Australian Capital Territory

Utilities (Non-drinking Water Supply Code) Determination 2014

Disallowable instrument DI2014–293

made under the

***Utilities Act 2000*, section 65 (application of industry code provisions)**

1 Name of instrument

This instrument is the *Utilities (Non-drinking Water Supply Code) Determination 2014*.

2 Commencement

This instrument commences the day after it is notified.

3 Determination of code

The Minister determines the Non-drinking Water Supply Code.

4 Public access to documents

This Code is available for inspection by the public between 8:30 am and 4:30 pm, from Monday to Friday except for public holidays, at the Environment and Planning Directorate (EPD) at South Building, Dame Pattie Menzies House, 16 Challis Street Dickson ACT. Copies of the Code can be also made at the EPD office. Electronic copies of the Code are available on the EPD website at http://www.environment.act.gov.au/. No charge will apply.

Simon Corbell MLA
Minister for the Environment
19 November 2014

Australian Capital Territory

NON-DRINKING WATER SUPPLY CODE

November 2014

TABLE OF CONTENTS

1. INTRODUCTION

1.1 Technical Codes

The Non-drinking Water Supply Code (this Code) is a technical code under part 5 of the *Utilities Act 2000* (the Act).

1.2 Utility to Comply with Technical Codes

Section 25(2)(a)(iv) of the Act requires licence holders to comply with technical codes.

2. APPLICATION AND PURPOSE

2.1 Application

(1) This Code applies to a utility that owns or operates non-drinking water networks for the supply of non-drinking water to a customer under a customer contract.

(2) With exception under subclause 2.2, a person who supplies non-drinking water without a customer contract in compliance with this Code is required to comply with technical codes applicable to drinking water supply.

(3) The utility's obligations under this Code do not apply in the case of events or circumstances beyond the control of the utility that may prevent the utility from complying with these obligations.

2.2 Transition period

If a utility commenced the supply of non-drinking water to a customer before the commencement date of this Code, the utility may supply non-drinking water to the customer without a customer contract for 12 months from the commencement date of this Code.

2.3 Purpose

The purpose of this Code is to prescribe minimum requirements for a utility supplying non-drinking water under a customer contract.

3. OTHER TECHNICAL CODES

(1) A utility under this Code must comply with:

(a) Contestable Work Accreditation Code;

(b) Dam Safety Code, where required under subclause 9.4(5) and clause 11(4) of this Code;

(c) Emergency Planning Code;

(d) Water Metering Code, if the customer of the utility is charged on a volumetric basis; and

(e) Water and Sewerage Network Boundary Code with references specified under clause 6.

(2) A utility under this Code is not required to comply with:

(a) Water and Sewerage Network (Design and Maintenance) Code;

(b) Water and Sewerage Service and Installation Code; and

(c) Water Supply and Sewerage Service Standards Code.

4. DICTIONARY

The dictionary at the end of this Code is part of this Code.

5. REQUIREMENTS UNDER CUSTOMER CONTRACTS

(1) A utility must include, in a customer contract, service levels requirements in relation to;

(a) minimum and maximum water pressure, at the boundary between the network and the customer's premises as measured under no flow conditions;

(b) minimum flow rate at the minimum pressure;

(c) times of supply and restrictions on availability including maximum flow rate allowed;

(d) water quality parameters; and

(e) duration of any unplanned interruptions.

(2) A utility must require, in a customer contract, a customer to develop and implement procedures to limit public contact with non-drinking water, in accordance with health and industry standards specified in subclause 9.4 (7) (a).

(3) A utility must state in a customer contract that non-drinking water is not intended for human consumption and may not meet the requirements under the Public Health (Drinking Water) Code of Practice 2007;

(4) A utility must state in a customer contract that the supply of non-drinking water is subject to the requirements under this Code; and

(5) A utility must state in a customer contract that, provided non-drinking water supplied meets the quality criteria specified in the customer contract, the customer is responsible for a use or dispose of any solids supplied with the non-drinking water.

(6) A utility must make its customer contract available for inspection by a technical inspector within 10 business days of the written request by the technical inspector.

6. NETWORK BOUNDARIES

(1) Clause 3 (1) of the Water and Sewerage Network Boundary Code applies to a utility under this Code as if:

(a) a reference to a water utility is a reference to a non-drinking water utility; and

(b) a reference to a water network is a reference to a non-drinking water network.

(2) For the boundary between the non-drinking network and other networks, whether or not they are owned by the same or other utilities, clause 3 (1) of the Water and Sewerage Network Boundary Code applies to all boundaries including without limitation, where applicable, a stormwater network under part 14 of the Act, a water network and a sewerage network.

(3) If there is integration between the control or data acquisition systems used by the utility and another utility and/or a customer, the boundary definition between the network and the customer premises must extend to those systems.

7. SERVICE STANDARDS

7.1 General

A utility must provide non-drinking water in accordance with the service standards specified in a customer contract.

7.2 Water Quality

(1) Unless the supply is subject to an exemption under section 16 of the Drinking Water Code of Practice 2007, a utility must obtain written approval of the Chief Health Officer for the water quality parameters (range and limits) specified in its customer contract.

(2) In subject to subclause 7.2 (1), the utility must make written approval or exemption available for inspection by a technical inspector within 10 business days of the written request by the technical inspector.

7.3 Supply Interruptions

A utility may interrupt non-drinking water service for planned maintenance or repair operations. The utility must give all affected customers at least 2 days prior notice of the interruption.

7.4 Inundation due to mains or equipment failure

In the case of the spill of non-drinking water from network mains, pumps or other network equipment onto lands or properties, a utility must stop the outflow and contain any flooding within:

(a) 6 hours, if the spill is on to a private lease or has the potential to disrupt public traffic; or

(b) 12 hours, where the spill is not causing severe damage to private assets, public traffic or the environment.

8. SERVICE CAPABILITY

A utility is not obliged to upgrade its network capacity to meet growing demands from its existing customer connected to the network or from properties not connected to the network.

9. NETWORK DESIGN

9.1 General

(1) A utility must design its non-drinking water network to:

(a) optimise asset life to meet the service provision needs as evaluated over a whole life cycle;

(b) achieve a sustainable use of water resources entrusted to the care of the utility;

(c) match system reliability and capacity to the service standards specified in clause 7;

(d) demonstrate sound, established water supply industry practice; and

(e) comply with relevant standards specified in clause 9.2 for the aspects of design and construction and the materials to be employed.

(2) The utility must provide design documentation to the director-general to demonstrate compliance with the requirements in subclauses 9.1(1) upon written request by the director-general.

9.2 Relevant Technical Standards

(1) Relevant technical standards (relevant standards) for this Code are

(1) Water Services Association of Australia Codes (WSAA Codes);

(2) Applicable Australian Standards;

(3) National Construction Code Series Volume Three (NCCS Volume 3); and

(4) The National Water Quality Management Strategy (NWQMS) Document 21—Australian Guidelines for Water Recycling: Managing health and Environmental Risks (Phase 1).

(2) The director-general may approve a standard proposed by a utility (proposed standard) as a relevant standard under subclause 9.3.

9.3 Utility's proposed standard

(1) A utility may submit a proposed standard for the director-general's approval as a relevant standard if the utility:

(a) intends to adopt any existing technical standard other than relevant standards in clauses 9.2 (1) to (3); or

(b) develops its own standard for any aspect of design and construction of its network.

(2) In submission under subclause 9.3 (1), the utility must provide the director-general with documents stating:

(a) aspects of network design or construction the proposed standard is intended to apply to;

(b) reasons for adopting the proposed standard if other standards in clause 9.2 are applicable; and

(c) whether the proposed standard has been applied under a regulatory framework in another jurisdiction.

(3) The director-general may require the utility to provide further information regarding the submission in subclause 9.3 (2).

(4) The director-general must, in writing, either:

(a) approve the proposed standard as a relevant standard under subclause 9.2;

(b) require an amendment to the proposed standard with providing a reason for it; or

(c) refuse the proposed standard with providing reasons for it.

9.4 Specific Network Requirements

(1) Network design including colouring and marking for pipe identification must comply with the requirements for non-drinking water mains specified in the latest WSA 03-2011 Water Supply Code of Australia published by the Water Services Association of Australia National Code.

(2) A utility must locate property service connections to maintain a separation of at least 300mm from any existing service connection to a drinking water network.

(3) If a meter enclosure or pit is required, it must be sized to accommodate backflow prevention equipment in accordance with AS/NZS 3500 National Plumbing and Drainage Code—Compendium.

(4) A utility must design dams in urban areas in accordance with:

(a) Guidance Sheet DSC3E Flood Retarding Basins of the NSW Dams Safety Committee Guidelines; and

(b) the safety requirements for retarding basins as specified in Design Standards for Urban Infrastructure 1 Stormwater (DS01) published by the Territory and Municipal Services Directorate of the ACT Government.

(5) Prior to constructing or modifying a large dam in the network, a utility must:

(a) assess the hazard rating of the large dam in accordance with ANCOLD guidelines; and

(b) if the large dam is rated as a hazard category of Significant or higher, comply with the Dam Safety Code as a scheduled dam in that Code.

(6) Where there is integration between the control or data acquisition systems under clause 6 (3), the utility must be responsible for the integrity of monitoring and control systems for its network.

(7) If aquifer storage and recovery (ASR) is integrated into a non-drinking water network:

(a) the ASR component shall comply with the requirements of the NWQMS Document 24—Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) Managed Aquifer Recharge, except if the requirements are in conflict with obligations imposed by the ACT Environment Protection Authority.

(b) the utility must design and operate ASR in a manner that ensures the long-term sustainability of the groundwater resource; and

(c) monitoring bores must be installed in sufficient numbers and locations to permit the long-term sustainability of the groundwater resource to be evaluated.

(8) A utility must install and maintain a sign at each property service connection stating that the water is not of drinking water quality and must require its customer to provide similar signage at each tap, free to atmosphere outlet and irrigation area.

10. NETWORK CONSTRUCTION

A utility must undertake any construction in a manner that:

(1) is consistent with the design intent of relevant standards in subclause 9.2; and

(2) ensures community safety and the protection of the environment during the construction process.

11. NETWORK OPERATION AND MAINTENANCE

(1) A utility must develop and maintain operation and maintenance procedures for principal network assets of the network, including but not limited to the procedures on:

(a) system control;

(b) process control;

(c) inspection and testing; and

(d) commissioning and de-commissioning.

(2) The procedures in 11(1) must include maintenance management records that show the maintenance interval and dates of maintenance activities for each principal asset.

(3) A utility must inspect and maintain flood retarding basins in accordance with Guidance Sheet DS3E of the NSW Dam Safety Committee Guidelines.

(4) A utility must:

(a) reassess the hazard rating of the large dam in its network in accordance with ANCOLD Guidelines:

(i) if there is a significant change to the risk factors; and

(ii) at least every 10 years.

(b) if the large dam is rated as a hazard category of Significant or higher, comply with the Dam Safety Code as a scheduled dam in that Code.

(5) A utility must become and remain a member of the designated information provider service and comply with any obligations imposed by the membership.

(6) A utility must dispose of any waste streams including, but not confined to trash, solid residue and sludge, in a manner that does not create an odour or environmental nuisance.

(7) A utility must monitor the quality of different class of water supplied from its network, including the monitoring of each water quality parameter specified in this Code or in a customer contract in compliance with this Code.

(8) Subject to clause 11 (7), the utility's frequency of sampling must comply with AS/NZS 5667.1:1998 Guidelines on the design of sampling programs, sampling techniques and the preservation and handling of samples or requirements set by the Chief Health Officer.

12. NETWORK ASSET MANAGEMENT

(1) A utility must ensure the assets are managed to enable long-term compliance with the service standards specified in clause 7.

(2) Within 12 months of a grant of a utility licence or a utility licence exemption, a utility must develop an asset register for each of the separate non-drinking water network that:

(a) includes at least the following information for the principal network assets:

(i) design and operational specifications;

(ii) location; and

(iii) date of commissioning and projected life.

(b) is linked to the asset management plan certified to Australian Standards including AS/NZS ISO 9001:2008 Quality Management Systems—Requirements or similar standard.

(3) A utility must maintain Works-As-Executed drawings for all the network components preferably as part of its asset management plan.

(4) A utility must maintain the operation and maintenance manual and the asset register up to date.

(5) A utility must update the asset management plan at least every 5 years.

(6) A utility must make the asset management plan available to the director-general within 10 business days of the written request by the director-general.

(7) A utility may deal with the requirements of clauses 11 and 12 using an integrated asset and maintenance management system, provided that information can be clearly reported to demonstrate compliance.

13. SERVICE AND INSTALLATION RULES

(1) Within six months of a grant of a utility licence, a utility must, prepare and submit draft Non-Drinking Water Service and Installation Rules (S&I Rules) to the director-general for approval.

(2) As soon as practicable after the utility submits draft S&I Rules to the director-general in clause 13 (1) or 13 (4), the director-general must either:

(a) approve draft S&I Rules; or

(b) direct the utility to make changes to draft S&I Rules with providing a reason for not approving them.

(3) In subject to clause 13 (2) (a), the utility must, as soon as possible:

(a) adopt S&I Rules;

(b) publish the S&I Rules; and

(c) provide a copy of S&I Rules to the director-general.

(4) In subject to clause 13 (2) (b), the utility must:

(a) make changes to S&I Rules as directed by the director-general and resubmit them for approval; or

(b) resubmit them for approval with providing a reason for not making changes.

(5) Taking into account of good water supply industry practice, a utility may prepare draft amendments to S&I Rules and submit them to the director-general for approval in the same manner as specified in clauses 13 (1) to (4).

(6) A utility must make the latest S&I Rules available to the public all time.

(7) A utility must make sure that the utility, its accredited service providers for contestable work and customers comply with S&I Rules.

(8) S&I Rules must:

(a) seek to preserve the security, reliability of adjacent networks and installation elements used for supply of drinking water;

(b) seek to adopt standard industry practices including AS/NZS 3500 National Plumbing and Drainage Code - Compendium;

(c) present all technical requirements for a customer's installation to qualify for connection to the network;

(d) present all technical requirements for standard and any alternate types of service connections including associated technical drawings or diagrams for the construction, commissioning and decommissioning of service connections to the network; and

(e) specify all procedures which the utility will require customers to follow for the construction, commissioning and decommissioning of service connections to the network.

(9) S&I Rules may state that if a customer fails to comply with S&I Rules, a utility may:

(a) refuse to supply the customer with non-drinking water services; or

(b) restrict or disconnect the non-drinking water supply to the customer's premises.

14. RESPONSIBILITIES FOLLOWING INCIDENTS

(1) In the event of any health related water quality incident being brought to the attention of a utility, the utility must notify the Chief Health Officer within 24 hours.

(2) In the event of any contamination of a water storage that is part of the network or of the stormwater network under part 14 of the Act by toxic substances hazardous to public health or the environment, the utility must, within 24 hours of becoming aware of the event:

(a) isolate the storage from the rest of the network; and

(b) notify the ACT Environment Protection Authority and the Chief Health Officer.

(3) In the events of clauses 14 (1), 14 (2), or any serious injuries or significant property damage caused by any work on, use of or contact with the network, the utility must, within seven days, submit a written report to the director-general outlining the:

(a) circumstances of the event,

(b) actions taken by the utility; and

(c) proposed actions for improving network safety and integrity.

15. RECORDING AND REPORTING

15.1 Customer Comments and Complaints

(1) A utility must make a contact point available to the public for receiving public comments and complaints at least on its website.

(2) A utility must maintain a record of the number of customer complaints received in writing or via its contact point, for each class of non-drinking water supplied, in relation to:

(a) water quality; and

(b) other supply service level parameters, including unplanned interruptions.

15.2 Recording

A utility must maintain a record of operational data, for each class of non-drinking water supplied, that covers:

(1) the total volume of water supplied during the financial year as derived from customer meter records. Water used in the utility's own operations must not be included in the volume supplied;

(2) network parameters including:

(a) capacity of each storage; and

(b) lengths of mains;

(3) the minimum agreed values of the supply service levels as stipulated in the customer contracts in force during the year;

(4) the number of mains breaks, total from any cause;

(5) the number of mains breaks caused by any person regardless the person is employed by the utility or not;

(6) the number of unplanned interruption events;

(7) the number of unplanned interruption events where non-drinking water supply was not able to be restored within the timeframe required in the customer contract;

(8) the number of unplanned interruption to each customer, where each interruption affecting each customer counts as one interruption;

(9) the number of incidents of spill onto land or property caused by leakage or any form of network breakdown;

(10) the number of incidents of spill onto land or property caused by any person regardless the person is employed by the utility or not;

(11) the number of incidents of spill onto land or property in which the spill was not able to be contained in the timeframe required under clause 7.4; and

(12) the number of breaches of water quality requirements specified by the Chief Health Officer and the details of water quality parameters associated with the breach;

(13) whether the non-drinking water network of the utility is subject to any environmental conditions by the ACT Environment Protection Authority and if so, the number of breaches of the conditions; and

(14) compliance with asset management plan requirements, in particular:

(a) the actual capital expenditure on network augmentation works or the value of network elements added to the network as gifted assets;

(b) the actual capital expenditure on network renewal works;

(c) the actual operations expenditure on reactive maintenance; and

(d) the actual operations expenditure on planned maintenance.

15.3 Reporting

(1) A utility must report to the director-general on items of each financial year specified in clauses 11 (7), 15.1 (2) and 15.2 for each class of non-drinking water.

(2) The report must be in a format specified by the director-general.

(3) The utility must submit the report by 30 September each year on the items of the previous financial year.

16. SPECIAL CONDITIONS FOR SUPPLY OF NON-DRINKING WATER SOURCED FROM RECLAIMED STORMWATER

16.1 General

(1) This clause applies to a utility that supplies non-drinking water sourced from reclaimed stormwater.

(2) In this clause, "utility" means a utility that supplies non-drinking water sourced from reclaimed stormwater.

16.2 Water Availability and Supply Interruption

(1) A utility is not obliged to supply water from any network:

(a) if no water is available from the water storages or other water sources connected to or part of that network, or

(b) when the restrictions specified in subclause 16.2 (2) apply.

(2) A utility must cease withdrawing water from a water storage:

(a) if the water available in the water storage is below the minimum level specified for maintenance of environmental conditions imposed by the ACT Environment Protection Authority; or

(b) if the water available in the water storage is below the minimum level required for operation of any network pumps.

(3) For each physically separate part of the network, a utility must maintain a record of time when supply is unavailable.

(4) A utility must not resume a supply of water without approval of the Chief Health Officer if a spill of hazardous material into the water storage is found.

(5) When a utility is not able to supply non-drinking water from reclaimed stormwater under subclause 16.2 (1), the interruption is not an unplanned interruption.

16.3 Relevant Standards for Non-drinking Water from Reclaimed Stormwater

Relevant standards for network design for reclaimed stormwater include:

(1) Design Standards for Urban Infrastructure published by the Directorate of Territory and Municipal Services):

(a) DS01 Stormwater; and

(b) DS16 Urban Wetlands Lakes and Ponds; and

(2) NWQMS Document 23—Australian Guidelines for Water Recycling: Managing Health and Environmental Risks Stormwater Harvesting and Reuse.

16.4 Reporting for Non-drinking Water from Reclaimed Stormwater

(1) For the purpose of reporting under subclause 15.3, a utility may report a reclaimed stormwater network that includes a managed aquifer recharge (MAR) as one class of non-drinking water.

(2) The utility must report the total volume of non-drinking water supplied to customers less the total volume of reclaimed stormwater.

17. SPECIAL CONDITIONS FOR SUPPLY OF NON-DRINKING WATER SOURCED FROM RECYCLED EFFLUENT

17.1 General

(1) This clause applies to a utility that supplies non-drinking water sourced from recycled effluent.

(2) In this clause, “utility” means a utility that supplies non-drinking water sourced from recycled effluent.

17.2 Water Availability and Supply Interruption

(1) A utility is not obliged to supply non-drinking water from recycled effluent to customers if the supply restricts the utility’s internal service water.

(2) When a utility is not able to supply non-drinking water from recycled effluent under subclause 17.2 (1), the interruption is not an unplanned interruption.

17.3 Relevant Standards for Non-drinking Water from Recycled Effluent

Relevant standards for network design for recycled effluent include the utility’s design standards used for the design of the water network or the sewerage network.

18. SPECIAL CONDITIONS FOR SUPPLY OF RAW WATER OR NON-DRINKING WATER SOURCED FROM DRINKING WATER MAINS

18.1 General

(1) This clause applies to a utility that supplies raw water or non-drinking water sourced from drinking water mains.

(2) In this clause, “utility” means a utility that supplies raw water or non-drinking water sourced from drinking water mains.

18.2 Relevant Standards

Relevant standards for network design include the utility’s design standards used for the design of the drinking water network.

18.3 Conditions and Exemptions

(1) Clause 5 (1) of this Code does not apply.

(2) A utility must specify the source of the water in a customer contract.

(3) Clause 7.4 of this Code does not apply.

(4) If a utility has met requirements under the utility's operations, maintenance and asset management procedures for the drinking water network, clause 11 and 12 of this Code do not apply to the utility's raw water or non-drinking water network from drinking water mains; and

(5) For the purpose of clause 15 of this Code, if a utility supply raw water or non-drinking water from drinking water mains and another class of non-drinking water, the utility may treat them as one source of non-drinking water.

(6) When the utility is not able to supply non-drinking water to consumers due to mains being out of service for inspection or planned maintenance, the interruption is not an unplanned interruption.

DICTIONARY

(7) “Act” means the *Utilities Act 2000*;

(8) “ANCOLD” means the Australian National Committee on Large Dams;

(9) “ANCOLD Guidelines” means the latest Guidelines on Dam Safety and Management published by ANCOLD;

(10) “ASR” means aquifer storage and recovery;

(11) “AS” means Australian Standards published by the Standards Australia;

(12) “AS/NZS” means Australian/New Zealand Standards published by the Standards Australia;

(13) “Australian Standards” means AS and AS/NZS published by the Standards Australia.

(14) "Chief Health Officer" is a chief health officer of the ACT Government appointed under the *Public Health Act 1997*.

(15) “class” refers to non-drinking water from a particular source. e.g. effluent, stormwater, groundwater, raw water or non-drinking water taken from drinking water mains.

(16) “Contestable Work Accreditation Code” means the Contestable Work Accreditation Code approved by the Minister as a technical code under the Act;

(17) “customer” is as defined in the Act*;*

(18) “customer contract” means either a standard customer contract or a negotiated customer contract made under part 6 of the Act for the purpose of supplying non-drinking water.

(19) "Dam Safety Code” means the Dam Safety Code approved by the Minister as a technical code under the Act;

(20) "designated information provider" means Dial Before You Dig NSW/ACT Incorporated;

(21) “the director-general” is as defined in the Act;

(22) “drinking water” means drinking water defined in the Public Health (Drinking Water) Code of Practice 2007.

(23) “Emergency Planning Code” means the Emergency Planning Code approved by the Minister as a technical code under the Act;

(24) “Environment Protection Authority” means the authority of the ACT Government established by the *Environment Protection Act 1997*.

(25) “ICRC” means the Independent Competition and Regulatory Commission established under the *Independent Competition and Regulatory Commission Act 1987*;

(26) "large dam" means a dam with a crest or wall height of greater than 5 metres, or a dam with a water storage capacity of more than 250 megalitres.

(27) “National Construction Code Series Volume Three” means the latest edition of the National Construction Code Series Volume Three published by the Plumbing Code of Australia and adopted by the ACT Government.

(28) "reactive maintenance" means maintenance undertaken in response to a network failure or near failure.

(29) "planned maintenance" means maintenance planned to occur to prevent network failure.

(30) “MAR” means managed aquifer recharge.

(31) “meter” means a meter or other apparatus for the measurement of water including any pipes and fittings ancillary to the meter or apparatus;

(32) “Minister” means the Minister responsible for part 5 of the Act;

(33) “network” is as defined in the Act;

(34) "NSW Dams Safety Committee Guidelines" means the latest Guidance Sheets published by the Dams Safety Committee of the NSW Government under the *Dams Safety Act 1978 (NSW)* in which the terms are interpreted as follows:

Terms used in guidance sheet	Required interpretation
NSW	the Territory
DSC	the director-general
owner	utility
prescribe / prescription	require compliance with the Dam Safety Code as for dams scheduled in the Dam Safety Code

(35) "non-drinking water" is water supplied to customers with their acknowledgement that the water is not intended for human consumption and may not meet the requirements of the Drinking Water Quality Code of Practice 2000.

(36) “overflow” means a spillage from a utility network into the surrounding environment;

(37) “Public Health (Drinking Water) Code of Practice 2007” means the Public Health (Drinking Water) Code of Practice 2007 made under the *Public Health Act 1997*;

(38) “premises” is as defined in the Act;

(39) “spill” means the escape of water from network mains or equipment, other than in the course of normal operations and does not include overflow from dams or ponds.

(40) “storage” means a place for holding water, including dam, pond, aquifer or tank.

(41) “technical code” means a code approved or determined by the Minister under Part 5 of the Act;

(42) “sewerage network” is as defined in the Act.

(43) “Territory” means the Australian Capital Territory;

(44) "unplanned interruption" means interruption during which:

(a) supply is required under a customer contract;

(b) the interruption is not a planned interruption which has been notified in accordance with subclause 8.3; and

(c) the pressure or the flow rate at the point of delivery is less than one half the value specified in the customer contract for a duration in excess of 4 hours.

(45) “utility” is a non-drinking water utility that provides a non-drinking water service under the Act;

(46) **“**utility license exemption**”** means an exemption from the requirement for a licence in relation to a utility service, granted by the Minister in accordance with section 22 of the Act.

(47) “utility licence” means a licence to provide a utility service granted by the ICRC in accordance with section 21 of the Act.

(48) “Water and Sewerage Network Boundary Code” means Water and Sewerage Network Boundary Code approved by the ICRC as an industry code under the Act;

(49) “Water and Sewerage Network (Design and Maintenance) Code” means the Water and Sewerage Network (Design and Maintenance) Code approved by the Minister as a technical code under the Act;

(50) “Water and Sewerage Service and Installation Code” means the Water and Sewerage Service and Installation Code approved by the Minister as a technical code under the Act;

(51) “Water Metering Code” means the Water Metering Code approved by the Minister as a technical code under the Act;

(52) “water network” is as defined in the Act.

(53) “water supplied” means total metered and estimated non-metered water supplied to customers. This excludes water used within the network, e.g. filter backwash, mains flushing.

(54) “Water Supply and Sewerage Service Standards Code” means the Water Supply and Sewerage Service Standards Code approved by the Minister as a technical code under the Act; and

(55) “Water Services Association of Australia Codes” mean the latest editions of national codes published by the Water Services Association of Australia.