

Notice is given that a Submissions Hearing meeting will be held on:

Date: Thursday 18 July 2019
Time: 9.30 am
Meeting Room: Tasman Council Chamber
Venue: 189 Queen Street
Richmond

Submissions Hearing

Draft Public Water Supply Bylaw

AGENDA

Membership

Mayor	Mayor R G Kempthorne	
Deputy Mayor	Cr T B King	
Councillors	Cr S Brown	Cr D E McNamara
	Cr S G Bryant	Cr D J Ogilvie
	Cr P Canton	Cr P F Sangster
	Cr M J Greening	Cr T Tuffnell
	Cr P Hawkes	Cr A Turley
	Cr C M Maling	Cr D M Wensley

(Quorum 7 members)

Contact Telephone: 03 543 8524
Email: robyn.scherer@tasman.govt.nz
Website: www.tasman.govt.nz

AGENDA

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies for leave of absence from Cr D M Wensley be accepted.

3 REPORTS

A deliberations report covering the process and staff analysis of the submissions will be presented at a deliberations hearing on 15 August 2019.

4 HEARING OF SUBMISSIONS

The schedule of submitters who wish to speak at the hearing is below. Each submitter is allocated ten minutes.

Time	Submitter	Submission #
9.45 am	Alliance Group – Doyle Richardson and Stephen Baird	20459
9.55 am	Ewing Poultry – Lloyd Ewing	20307
10.05 am	Camjek Ltd – Clive and Margaret Richards	20314
10.15 am	Mr Simon Vincent	20460
10.25 am	Mrs Claire Parkes Eighty Eight Valley Water Scheme Committee Note – Mrs Parkes will speak to her own submission and on behalf of the committee	20471/20472
10.35 am	Fonterra – Emily Macdonald and Sam Flewellen	20476

The full submissions are contained in **Attachment 1**.

Recommendation

That the Hearing Panel receives the submissions, including the two late submissions, to the Draft Public Water Supply Bylaw.

5 CONFIDENTIAL SESSION

Nil

20304



SUBMISSION FORM

Submission form for feedback about Council's proposed amendments to the Public Water Supply 2016 (publically notified) 5 June 2019.

YOUR DETAILS (PLEASE PRINT CLEARLY)

PROCESSED

Name Anne + Neal Page Phone 5445418

Postal Address 7 Primrose Place

Town or RD Richmond Postcode 7020 Email _____

Are you writing this submission as: A residential customer On behalf of an organisation

If on behalf of an organisation, please name the organisation and your position:

Organisation _____ Position _____

Would you like to speak to your submission at a Hearing Panel meeting in Richmond held for this purpose?

Yes No

Do you support the proposed changes to the bylaw? Yes No In part

Do you support the proposed approach for determining a baseline? Yes No

If not please provide your view and preference and any suggestions on a preferred approach.

My feedback relates to: Determination of the baseline Other proposed amendments (Reference number from table on pages 4/5)

Provide details of your feedback:

when a hosing ban is implemented the public has an expectation that the ban will include everybody. you can not expect water savings to be taken seriously when Nelson city council continues watering their sports grounds.

If you introduce minor water restrictions earlier you may prevent or delay more serious measures later.

Submission Summary

Public Water Supply Bylaw - Submission #20305

Ms Marion Satherley

marionawayfromhome@gmail.com

69 Stafford Drive Ruby Bay, RD 1
Upper Moutere 7173

540 2618
540 2618

Speaker? False

PROCESSED

Department	Subject	Opinion	Summary

SUBMISSION FORM

PROCESSED

Submission form for feedback about Council's proposed amendments to the
Public Water Supply 2016 (publically notified) 5 June 2019.

YOUR DETAILS (PLEASE PRINT CLEARLY)

021 116 8719

Name

Marion Satherley

Phone

03 54 02 618

Postal Address

69 Stafford Drive Ruby Bay, EOI, UMO

Town or RD

Postcode

7133

Email

marion.awayfromhome@gmail.co

Are you writing this submission as: A residential customer On behalf of an organisation

If on behalf of an organisation, please name the organisation and your position:

Organisation

Position

Would you like to speak to your submission at a Hearing Panel meeting in Richmond held for this purpose?

Yes No

Do you support the proposed changes to the bylaw?

Yes No In part

Do you support the proposed approach for determining a baseline?

Yes No

If not please provide your view and preference and any suggestions on a preferred approach.

My feedback relates to: Determination of the baseline Other proposed amendments (Reference number from table on pages 4/5)

Provide details of your feedback:

My concern relates to Restricted Flow supply where storage tanks are required. I can no see where it is a requirement for these storage tanks + supply line to be leak free.

I personally know of one case where a concrete tank received restricted flow water has a huge crack around the bottom + leaks like a sieve. Because the property owners never ran out of water + they pay a flat rate for their supply there is no incentive financially to them to replace their storage tank.

This is only one situation, how many more are like this?

I therefore suggest another clause be added to item '25.2 Restricted Flow Supply'

5) all restricted flow supply customers must attend to any water leaks from ~~the~~ storage tanks + supply lines immediately.

Submission Summary

Public Water Supply Bylaw - Submission #20307

Mr Lloyd Ewing
Owner Ewing Poultry

lloyd@ewingpoultry.co.nz

83 Main Road
Hope 7020

PROCESSED

Speaker? True

Department	Subject	Opinion	Summary

SUBMISSION FORM

PROCESSED

Submission form for feedback about Council's proposed amendments to the Public Water Supply 2015 (publically notified) 5 June 2019.

YOUR DETAILS (PLEASE PRINT CLEARLY)

Name Lloyd Ewing Phone 0275 901042
 Postal Address 83 Main Road
 Town or RD Hope Postcode 7020 Email lloyd@ewingpoultry.co.nz
 Are you writing this submission as: A residential customer On behalf of an organisation

If on behalf of an organisation, please name the organisation and your position:

Organisation Ewing Poultry Position Owner

Would you like to speak to your submission at a Hearing Panel meeting in Richmond held for this purpose?

Yes No

Do you support the proposed changes to the bylaw? Yes No In part

Do you support the proposed approach for determining a baseline? Yes No

If not please provide your view and preference and any suggestions on a preferred approach.

My feedback relates to: Determination of the baseline Other proposed amendments (Reference number from table on pages 4/5)

Provide details of your feedback:

I support the clarifications of the Public Water Supply By Law.

I understand the whole region has a major problem if we need to get to stage "F". This is the stage that affects Ewing Poultry as we are bound by the Animal Welfare Act and administered by M.P.I.

I note that we could enter into negotiations with T.D.C. Please advise what this includes, eg. exemptions, reduced take, other assistance?

Lloyd Ewing

Wishes to speak

Submission Summary

Public Water Supply Bylaw - Submission #20314

Mr & Mrs Clive & Margaret Richards
Directors Camjek Ltd

c.m.richards@netz.nz

151 River Rd Appleby
RD1 Richmond 7081

Speaker? True

PROCESSED

Department	Subject	Opinion	Summary
TDC - Engineering	If not, please provide your view and preference and any suggestions on a preferred approach		Submission is attached. If it doesnt come through please contact us. Clive and Margaret Richards

20314
wishes to speak

Our submission in regard to the Public Water Supply By Law

We have an irrigated orchard on the Waimea plains. We have previously been advised that sufficient water would always be available for irrigation to ensure the survival of these trees. This is similar to the situation with water being a necessity for the survival of livestock.

We submit that Phase E for Businesses be amended with the addition as follows:

"..... firefighting, livestock and the survival of trees used for horticultural purposes."

The TDC currently accepts that Phase E will allow water for livestock purposes yet this proposal ignores farmers/orchardists who are growing trees rather than livestock.

All livestock has the capacity to be moved from the Waimea plains to another region where water is available. Trees, of course, cannot be moved to another location. So in a Phase E situation trees need to be regarded as more vulnerable than livestock.

Clive and Margaret Richards

Appleby

Submission Summary

Public Water Supply Bylaw - Submission #20422

Ms Alison Pickford

PROCESSED

4 Sutton Street
Richmond 7020

Speaker? False

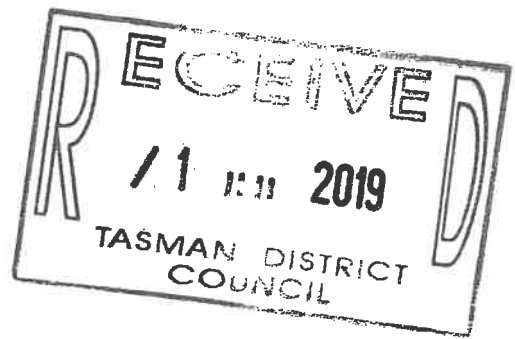
Department	Subject	Opinion	Summary
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4 Satter St

Richmond

Nelson 7020

27.6.19



Tasman District Council

PROCESSED

Submission re

Future Water Restrictions Draft

Security of water supply in the region is of grave concern, at least until the dam is completed and proven to deliver what is hoped for.

As the district has so far this year received approximately 70% of the usual rainfall, perhaps beginning to conserve water should begin earlier to protect the levels in aquifers.

And, as Nelson Pine Industries ~~take~~

2
10% of the available water,
might the Council consider negotiating
to have the factory shut-down
maintenance period shifted from the
Christmas break to late January or
February so that more ~~water~~ ^{PROCESSED} water is
available when drier conditions
are expected. This may briefly ease the
severity of water restrictions!

Yours faithfully

Russel Dickford.

Submission Summary

Public Water Supply Bylaw - Submission #20440

Mr Ron Eckman

r.eckmaninnz@gmail.com

144 Rangihaeata Road
Takaka

PROCESSED

Speaker? False

Department	Subject	Opinion	Summary

Robyn Scherer

From: Paula Cater on behalf of Reception Richmond
Sent: Wednesday, 3 July 2019 2:28 PM
To: Robyn Scherer
Subject: FW: SUBMISSION ON TDC WATER MANAGEMENT BYLAW

PROCESSED

Reception Richmond |
Customer Services Team
DDI (03) 543 8400

From: Ron Eckman <r.eckmaninnz@gmail.com>
Sent: Wednesday, 3 July 2019 2:09 PM
To: Reception Richmond <Reception.Richmond@tasman.govt.nz>
Subject: SUBMISSION ON TDC WATER MANAGEMENT BYLAW

Thank you for asking for public input on water management in TDC.

We are experiencing more extreme weather events such the recent drought. More extreme events are predicted.

TDC needs to be better prepared for water management during dry periods.

I would like TDC to encourage rain water catchment on all buildings in the district.

There are many benefits of having rain water tanks:

Fire brigades will have multiple sources of water all over the district.

Gardens can survive even if there are water restrictions - increased food security.

Neighbours can share the water resource.

Reduced demand on TDC water reticulation infrastructure, less cost to pump, treat, filter, etc.

Less hardship on families if restrictions are imposed due to a drought when people have some tank water.

Increases community resilience and encourages citizens to take some responsibility

Reduces volume that flows into the stormwater system that sometimes cannot handle heavy rainfall, e.g. flooded gutters, footpaths and roads [sometimes even sewerage systems]

Thanks for considering my submission

Ron Eckman
144 Rangihaeata Road
Takaka
021 351-595

Submission Summary

Public Water Supply Bylaw - Submission #20441

Ms Victoria Davis

moonbow@goldenbay.net.nz

PO Box 92
Takaka 7142

03 525 9298
03 525 9298

Speaker? False

PROCESSED

Department	Subject	Opinion	Summary

Robyn Scherer

From: Paula Cater on behalf of Reception Richmond
Sent: Wednesday, 3 July 2019 3:07 PM
To: Robyn Scherer
Subject: FW: please accept this submission on the water management bylaw

Reception Richmond |
Customer Services Team
DDI (03) 543 8400

PROCESSED

From: Victoria Davis <moonbow@goldenbay.net.nz>
Sent: Wednesday, 3 July 2019 2:45 PM
To: Reception Richmond <Reception.Richmond@tasman.govt.nz>
Subject: please accept this submission on the water management bylaw

SUBMISSION ON TDC WATER MANAGEMENT BYLAW AMENDMENT

Thank you for asking for public input on the very important water management issue.

Now that we accept that we are experiencing extreme weather events it is imperative for all councils to be prepared for optimum water management during dry periods.

TDC needs to encourage rain water catchment for every single building in the district unless there are tank placement problems.

Benefits of rain catchment include the following;

- gardens can be saved if supply restrictions are imposed
- people who collect rain water feel less drought stress when restrictions are imposed as they would have a reserve
- focus on the value of clean water increases when people manage their own tank
- dual plumbing capabilities could keep roof catchment separate from home supply if desired
- as we all need to take responsibility for our recourses, individual tanks would increase awareness regarding responsibility
- a reduction of demand on council's supply systems can only be positive
- in case of fire, the rain water tanks could help save properties and lives

I appreciate that TDC requires all rural properties in Golden Bay to have large water storage tanks that could be helpful in all of the above situations.

Thank you for considering my submission.

Victoria Davis
PO Box 92
Takaka 7142
03 525 9298

*Wishes to
Speak*

Submission Summary

Public Water Supply Bylaw - Submission #20459

Mr Doyle Richardson
Group Environmental Manager Alliance Group Limited

Doyle.Richardson@alliance.co.nz

PO Box 845, Invercargill
Invercargill 9840

PROCESSED

Speaker? True

Department	Subject	Opinion	Summary

Tasman District Council Proposed Public Water Supply Bylaw 2016

Submission by ALLIANCE GROUP LIMITED

Introduction and Summary of Submission

1. Alliance Group Limited (**Alliance**) owns and operates an important sheep and lamb processing plant located at Main Road, Stoke (**Nelson Plant**). There has been a meat processing plant on the current site since 1909.
2. Alliance is New Zealand's only truly farmer owned co-operative meat company. There are approximately 4,000 farmer shareholders, with five sites in the South Island and two in the lower North Island.
3. The Nelson Plant is a major industry in the region. It is an integral part of the Alliance meat processing operation and is strategically placed at the top of the South Island to service farms from our catchment area. Alliance has a significant investment in the plant which Alliance will protect.
4. Since the new building and plant opened in 2000, the Nelson plant has processed almost 10 million sheep and lambs and processes approximately 40,000 bobby calves per year.
5. The Nelson Plant employs approximately 220 personnel at peak, and annually contributes approximately \$82 million to the local economy via wages, goods and services, local contractors and in payments for livestock.
6. The Nelson Plant serves the needs of farmers throughout the top of the South Island, including the North Canterbury, West Coast, Buller, Murchison, Kaikoura, Marlborough, Golden Bay the lower North Island and locally.
7. The ability of the Nelson Plant to efficiently kill and process stock is critical to the region's farmers – both in terms of the financial viability and profitability of farming, and also in terms of animal welfare in times of dry or drought conditions.
8. During prolonged dry periods or drought conditions the Nelson Plant has played a significant role in ensuring the welfare of livestock, farming operations, farmer welfare and the welfare of their families. Our ability to process during these stressful times for farmers and their livestock is paramount.
9. In recent years, including the 2019 summer, dry conditions have necessitated Alliance working very closely with individual farms, farmer groups and MPI to ensure that priority was given to animals in distress.
10. With the next closest sheep meat processing operations being located in Ashburton to the south or Wellington to the north, the options to provide assistance and support to the wider farming community and Alliance Group shareholders during times of adverse

climatic conditions can become very difficult and is very limited. Alliance's next closest plant in the South Island is in Timaru, and in the North Island it is Levin.

11. Alliance has an independently certified ISO 14001 Environmental Management System and strives to continually improve what it does, including its use of natural resources.
12. The Nelson Plant is entirely reliant on high quality¹ water supplied via Council's public water supply network. Alliance and Council have a Water Supply Agreement in place pursuant to which Alliance is able to take up to 36,000m³ water per month and up to 330,000m³ per year (**Agreement**).
13. Actual usage of water is typically less than provided for in the Agreement. This is achieved through a focus on the efficient use of water which is a continuous focus of the business and the plant. Alliance understands that water availability in the Waimea Plains Zones is limited, and is likely to continue to be that way until water augmentation is achieved when the Waimea Dam is constructed.
14. The Agreement is in place until 30 June 2020 and the contracted maximum volumes cannot be varied without the agreement of both parties, or by arbitration. Supply under the Agreement can only be restricted if Council is subject to a water shortage direction under section 329 of the Resource Management Act.
15. The proposed amendment to the Public Water Supply Bylaw comprising new restrictions on the use of water, while improved, would still have uncertain application to Alliance's business. Details of this, and relief sought is provided below.
16. Alliance wishes to continue cooperating with Council to further refine the Bylaw to respond to the immediate water challenges Council faces, so that the Nelson Plant can continue to operate in a manner consistent with providing for the maintenance of animal welfare, safe food production, and efficient operation for the social and economic benefit of the region.
17. Alliance has no objection however to a requirement that in these times it needs to implement a water shortage plan, and the terms of this can be dealt with in the Water Supply Agreement between Alliance and the Council when this is replaced prior to expiry of the existing Agreement in 2020 or in the Bylaw if appropriate amendments can be made.

The Nelson Plant

18. The Nelson plant process includes receiving stock, slaughter, chilling, carcass and edible offal processing, freezing and dispatch of chilled and frozen product. Co-products, ie skins and renderables are transported elsewhere for processing which assists in minimising water usage.
19. The Nelson Plant processes on average 10,544 stock units and a maximum of 22,199 stock units each week.

¹ As a food business, water used by the Nelson Plant needs to be of the highest standard. Under the terms of the existing Water Supply Agreement Council agrees to supply water that meets the NZ Drinking Water Standards.

20. Weekly average incoming water is 3,286 m³ and a maximum of 6,502 m³.
21. The Nelson plant is one of Alliance's most efficient users of water.
22. The volume of water required per unit of stock processed is not a linear relationship.
The more stock that is processed, the more efficient water use is. For example, slaughter and processing room clean up happens in the same way regardless of whether 50 stock units are processed or 2000 stock units are processed. As a result, a 10 - 30% reduction in available water will result in a greater than 10 – 30% reduction in the volume of stock that is able to be processed. Likewise for a 31 - 50% reduction in water availability.
23. In addition to the above, the Nelson Plant requires a minimum of 1 m³/hour to run the freezers and chillers which provide for the cold storage of product. There is no ability for this to be provided for in Phase F.
24. As described above, the Nelson Plant is critical to the Alliance processing network. All processing plants are typically at capacity through December and January, with a weekly stock supply exceeding available space by 20,000 – 50,000 stock units per week.
25. While stock is moved around the country to optimise the use of space, during dry years when droughts are declared, the weekly stock supply can exceed available space by up to three times more than indicated above. The increased demand for space is a response to a lack of feed for livestock and the need to address animal welfare concern on farm.
26. Alliance Nelson played a significant part in reducing water use in early 2019 and exceeded its required water saving obligations. However, this came at some cost to the business and employees.
27. From 18th February 2019 until 11th March 2019, the plant was at peak capacity and on double shift when the drought affected the region. To achieve the 25% reduction in water use required a 40% reduction in processing volume, with the plant reducing processing to three days per week. This resulted in a 40% wage reduction for employees, and three staff resigned from Alliance as a result. Stock was turned away and local stock given priority, where space was available, through direct contact between the plant and local farmers, via Council and through the Alliance Livestock team.
28. In addition, stock presentation was favourable at this time, ie stock had recently been shorn, which allowed minimal stock washing. This is not always the case. Despite this, compliance and food hygiene requirements were difficult to meet with reduced water.

The Terms of the Proposed Bylaw

29. It must be acknowledged that the proposed changes to the Bylaw are an improvement on the first draft released in 2017. It is also hoped that the construction of the Waimea Dam to augment the water supply will also reduce the need to rely on the Bylaw to manage water use in the region.
30. Particular points of improvement in the Bylaw include a baseline being provided, where it wasn't before. This provides greater certainty about what water reductions, through

each of the phases, might look like. In addition, it avoids the July 2018 to June 2019 year. If this year was included, further water restrictions over and above that required during the early months in 2019 would not be sustainable for our business.

31. The restructure of the Protocol to include three overarching categories, including a Business Category, does remove ambiguity about which restrictions apply to which categories.
32. The Protocol now includes a note to acknowledge the need for essential Animal Welfare services during times of low water supply, however Alliance seeks a slight improvement in the wording used, as discussed below.
33. While there are improvements, there are a small number of matters in the proposed bylaw of concern to Alliance.
34. Clause 27 (4) of the Bylaw states that the calculation of the baseline can be changed via a resolution from Council. There would be no need for Council to consult with affected Business Owners on any changes to calculating the baseline. Given the potential significance that a change to how the baseline is calculated could have, Alliance is of the view that those affected parties should be consulted with and an appropriate process be followed.
35. Note 6 of the Protocol states that *“the Council may grant an exemption upon application to comply with restriction outlined during Phase A, B, C, D and E for water used for animal welfare purposes”*. There is still some uncertainty with the use of the word *“may”* and there is no provision for the granting of an exemption should Phase F water restriction be needed. It is requested that the word *“may”* be replaced with *“will”* and that the ability to grant an exemption is extended to Phase F.
36. These amendments would provide certainty for the ongoing processing of stock in times of drought, consistent with that necessary for the maintenance of animal welfare – one of the priority uses of water provided for in the TRMP².
37. Note 2 in the Business Protocol indicates that even if our business complies with the water saving requirements in each phase, we may be required to do more. This doesn't provide the certainty and clarity that the Bylaw change seeks to achieve.
38. The operative provision is clause 27(1). It provides that Council may restrict or prohibit the use of the public water supply because of drought, emergency or for any other reason, and that restrictions or prohibitions may apply to all or any part of the District, to the use of water for any specified purpose, and for any specified period.
39. Clause 27(2) makes it clear that such restrictions and prohibitions may include, but are not limited to those described in Appendix B.
40. Council is still expressly reserving to itself the ability to apply whatever restrictions and prohibitions it considers are appropriate from time to time. Therefore, while there is some improvement in what Alliance would be expected to do, there is still not the

² See for example Policy 30.2.3.1 which in the context of water shortage directions prioritises water for animal welfare above water for any other abstractive use other than maintenance of public health.

'clarity and certainty for everyone', that the Bylaw amendment originally sought to provide.

Points of clarification

41. Alliance also has some points of clarification that were not able to be addressed before this submission was prepared. In particular:
- a. The consultation document states that the baseline will only cover the transition period until the Waimea Dam is completed. Is the definition expected to change after this time? And if so, how?
 - b. Will it be less likely that Council will impose restrictions when the Waimea Dam is built?
 - c. Can Council quantify the difference in how often restrictions might be placed on us between now and after the dam is built?

Requested Relief

42. Alliance requests the following changes to the proposed bylaw:
- a) Note 6 in the Business Protocol be amended to say "will" rather than "may" and the exemption be extended to Phase F.
 - b) Clause 27(4) be deleted
 - c) Note 2 in the Business Protocol be deleted if it the intention that even if our business complies with the water saving requirements in each phase, they may have to do more. It is requested that Note 2 be deleted.
 - d) Clause 27(1) and (2) are amended so that the ability to impose restrictions and prohibitions is limited to the Phases described in Appendix B – thereby providing clarity and certainty
43. Alliance thanks Council for the opportunity to make a submission, and for Council's consideration of it.
44. Alliance would like to speak in support of its submission.

Wishes to speak

Submission Summary

Public Water Supply Bylaw - Submission #20460

Mr Simon Vincent

As above. Part owner of 857 hectare farm at 88 Valley Road

simon.vincent@xtra.co.nz

PROCESSED

310 Church Valley Road RD1 Wakefield
Nelson 7095

Speaker? True

Department	Subject	Opinion	Summary
TDC - Engineering	If not, please provide your view and preference and any suggestions on a preferred approach		<p>88 Valley scheme:</p> <ol style="list-style-type: none">1. The potential for stock water on the handful of large farms being cut off when restrictions are set in place;2. These farms over a year generally do not use their full allocation because the water units have to be spread around the farm to allow stock to graze the different areas, and its not practical to move the restrictors and storage of the water as these stock are moved;3. What I ask for is that this stock water take is reduced but not cut off;4. In the recent dry period we substantially destocked, and further reduced our water take, but to have no water for stock is unacceptable.5. The 88 Valley was set in place by farmers for farmers. That is why it is called a rural scheme. At that the time it was entirely adequate. The TDC continue to allow additional subdivision and new users when it should have known that should not been permitted. The remedying of this should be at the cost of the TDC generally, and not the original users who have paid for the scheme over many years.6. The 88 valley scheme has approx. 7 km of pipe on our farm across about 17 paddocks. We continually have TDC staff on our place using our roads etc. We are very concerned by the proposed restrictions on activities close to the pipe.7. S25.2 - Proposed seven days water storage may be impracticable to achieve for larger farms, with more water units. <p>Concerns wider than 88 Valley Scheme Please being cautious of any advice TDC receives</p>

			say that a bigger bureaucracy will bring efficiencies. It just about never does. Merging water schemes and "making one size fit all" generally results in higher cost, loss of local knowledge, less pro-active actions and less satisfactory response times.
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08/07/2010 07:20

Wishes to speak

Submission Summary

Public Water Supply Bylaw - Submission #20471

Mrs Claire Parkes
Farming P/S

castledowns@xtra.co.nz

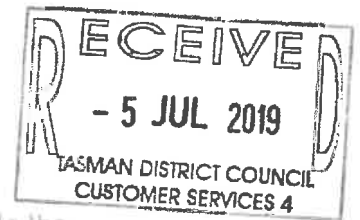
310 Church Valley Road
Wakefield 7095

PROCESSED

Speaker? True

Department	Subject	Opinion	Summary
TDC - Engineering	Do you support the proposed changes to the bylaw? Yes, No or in part?		in part

SUBMISSION FORM



Submission form for feedback about Council's proposed amendments to the Public Water Supply 2016 (publically notified) 5 June 2019

PROCESSED

YOUR DETAILS (PLEASE PRINT CLEARLY)

Name CLARE PARKES Phone 021 2027 284
Postal Address 310 Church Valley Rd
Town or RD Wakefield Postcode 7095 Email castledowns@xtra.co.nz

Are you writing this submission as: A residential customer On behalf of an organisation

If on behalf of an organisation, please name the organisation and your position:

Organisation Farming P/S Position owner

Would you like to speak to your submission at a Hearing Panel meeting in Richmond held for this purpose?

Yes No

Do you support the proposed changes to the bylaw? Yes No In part

Do you support the proposed approach for determining a baseline? Yes No

If not please provide your view and preference and any suggestions on a preferred approach.

My feedback relates to: Determination of the baseline Other proposed amendments (Reference number from table on pages 4/5)

Provide details of your feedback:

Clause 17.3.a

With 7.5km⁺ of mains & serviced pipe on our farm, it worries up about how unreasonable for us to have a 2m exclusion zone. We expect to be able to carry out normal farm activities and not be compromised.

We have heavy farm machinery moving over pipe areas everyday & we should not be liable for any accidental damage

17.5

We should not be charged for engaging council to locate pipes as that is the best way for us to prevent incurring damage

Clause 25.2(4)

Clause 27

Concern of restricting stock water when our business is livestock farming. We have no problem with conserving water... but we have always paid for more water than required purely for reason of drought insurance for our capital livestock.

TDC have been irresponsible to allow continued growth but not grow the infrastructure.

Eighty eight valley scheme was set up to service rural areas.

With urban users it has become expensive and over committed.

We would like the chlorinator plant removed off our farm.

There are so many vehicles at many different times. Council never contribute to our road maintenance, loss of privacy and concern with biosecurity.

**Please note: All written submissions will be made available to Councillors and the public.
Please write clearly, as all submissions are photocopied. Extra comments can be supplied on a separate sheet.**

Submissions close at 4.00pm on Friday 5 July 2019

Please send your submission to:
Executive Assistant - Engineering
Draft Water Supply Bylaw 2016
Tasman District Council
Private Bag 4
Richmond 7050

Or drop your submission into the
Council at 189 Queen Street, Richmond
or your local library or service centre.
Alternatively email your submission to:
info@tasman.govt.nz or fax to
03 543 9524.



Submission Summary

Public Water Supply Bylaw - Submission #20472

Dr Andrew Fenemor
Chairman Eighty Eight Valley Water Scheme Committee

fenemor@xtra.co.nz

PROCESSED

Wakefield

Speaker? False

Department	Subject	Opinion	Summary

DRAFT SUBMISSION FROM 88 VALLEY WATER SCHEME COMMITTEE ON PUBLIC WATER SUPPLY BYLAW

At a meeting on 4 July of the 88 Valley Water Scheme Committee, we reviewed the draft Public Water Supply Bylaw and associated Water Restrictions Protocol. We make the following points, on behalf of users of the 88Valley Water Scheme. If any of these points are unclear, Mike Schruer and Cr McNamara attended our meeting and can elaborate.

Clause 9 Continuation/Cessation of Supply

Does not address voluntary cessation of supply on a rural water scheme. We understand that while transfers of units are identified as possible in 25.2(2)(c), Council is seeking a legal opinion about preventing cessation of supply from rural schemes such as ours. We suggest this should be identified explicitly in clauses 9 and 22.

Clause 16 Access to and work on the public water supply network

For a break in a rural supply mainline, we think clause 16 should allow emergency action (with verbal but not written agreement of Council or its contractor Downers) to be taken by a user to turn off or reduce damage. Sometimes time is of the essence.

Clause 17 Working near the public water supply network

Clause 17(3)(a) which restricts excavation or interference with land within 2metres of mainlines such as are buried across mostly private land for the rural schemes is plainly unreasonable. We suggest a more conditional clause along the lines "For parts of a public water supply network located on private land (e.g. rural water supply pipes), Clause (3)(a) only applies where the excavation or interference may damage the network."

Clause 17(5) states that Council may charge for identifying the location of pipelines. We suggest it should be stated that this does not apply to private landowners where the network crosses their private land.

Clause 20 Continuity of supply and pressure

We understand that the Council is using email for routine communications with users, as it holds email addresses for some 80% of 88V scheme users. We think the Council could make greater use of email communication to advise of scheme outages, maintenance and updates on drought restrictions. Clause 20(2) could explicitly state at the end of the first sentence "for example, by email"

Clause 20(4) makes 7 days storage (per Table 1 in clause 25.2) as mandatory. Therefore, despite assurances from the Utilities Manager that the Council does not prosecute for having inadequate storage, we do not consider the bylaw should make the minimum volume of storage mandatory. In the wording of clause 20(4), replace 'shall' with 'should'.

Clause 21 Connection

We understand clause 21(1)(c) relates to direct pressurised connections such as sprinkler systems for fire protection. As this does not apply to a restricted supply scheme like ours, and with the recent fire in mind, this should be clarified in 21(1)(c).

Clause 25 Types of public water supply

The definitions say that Ordinary Water is domestic water supply only, and Extraordinary Water is not domestic water supply. Then 25.2(1) explains that restricted flow supplies like our scheme may use the water for ordinary AND extraordinary use. Most connections will have both these types of use. This has consequences, raised later, for restrictions of those uses when both are from a combined supply.

Clause 25.2(2) states the 7 day storage requirement as mandatory. As mentioned for clause 20(4), we suggest the word 'must' be replaced by 'should'.

Clause 25.2(2)(b) refers to the TRMP firefighting provisions and could say what these provisions are about, without repeating them in detail. We were advised this is referring to minimum water storage requirements required under the RMA.

Clause 26 Meters and restrictors

Subclause (4) allows Council to recover costs if restrictors are tampered with. The Committee strongly supports this provision as tampering with restrictors is essentially stealing from other users, and affects availability for downstream users.

Clause 27 Prohibition or restriction on use of public water supply

The rewording of 27(2) seems clumsy. If the phrase at the end of (2)(b) applied to the whole of clause 2, then clause 27(3) could be deleted as it says the same thing

We understand that clause 27(8) means that the Engineering Manager can declare Phase A and B water restrictions and clause 27(5) means that the whole Council must declare higher level restrictions (through the Engineering Manager)? We support the Council itself making decisions on restrictions beyond Phase B because of the socio-economic consequences. The current wording does not make it clear what is intended

Clause 29 Customer responsibility

29(8) and (9) relate to access to restrictors on private land. While these provisions seem reasonable, prior agreement is needed on biosecurity and health & safety precautions with contractors and Council representatives crossing the property.

Water Restrictions Protocol (Appendix B)

This is important to make workable for rural water schemes, especially since we have to comply with both these Phase A-F restrictions as well as water take restrictions imposed by our resource consent, all at the same time.

Many rural scheme users will have a combination of Residential and Business (including farm) water uses. The bylaw says such uses are a combination of Ordinary (domestic) and Extraordinary (non-domestic) water uses per 25.2(1). It is hard to see how combined restrictions are intended to work or be enforced in practice. One suggestion is to explain how via a note on page 4 under Protocol Notes.

Probably the most important point we want to make is that the restriction regime does not encourage installation of more storage on restricted flow supplies like ours. If people have provided their own storage beyond the mandatory 7 days storage, then how they use that extra water (e.g. stored prior to restrictions starting) should be up to them. But difficult to differentiate that water

from water supplied under restrictions. We suggest that both the Engineering and consent compliance staff should take into account this difference with on-demand supplies before levying fines or more draconian enforcement during water restrictions

An even more fundamental question, as experienced last summer, is how can restricted flow supplies like the 88V scheme physically comply with consent restrictions. If your storage is drawn down then even if you are conserving water to the max, scheme water will continue to flow until your storage is full again. Rather than just restricting uses as in the Protocol's Phases A-F, the only way to restrict a scheme like ours is to ask people to go and shut of their inflow valves on particular days as we did towards the end of last summer's drought. This fundamental practical difference between a restricted flow scheme and an on-demand could be addressed in the Protocol, and needs to be recognised by compliance staff, again when levying fines or taking other enforcement action.

On behalf of 88 Valley water scheme users

Andrew Fenemor

Chair, 88 Valley Water Scheme Committee

7 July 2019