect of the alleged offence, serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court.

If you admit liability but wish to have the court consider submissions, the informant will then, if it decides to commence court proceedings in respect of the offence, file your letter with the court. You are not entitled to make oral submissions to the court.

If the court finds you guilty or you make submissions, costs will be imposed in addition to any penalty.

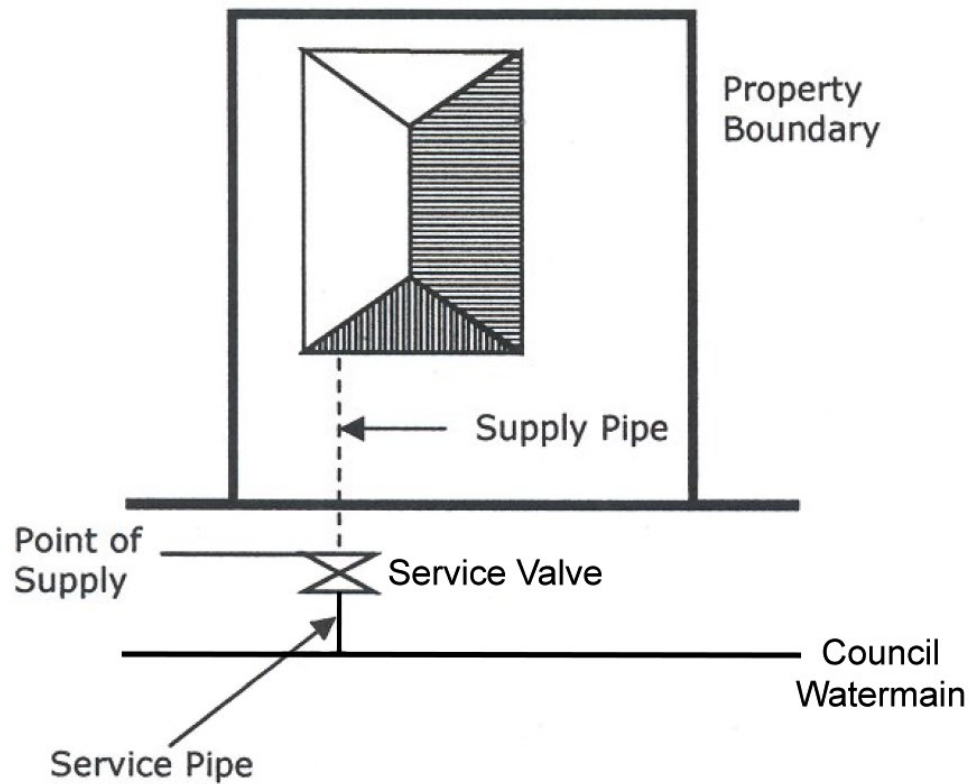
Next steps

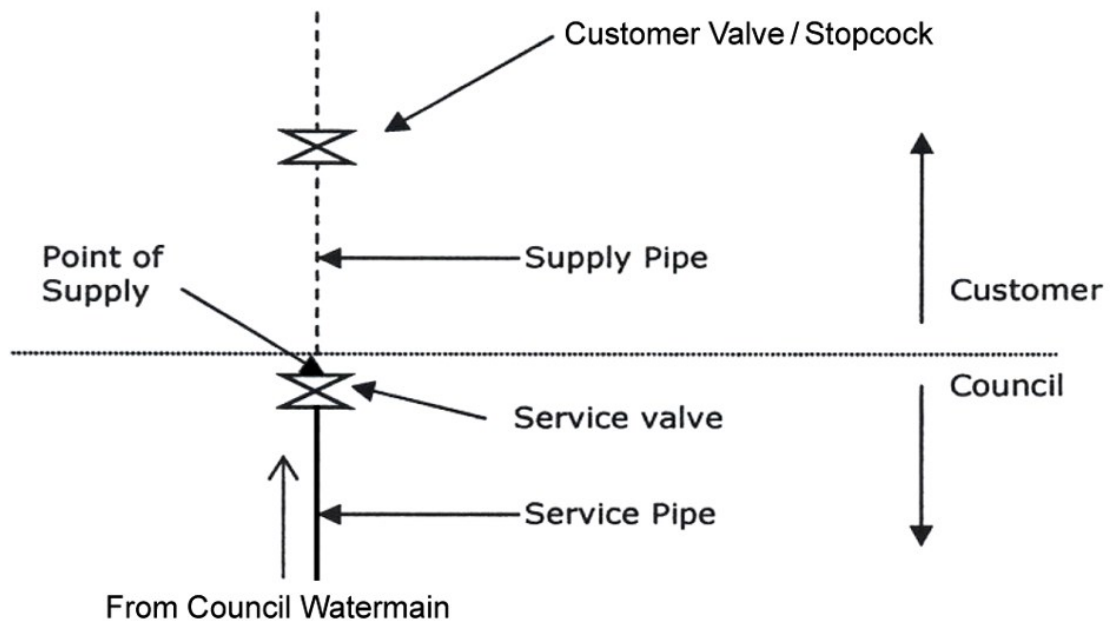
If you do not request a hearing and you do not pay the infringement fee or the amount of the infringement fee remaining unpaid within 28 days after the service of this notice, you will become liable to pay a fine and court costs.

Note: All payments, queries, and correspondence regarding this reminder notice must be directed to the informant at the address shown on the front of this notice. When writing, please include the date of the alleged infringement offence, the reminder notice number, and your address for replies.

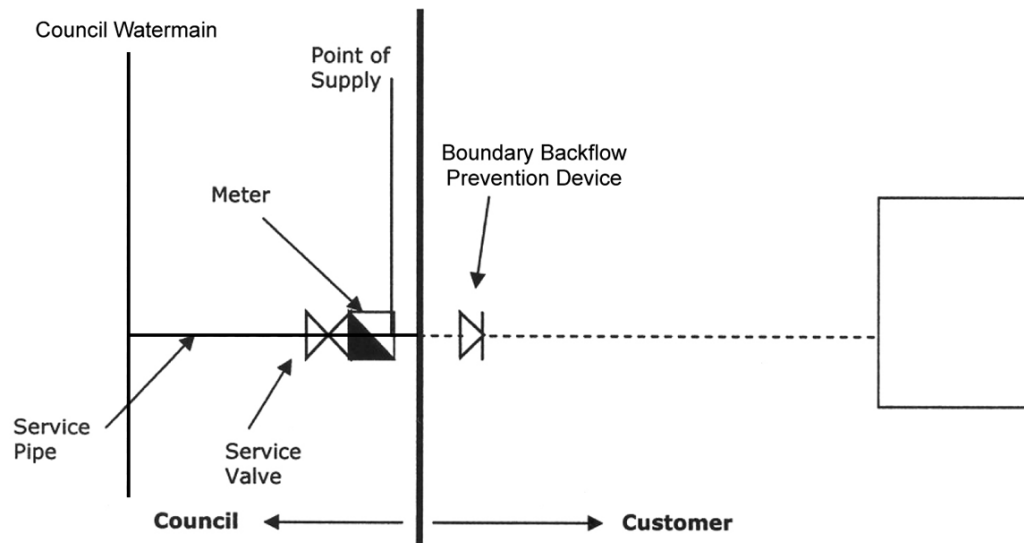
APPENDIX 1: POINT OF SUPPLY EXAMPLE DIAGRAMS

Example 1: Point of supply layout and location for single property with street frontage – ordinary supply

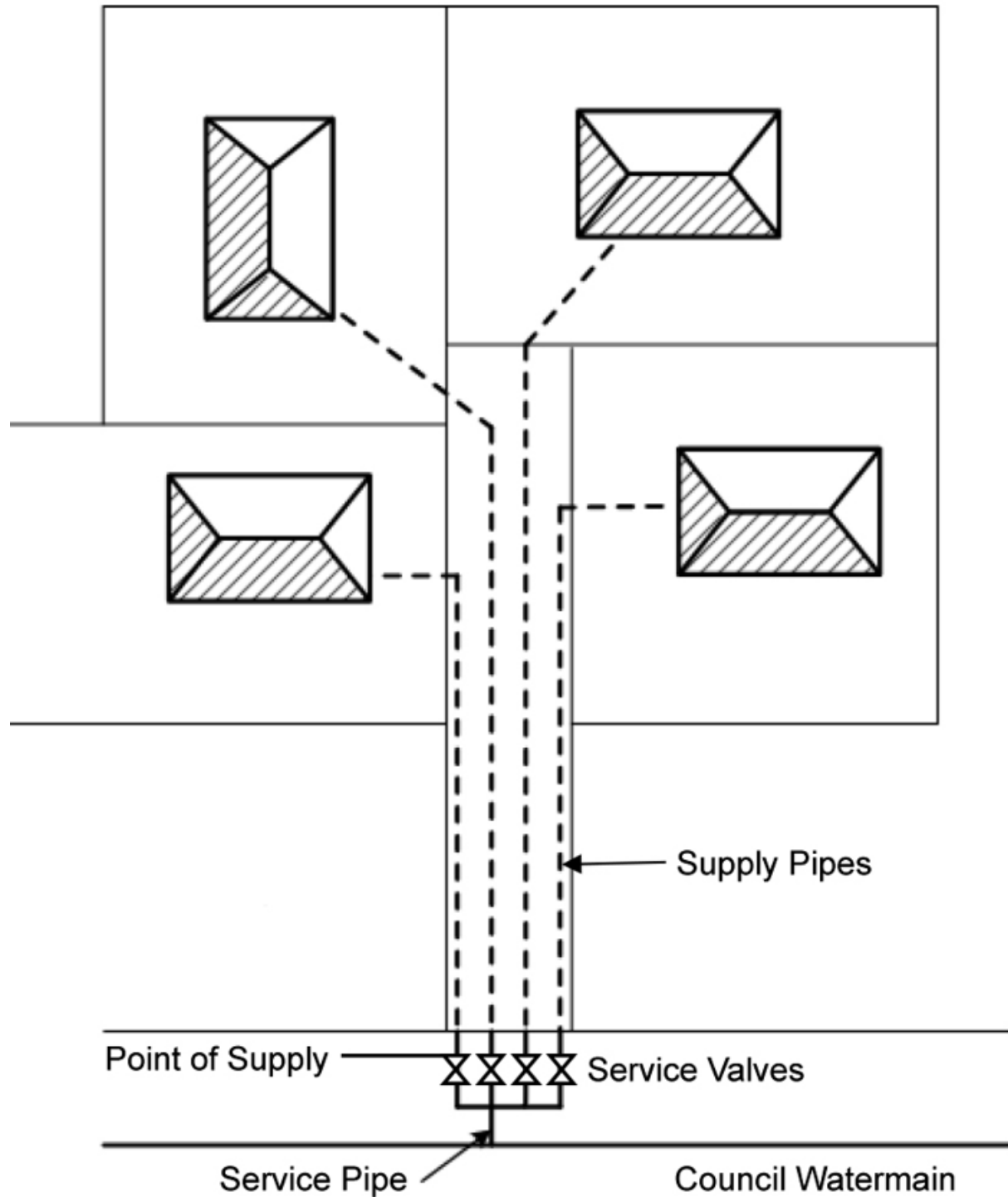


Example 2: Typical point of supply layout – ordinary supply

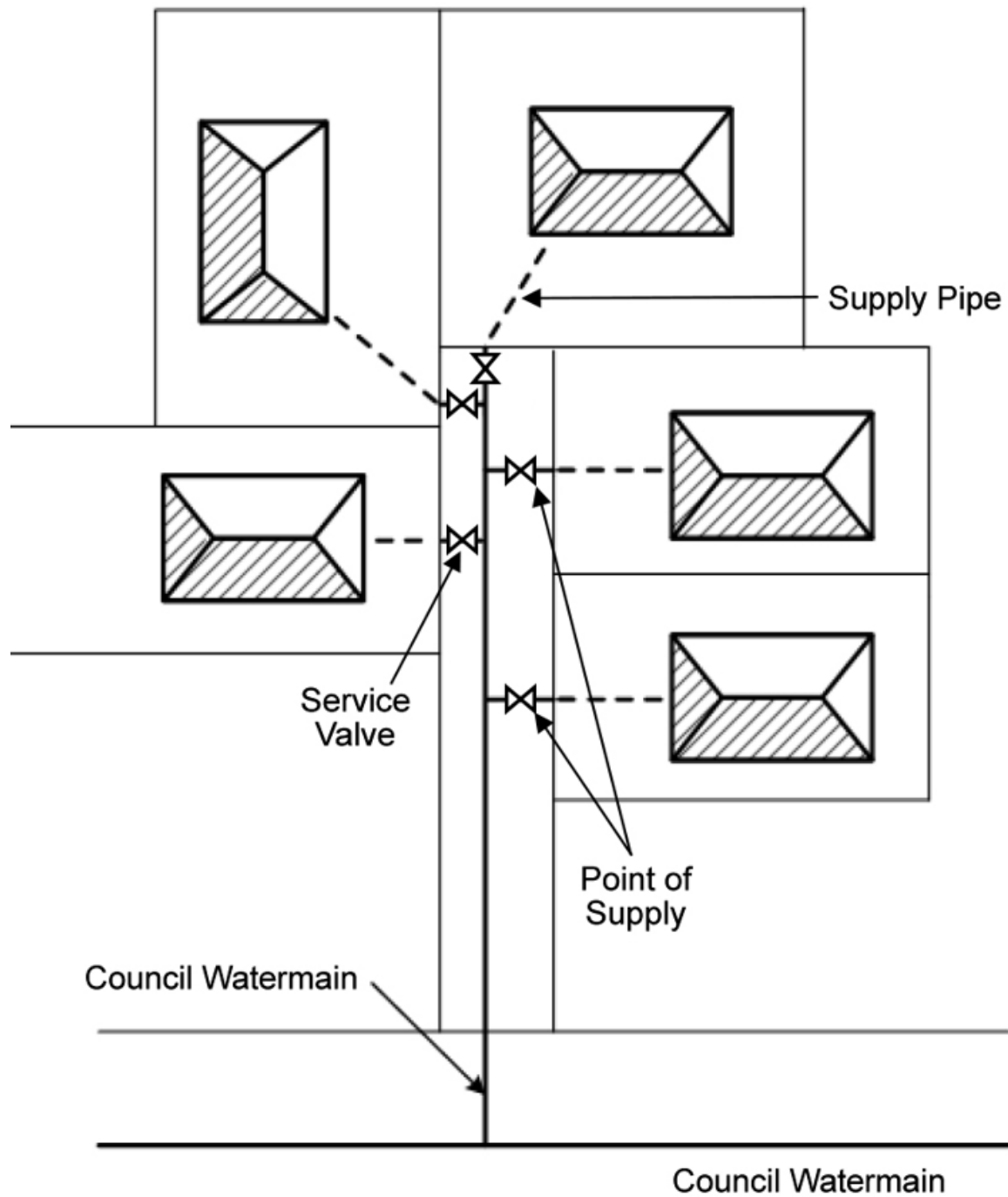
Example 3: Typical point of supply layout – extraordinary supply with testable boundary backflow prevention device



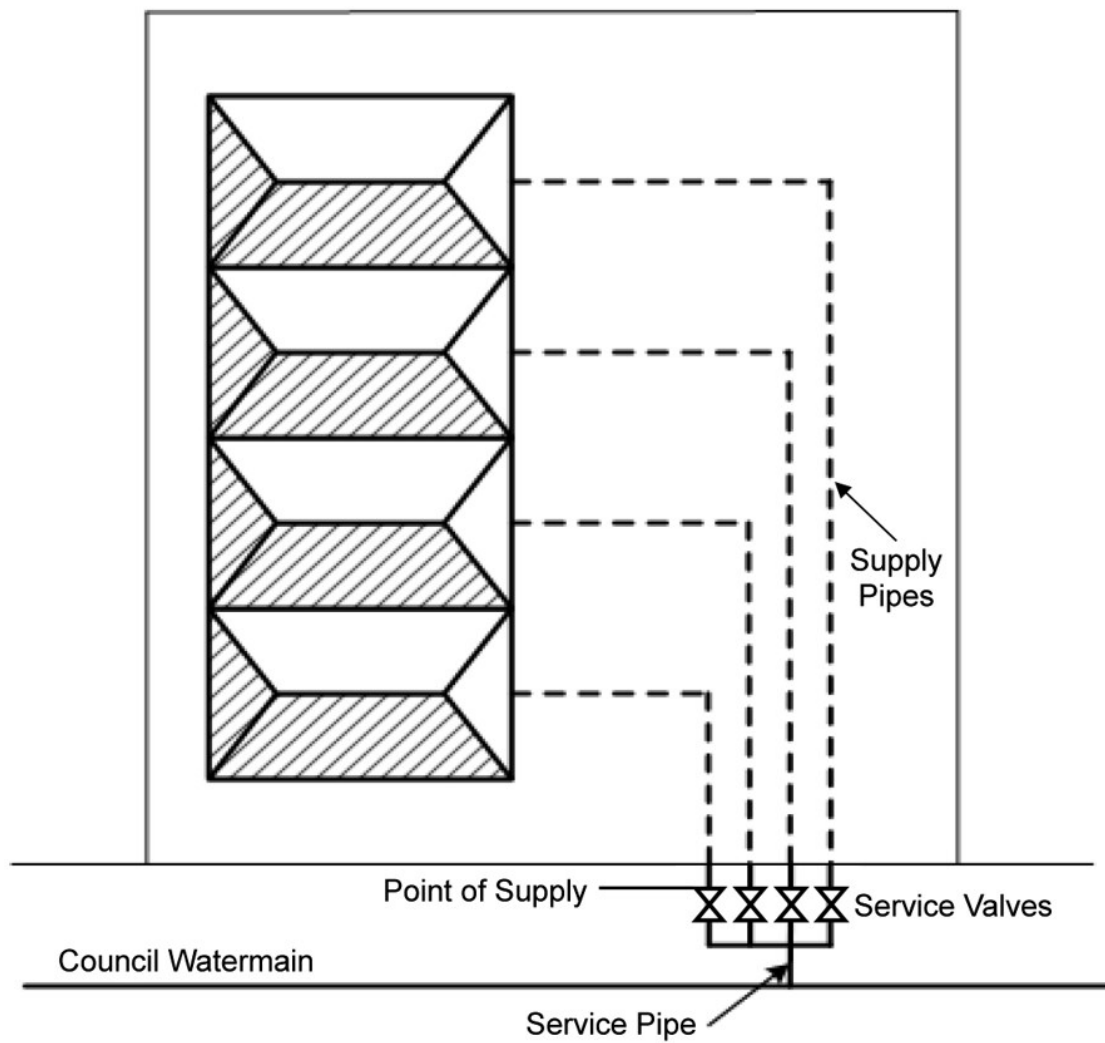
Example 4: Point of supply location – 2 to 4 customers on a private right of way; 5+ customers on a private right of way without a Council watermain in the right of way

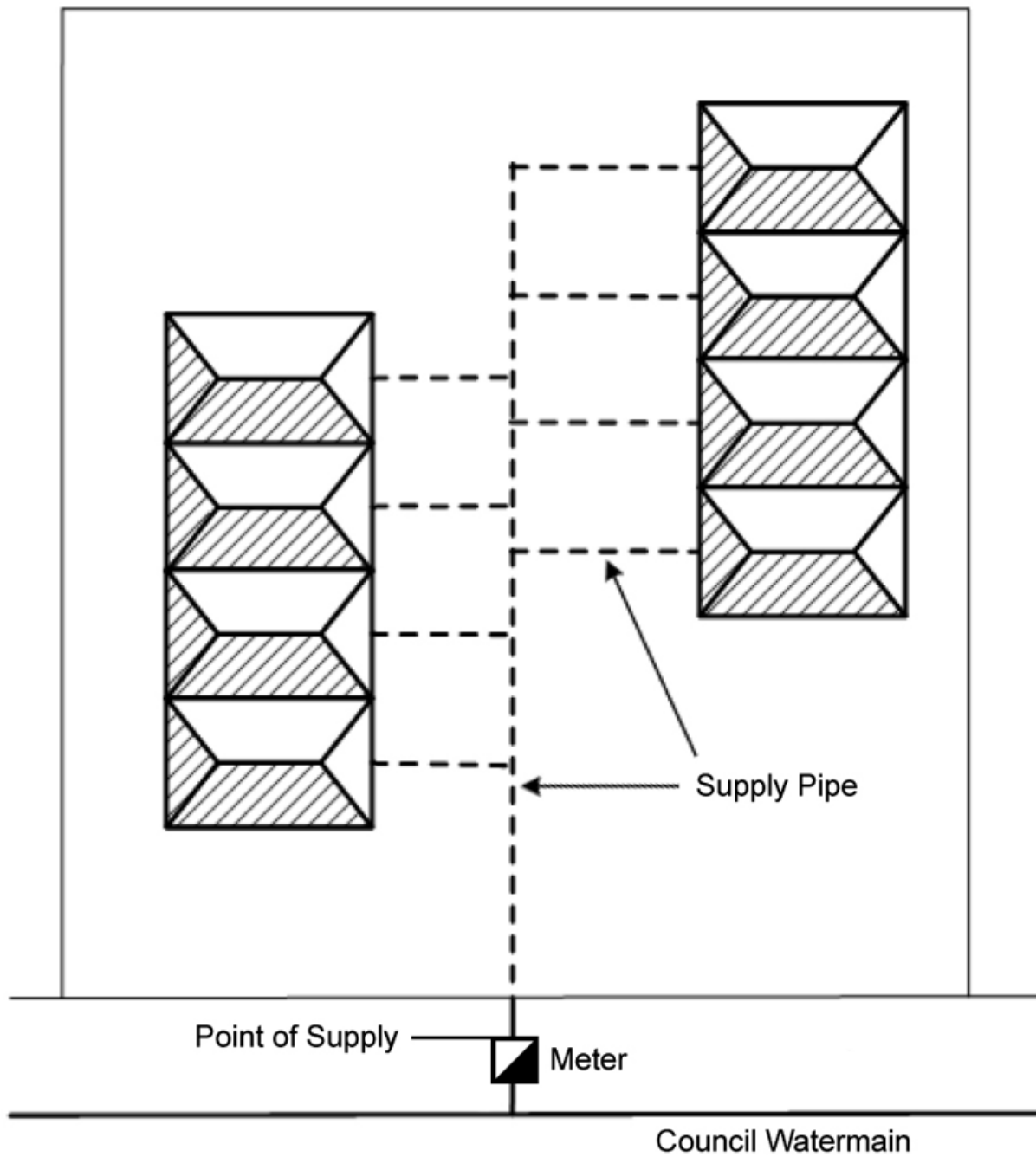


Example 5: Point of supply location – private right of way with 5+ customers and a Council watermain in the private right of way

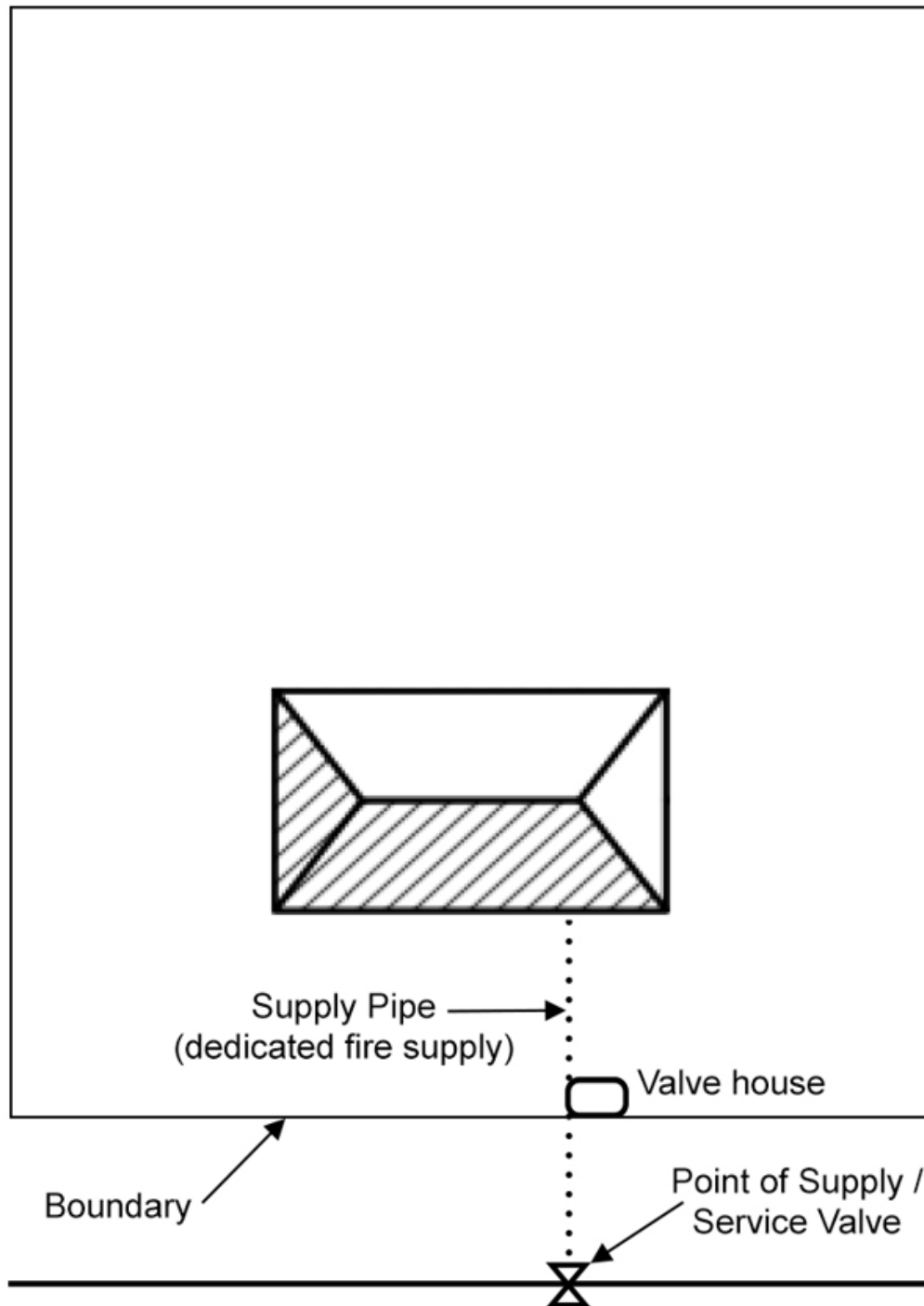


Example 6: Point of supply location – multiple ownership/body corporate



Example 7: Point of supply location – multiple ownership/body corporate

EXAMPLE 8 – Point of supply location for dedicated fire supply with valve house (and boundary backflow prevention device) at boundary



EXAMPLE 9 – Point of supply location for dedicated fire supply with additional boundary backflow prevention device (valve house located away from boundary)

