

Notice is given that an extraordinary meeting of Full Council will be held on:

Date: Thursday 20 February 2020
Time: 11.30 am
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street
Richmond

Full Council

AGENDA

MEMBERSHIP

Mayor	Mayor T King	
Deputy Mayor	Deputy Mayor S Bryant	
Councillors	Cr C Butler	Cr D Ogilvie
	Cr M Greening	Cr T Tuffnell
	Cr C Hill	Cr A Turley
	Cr C Mackenzie	Cr T Walker
	Cr K Maling	Cr D Wensley
	Cr D McNamara	

(Quorum 7 members)

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AGENDA

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies be accepted.

3 DECLARATIONS OF INTEREST

4 LATE ITEMS

5 PRESENTATIONS

Nil

6 REPORTS

6.1 Managing Demand on Public Water Supplies 5

7 CONFIDENTIAL SESSION

Nil

6 REPORTS

6.1 MANAGING DEMAND ON PUBLIC WATER SUPPLIES

Decision Required

Report To:	Full Council
Meeting Date:	20 February 2020
Report Author:	Mike Schruer, Utilities Manager; Dwayne Fletcher, Activity Planning Manager; Helen Lane, Activity Planning Advisor (Water, Wastewater & Solid Waste)
Report Number:	RCN20-02-18

1 Summary

- 1.1 Conditions around Tasman District are very dry and will continue to deteriorate without any meaningful rain. As a result, several Council public water supply consents are being rationed under the authority of the Resource Management Act. Further rationing cuts are likely in the coming weeks. The consent for the Dovedale public water supply scheme is already under a cease take order which permits water use for human health and stock drinking purposes only.
- 1.2 Demand for water from Council's public water supply schemes is high, typical of normal summer time usage. Phase A or B water restrictions are already in effect on some schemes. These were implemented by the Engineering Services Manager under the authority of the *Tasman District Council -Consolidated Bylaw -Chapter 10-Public Water Supply Bylaw 2016 (Amended 2019)* (Bylaw).
- 1.3 It is likely that further water restrictions will be needed to help Council comply with its consent limits in the coming weeks. These must be approved by Council for phases C - F.
- 1.4 This report seeks approval from Council to impose:
 - Phase C and D water restrictions on its customers if:
 - Stage 4 or 5 rationing is being imposed; and/or
 - Restrictions have not managed to bring demand below the reduced abstraction limits.
 - Phase E water restrictions, should a consent become subject to a cease take order.
- 1.5 These approvals are sought in advance so that Council has the ability to respond quickly to new rationing limits or if customers don't reduce demand sufficiently.
- 1.6 Staff propose to manage Brightwater, Waimea (Mapua/Ruby Bay and parts of Richmond), Richmond, and Redwood Valley under one set of water restrictions. Council can manage consent abstraction limits or share water between these schemes to ensure it operates within the abstraction limits.

- 1.7 Restrictions will still be determined and imposed separately for the Collingwood, Dovedale, Eighty-Eight Valley, Murchison, Pohara, Tapawera, Upper Takaka, and Wakefield public water supply schemes.
- 1.8 Staff also seek delegated authority for the Engineering Services Manager to grant exemptions from the water restrictions, upon application, for animal welfare purposes as permitted in the Bylaw.

2 Draft Resolution

That the Full Council

1. receives the Managing Demand on Public Water Supplies report RCN20-02-18; and
2. approves the following water restrictions under the Tasman District Council - Consolidated Bylaw - Chapter 10 - Public Water Supply Bylaw 2016 (Amended 2019) up to 10 May 2020

Water restrictions protocol phase	Implement if:
Phase C water restrictions	<p>Phase B water restrictions have not managed demand below Council’s rationed abstraction limits.</p> <p>or</p> <p>Rationing of a Council public water supply moves to stages 4 or 5.</p>
Phase D water restrictions	Phase C water restrictions have not managed demand below Council’s rationed abstraction limits
Phase E water restrictions	A public water supply scheme becomes subject to a cease take order

; and

3. agrees that within phase C and D water restrictions, the Engineering Services Manager may determine the % reduction to apply to businesses within the bands provided for in the water restrictions protocol; and
4. agrees that the Brightwater, Waimea (Mapua/Ruby Bay and parts of Richmond), Richmond, and Redwood Valley public water supply schemes be managed under one set of water restrictions; and
5. notes that the Collingwood, Dovedale, Eighty-Eight Valley, Murchison, Pohara, Tapawera, Upper Takaka, and Wakefield public water supply schemes will be managed under individual water restrictions; and
6. agrees to delegate authority to the Engineering Services Manager to make decisions on requests for exemptions from the water restrictions for the purposes of animal welfare.

3 Purpose of the Report

- 3.1 This report seeks pre-approval from Council to impose water restrictions on customers connected to Council's public water supply schemes. This will assist the Council in complying with reduced water abstraction limits by influencing demand on the public water supplies in order to protect, promote and maintain the supply of water for essential purposes.
- 3.2 This report also provides a brief update on the situation and initiatives to date and planned activities. Staff will provide further information at the meeting.

4 Background and Discussion

Background

- 4.1 Due to prolonged dry and windy weather conditions, combined with high demand for water, the Council needs to proactively monitor and manage demand on some of its public water supply schemes. The long range weather outlook indicates that there is little chance of meaningful rain until later in March.
- 4.2 As of 10 February 2020, all Council public water supply schemes were abstracting within their abstraction limits as set out in their respective resource consent conditions. However, the 17 February 2020 rationing stages may result in Council breaching some consent limits if water demand does not drop further.
- 4.3 Staff are concerned about the ability to manage this going forward. The schemes of particular concern are Brightwater, Eighty-Eight Valley, Waimea (which supplies Māpua/Ruby Bay and part of Richmond), Redwood Valley, and Dovedale. Staff are also monitoring the Wakefield, Tapawera, and Richmond (lower confined) schemes carefully.
- 4.4 Although the dry conditions are not as acute or severe as the same period last year, experience shows the situation can evolve quickly.

Discussion

- 4.5 The Council's public water supply abstraction consents are subject to staged rationing under section 329 of the Resource Management Act. This limits how much water Council is permitted to abstract for its public water supplies. Council must respond to the staged rationing by phasing restrictions on its customers. It does this by imposing phased water restrictions under the Water Supply Bylaw 2016 (Amended 2019) (**Bylaw**).
- 4.6 Section 27 (1) of the Bylaw expressly provides the ability for the Council to restrict and prohibit the use of the public water supply because of drought or emergency.
- 4.7 Section 27 (2) states restrictions or prohibitions may include but are not limited to the Water Restrictions Protocol (**Protocol**). The protocol forms Appendix B of the Bylaw and sets out a framework for escalating restrictions through a series of phases A-F.
- 4.8 Sections 27 (8) and (9) respectively set out the Council's power to issue, amend or revoke restrictions. The Engineering Services Manager has the power to impose phase A and B restrictions. Council approval is required to implement water restrictions under Phases C to F because they have a greater impact on the wellbeing of the community and the economic impact on industry.

4.9 This report seeks approval from Council to impose phase C and D water restrictions on our customers under the Bylaw if:

- Stages 4 or 5 rationing is being imposed; and/or
- Restrictions have not managed demand below Council's reduced abstraction limits.

4.10 Phase C and D water restrictions include a range for business water cuts of 10%-30%, and 31%-50% respectively. Staff propose that the Engineering Services Manager be given authority to decide where in that range business water restrictions should be. The intention being to start at 10% for phase C initially, and then escalate as required.

4.11 Staff also propose that Council impose phase E water restrictions if a consent becomes subject to a cease take order.

4.12 These approvals are sought in advance so that Council has the ability to respond quickly to new rationing limits or if customers don't reduce demand sufficiently.

4.13 Staff propose to manage water demand for Brightwater, Waimea (Mapua), Richmond, and Redwood Valley public water supplies under one set of water restrictions. Council can manage consent abstraction limits or share water between these schemes to ensure it operates with the abstraction limits.

4.14 Individual restrictions will still be determined for all other Council public water supply schemes.

4.15 It is also proposed that the Engineering Services Manager be given delegated authority to grant exemptions from the water restrictions, upon application, for the purposes of animal welfare as permitted by the Bylaw. Such requests will need prompt decisions in response.

Other initiatives and planned activities

4.16 Staff have undertaken or are planning other initiatives to help manage demand and prepare in case conditions deteriorate. Some of these activities include:

- Emailing rural water supply users, highlighting the situation and asking residents to take water conservation measures and reduce water use, and recommending residents review livestock rates with regard to their water allocation;
- Reconfiguring the lower intake structure on the Dovedale rural water supply to ensure a residual flow remains in Humphrey's Creek (to satisfy a resource consent condition);
- Proactively communicating the situation and water savings tips via Newsline and other communication media and platforms;
- Placing a Variable Message Sign (VMS) in Māpua/Ruby Bay advising of the need for urgent water conservation. Other VMS boards and signage are being prepared;
- Proactively communicating with industrial water users to highlight the situation and asking them to be prepared in case of further restrictions;
- Installing an additional hydrant specifically for filling tankers at Motueka Recreation Centre and exploring other tanker filling options in Motueka;
- Releasing water from Wai-iti/Kainui Dam to supplement water in the river and aquifer. Council's Wakefield public water supply takes its water from this source, along with many other consent holders along the Wai-iti. 84% of the dam's storage capacity remains at the time of writing this report;

- Pro-active leak detection in Wakefield and Mapua, with more now being considered for Mapua.
- Exploring the option of sourcing water from the Nelson City Council to reduce demand on Richmond's public water network from the Whakatu Industrial area and Nelson South residential area.

5 Options

5.1 The Council has two broad options. A brief assessment of these options is summarised in Table 1 below.

Table 1: Options

Option	Pros	Cons
1. The Council pre-approves water restrictions	<ul style="list-style-type: none"> • Provides the ability for Council to impose restrictions quickly and respond as required • Helps manage demand in line with consent conditions • Helps ensure that water is available for essential purposes • Residents, businesses, and public organisations are familiar with restrictions from recent drought; and will likely have some level of preparation 	<ul style="list-style-type: none"> • More severe water restrictions may be unpopular • May materially impact individual businesses
2. The Council does not pre-approve water restrictions	<ul style="list-style-type: none"> • Council will be able to make individual water restriction decisions (beyond phase B) if and when the dry conditions progress and new information becomes available 	<ul style="list-style-type: none"> • Time delays in convening the Council to meet and preparing the necessary reports • May compromise ability to respond quickly • Administratively arduous, time consuming to write reports and set agenda a week out • Raises risk of non-compliance with consents, associated enforcement action against Council, and reputational damage

6 Strategy and Risks

- 6.1 Given the dry conditions and forecast, Council's abstraction limits for water are likely to reduce over the coming weeks for a number of public water supplies.
- 6.2 This will require demand to be proactively managed with more severe restrictions on our customers. Without implementing these measures and enforcing them there is a significant risk that the Council will not be able to comply with its abstraction consents. The risk of some non-compliance still remains even with restrictions in place.

- 6.3 The recently adopted Bylaw was used during last year's drought. It provides a consistent and measured approach to implementing water restrictions, and was generally effective in managing demand in the 2019 drought. This will help ensure that everyone in the community takes their fair share of responsibility to manage water demand.
- 6.4 The impact on the community as rationing and restrictions escalate could be significant if conditions deteriorate.

7 Policy / Legal Requirements / Plan

- 7.1 The proposals in this report comply with, and are being imposed under the authority of, the Council's Bylaw.

8 Consideration of Financial or Budgetary Implications

- 8.1 The costs to date to monitor, proactively manage and issue water restrictions are reasonably low and are being managed within current budgets.
- 8.2 It is likely that additional resources will be needed if water restrictions and rationing measures become more severe and the Council has to act more proactively to manage demand. Staff will report to the Council if and when this occurs.
- 8.3 Last year's drought response cost the Council over \$0.5m including loss of revenue, staff time, and external costs.
- 8.4 The cost and impact to the wider community will become more significant if rationing and restrictions continues and further cuts are required. For example, mandatory cuts to business water use start with phase C restrictions.

9 Significance and Engagement

- 9.1 The decisions sought in this report will be of medium interest to the community's affected by water restrictions.
- 9.2 The Council undertook extensive consultation on the Bylaw in 2018 and 2019, and implemented similar restrictions during the 2019 drought. The decisions sought in this report are to implement these restrictions again, under the authority of the Bylaw. Consequently, no further public consultation is needed.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Medium	There will likely be a medium level of interest from the wider public, but restrictions are unlikely to be widely controversial. This is because of the extensive consultation undertaken previously and public awareness of the dry conditions is high.
Is there a significant impact arising from duration of the effects from the decision?	Low-Medium	When water restrictions come into effect, all customers (residential, business and public) will be affected in some way. The impact will increase as stricter phases are imposed for as long as dry condition persist, which may be several weeks. The longer term impact of the decisions in this report impact are low. The decision to proceed with the Waimea Community Dam significantly decreases the likelihood of severe restrictions being needed on the Waimea Water Supplies in the long term.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Medium	Water is an important natural resource and the whole water supply network is a strategic asset. The decision sought in this report aim to help manage this resource carefully.
Does the decision create a substantial change in the level of service provided by Council?	Medium	Water restrictions reduce the availability of water to our customers for certain purposes on a temporary basis. However, this does not impact the longer term LOS provided by Council's water supplies.
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	Low	Costs associated with managing the restrictions will increase as stricter restrictions are implemented and Council's revenue from water use may also decrease. At this stage, staff expect these costs be able to be absorbed within existing budgets.
Does the proposal require inclusion of Māori in the decision making process (consistent with s81 of the LGA)?	No	The restrictions sought in the report are being implemented under the authority of the Bylaw, which was extensively consulted on previously.

10 Conclusion

- 10.1 Current and potential future water supply limits on Council's consent requires proactive monitoring, management, and the ability to respond quickly – including the ability to impose water restrictions on our customers in a timely manner.
- 10.2 In order to continue proactively managing demand and ensure the Council stays within the limits of our resource consents, staff are seeking pre-approval to implement stricter phased restrictions on our water supply customers, as required.
- 10.3 Staff will keep the Council up to date as the situation evolves.

11 Next Steps / Timeline

11.1 Key dates for the next few weeks are listed below.

Date	Process
18 February 2020	Dry Weather Taskforce meets to assess and recommend whether further rationing is required
19 February 2020	Eighty-Eight Valley Rural Water Supply Committee Meeting
20 February 2020	Extraordinary Council meeting to consider the approval of stricter water restrictions
24 February 2020	New rationing and restrictions come into effect from previous Dry Weather Taskforce meeting (18 February 2020)
25 February 2020	Dry Weather Taskforce meets to assess and recommend whether further rationing is required.
25 February 2020	Dovedale Rural Water Supply Committee Meeting

12 Attachments

Nil