



Thames-Coromandel District Council

Proposed Water Supply Bylaw - Te Ture-ā-Kaunihera mō Te Manawa Whenua

Statement of Proposal

This statement of proposal has been prepared in accordance with the requirements set out in section 83 of the Local Government Act 2002. The Thames-Coromandel District Council has developed a proposed bylaw to ensure the protection of the District's water supply from pollution and potential misuse.

The proposed bylaw has been developed as part of the review of the Bylaws where it was found that there was no one specific bylaw dealing with water supply. This statement of proposal sets out the reasons for the proposed bylaw as well as the proposed name of the Water Supply Bylaw. The statement of proposal includes the proposed bylaw in full as well as outlining how you can give us feedback.

About the bylaw

The Local Government Act 2002 (the Act) allows Councils to create bylaws to protect the public from nuisance, protect, promote and maintain public health and safety. It also requires Councils to review their bylaws regularly, and to consult the community about any proposals to amend, revoke or replace a bylaw.

The Council is conducting a rolling review of its bylaws to determine whether new bylaws are required. This review showed that a bylaw to ensure the protection of the District's water supply from pollution and potential misuse to ensure a stable supply of water for the community was needed.

The proposed Water Supply Bylaw contains provisions that:

- Enable the Council to protect public health and the security of the district's public water supplies;
- Detail the responsibilities of both the council and its customers with respect to the public water supplies;
- Detail the means for the recovery of water supply costs;
- Outline means to prevent wastage of water;
- Provide a mechanism for water demand management; and
- Detail breaches and offences and provide a disputes procedure.

The Council's proposal

Reasons for the Bylaw

Council needs to be able to protect the public health and security of the district's public water supplies to ensure that public health and safety is maintained, protected and promoted.

Council has considered the proposed bylaw included with this Statement of Proposal and has determined that:

- A bylaw is the most appropriate way of protecting the supply within the district from pollution.
- A bylaw is the best method to define what will constitute the misuse of water within the district. This provides certainty for water users as well as the Council over what water use is unacceptable.
- Council has the sole responsibility for ensuring a safe water supply within the district.
- The proposed Bylaw is the most appropriate form of bylaw for the purposes of consultation.
- It is acknowledged that the proposed Bylaw may have implications under the New Zealand Bill of Rights Act 1990. However, Council has determined that any infringement of these rights are justified in managing the safety and wellbeing of those within the district.

Purpose of the Bylaw

The bylaw aims to protect the district's water from pollution and potential misuse. This bylaw is made under the authority of the Local Government Act 2002.

Elements of the bylaw

Amongst other things, the proposed bylaw covers:

Protection of water supply

Includes rights of access to the water supply network and treatment plants and the rules for working around buried services.

Protection of source water

Conditions of supply

Application for supply, change of use, prescribed charges and rural water supply areas.

Points of supply

- Includes layout diagrams for different types of properties and for metered and unmetered supplies.
- Responsibility for maintenance.
- Single and multiple ownership.
- Access to, and about water supply.
- Maintenance of access.

Types of supply and continuity of supply

Describes the types of supply available and the conditions for their use.

Backflow prevention

Responsibilities of the customer and Council for preventing water returning to the Council's water supply and possible contamination/pollution of the water supply.

Prevention of waste

Responsibilities of customers to prevent wasting water from leakage; defines that Council's supplies are for the use of water for consumption not as an energy source or for diluting trade waste.

Breaches and offences

Breaches include incorrect application of the water supply; failure to pay appropriate charges by due date; failure to repair a leak; fitting of equipment that may cause pressure surges or fluctuations; failure to prevent backflow; failure to comply with water use restrictions or prohibitions; extending

pipes/hoses beyond a customer's property; unauthorised tampering or removal of a toby valve, water meter or backflow restrictor at the point of supply.

Have your say

The consultation period for the bylaw will begin on 7 October 2019 and conclude at 4pm on 8 November 2019.

This is your opportunity to let the Council know what you think of the proposed Water Supply Bylaw - Te Ture-ā-Kaunihera mō Te Manawa Whenua. There are many different ways for you to tell us what you think.

You can:

- read the bylaw and submit using our online consultation portal at www.haveyoursay-tcdc.objective.com
- email us at consultation@tcdc.govt.nz
- fax us on (07) 868 0234
- complete a submission form and post it to us at Thames-Coromandel District Council, Private Bag, Thames 3540; or
- drop it into the area offices in Thames, Coromandel, Whitianga or Whangamata.

Submission forms and hard copies of the statement of proposal and the proposed bylaw are available at all our area offices and libraries.

If you have any questions about this proposal or about how to make a submission, please contact us on 07 868 0200 or email customer.services@tcdc.govt.nz .

Hearings

Please tell us if you would like to attend a hearing to speak to Council in support of your submission, and include a telephone number and email address to ensure we can contact you to arrange a time for your presentation. Hearings will be held in Thames in late November 2019.

What happens next?

After the hearings, the Council will consider all the submissions received and make decisions on any amendments to the bylaw as a result. As a submitter you will be notified of the Council's decision. The Council will consider a final proposed Water Supply Bylaw - Te Ture-ā-Kaunihera mō Te Manawa Whenua for adoption in December 2019.

Remember, you have until 4pm on Friday 8 November 2019 to send us your feedback.