

## Summary of Statement of Proposal

### DRAFT WATER SUPPLY BYLAW – JUNE 2014

This statement is made for the purposes of sections 83 and 89 of the Local Government Act 2002. That means it summarises the information in the Statement of Proposal to adopt a Water Supply Bylaw 2014, explains how to access the full Statement of Proposal, and provides details of the period during which the Council will accept submissions on the proposal.

#### Key points in the Statement of Proposal:

1. Nelson City Council's Water Supply Bylaw 2008 is due to expire in October 2015. The Council proposes to adopt a new Water Supply Bylaw in 2014 to replace it. This will enable the Council to continue to control customer activities with potential to impact on the water supply network.
2. The Draft Water Supply Bylaw No. 223 is attached to the Statement of Proposal. Council's preferred option is to adopt a new Water Supply Bylaw which is an amended version of the existing Water Supply Bylaw 2007. The proposed changes are shown in strikethrough and underlining.
3. The Draft Water Supply Bylaw includes minor changes to the 2007 bylaw to remove uncertainties in interpretation. The most significant proposed change is to remove specific detailing of fees and charges, including remission and credit criteria, from the bylaw and allow them to be dealt with under the financial charges section of future Annual or Long Term Plans rather than within the bylaw. This will avoid the need to go through a change of bylaw every time Council wishes to amend charges or credit criteria.
4. Adopting a Water Supply Bylaw enables the Council to protect the quality of the urban water supply. Activities which have potential to impact on the water supply are most effectively addressed through bylaw provisions, including:
  - access to the water supply via fire hydrants
  - below ground excavations near the water supply network
  - activities in the water supply catchments, including washing or bathing, or depositing refuse or waste material, or spillages which could compromise the water supply.
5. The draft bylaw also includes provisions related to the supply and metering of water, and the ability to charge for the availability and supply of water to premises. It establishes terms and conditions for connection to the water supply system, including the customer's agreement to pay for the supply of water in accordance with the Council's schedule of rates and charges. These provisions,

- and the water usage restrictions in the bylaw, enable the Council to manage demand for water, and to restrict supply during water shortages or emergencies.
6. The draft bylaw also includes provisions related to connections to the water supply system. It sets out that the Council is not responsible for supplying water at any particular rate of flow or pressure and is not responsible for any loss, damage or inconvenience that may arise as a result of any interruption in the supply of water. This avoids liability issues.
  7. It is an offence against this bylaw to interfere with the water supply network either directly or indirectly, and to waste water. This helps the Council to protect the quality and quantity of the water supply. Where breaches of the bylaw occur, Council can restrict or disconnect water supply, and can also prosecute any person offending against the bylaw.
  8. In developing a proposed Water Supply Bylaw, the Council considered three options: to adopt a water supply bylaw which includes some changes to the 2008 bylaw, to adopt the 2008 bylaw without changes, and to not have a water supply bylaw. These options are outlined in more detail in the Statement of Proposal.
  9. The Statement of Proposal (including the draft bylaw) is available to view or download from the Nelson City Council website [www.nelson.govt.nz](http://www.nelson.govt.nz) (search phrase = Draft Water Supply Bylaw). Paper copies of the Statement of Proposal (and draft bylaw) are also available free of charge from the customer service centre at Civic House at 110 Trafalgar Street Nelson, and on request by contacting the customer service centre on telephone 5460200.

### **Submissions**

Any person or organisation is welcome to make a submission on the Statement of Proposal to adopt a Nelson City Council Water Supply Bylaw (Bylaw No. 223). Council will be taking account of all submissions made when it decides on the final content of the Water Supply Bylaw. Submissions must be received by Council no later than **4.00pm on Monday, 21 July 2014**.

A submission form can be obtained from Nelson City Council offices at 110 Trafalgar Street Nelson, and is also available on the Nelson City Council website [www.nelson.govt.nz](http://www.nelson.govt.nz)

Submissions can also be sent in letter or email form and should be:

Posted to:                   Water Supply Bylaw Consultation  
                                  Nelson City Council  
                                  PO Box 645  
                                  Nelson 7040

Or emailed to:            [submissions@ncc.govt.nz](mailto:submissions@ncc.govt.nz)

Please state in your submission whether or not you wish to speak at a hearing in support of your submission.

Submitters should note that their submission will be copied and made available to the public after the submission period closes. Council will contact all submitters (who wish to be heard) in writing to advise the confirmed time, date and venue of the hearing.

All enquiries should be directed to Phil Ruffell, Senior Asset Engineer – Utilities, on telephone 545-8739 or by email to [phil.ruffell@ncc.govt.nz](mailto:phil.ruffell@ncc.govt.nz).