



PROPOSED QUEENSTOWN LAKES DISTRICT COUNCIL WATER SUPPLY BYLAW 2015

STATEMENT OF PROPOSAL

INTRODUCTION

The Queenstown Lakes District Council is the regulatory agency who has enforcement capabilities with the objective of effectively managing and regulating water supply.

The Queenstown Lakes District Council Water Supply Bylaw 2008 (the current bylaw), made pursuant to section 146 of the Local Government Act 2002 (LGA02), is one of the tools used by Council to regulate water supply in the district.

Council undertook a review of the current bylaw in consideration of the following matter:

- a) A programmed review under the requirements of the Local Government Act 2002.

PROPOSAL

As a result of this review it has been determined that the current bylaw should be amended by:

- Updating the language used in the bylaw; and
- Amending provisions relating to the prohibition or restriction of supply.

This statement of proposal considers the passing of an amended bylaw to control water supply, which must follow the special consultative procedure in accordance with the LGA02.

This Statement of Proposal has been prepared in accordance with the requirements of section 83 of the LGA02, and includes:

- a) The reason for the proposal;
- b) Consideration of whether a bylaw is the most appropriate way to address the perceived problem;
- c) Consideration of whether the proposed bylaw is the most appropriate form of bylaw;
- d) Any implications under the New Zealand Bill of Rights Act 1990; and
- e) A draft of the proposed bylaw.

REASON FOR PROPOSAL

The proposal to amend the current bylaw has been made to ensure the effectiveness of effectively managing and regulating water supply in the Queenstown Lakes District.

CONSIDERATION BY COUNCIL UNDER SECTION 155 OF THE LGA2002

Problem definition

There is potential for misuse and mismanagement of the Queenstown Lakes District water supply particularly in times of high demand.

To ensure that the Queenstown Lakes District water supply can be effectively managed and restricted, a bylaw is necessary.

IS THE PROPOSED BYLAW THE MOST APPROPRIATE BYLAW?

The proposed bylaw provides clarity regarding the control and restriction of the Queenstown Lakes District water supply. The new amended provisions relate to the prohibition or restriction of the water supply and to enable more effective enforcement of restrictions should any be put in place if deemed necessary.

ARE THERE ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS?

The LGA2002 provides specific provisions for Council to make a bylaw for the purpose of

managing and regulating water supply.

PROPOSED BYLAW

A draft of the proposed Bylaw is attached. The new bylaw will revoke the current bylaw.

TIMETABLE FOR CONSULTATION

The following dates represent the key times in the consultation programme:

27 August 2015	Council resolves to undertake public consultation regarding the proposed bylaw.
29 August – 3 September 2015	Advertisement in Otago Daily Times, Southland Times, Mirror and Wanaka Sun.
29 September 2015	Submissions close.
12 – 16 October 2015	Submissions heard by a subcommittee of Councillors (to be confirmed).
26 November 2015	Council considers outcome of consultation process. Adoption of Queenstown Lakes District Water Supply Bylaw 2015.
27 November –	Public notice of final decision (if Council resolves to adopt the bylaw).
1 December 2015	The Bylaw comes into effect subject to the above.

INSPECTION OF DOCUMENTS AND OBTAINING COPIES

Copies of this proposal, the draft Bylaw and the supporting reports may be inspected, and a copy obtained, at no cost, from:

- a) Either of the Council offices at 10 Gorge Road, Queenstown or the Wanaka Service Centre, 47 Ardmore Street, Wanaka
- b) Any Council library within the Queenstown Lakes District.
- c) The Council website – www.qldc.govt.nz

RIGHT TO MAKE A SUBMISSION AND BE HEARD

Any person or organisation has a right to be heard in regard to this proposal and the Council would encourage everyone with an interest to do so.

The Council would prefer that all parties intending to make a submission go to the Queenstown Lakes District Council Website: www.qldc.govt.nz or post it to the Regulatory Department, Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348. Submissions must be received by 29 September 2015. The Council will then convene a hearing, which it intends to hold between 12 – 16 October 2015, at which any party who wishes to do so can present their submission in person.

Equal weight will be given to written and oral submissions.

The Council will permit parties to make oral submissions (without prior written material) or to make a late submission, only where it considers that special circumstances apply.

Every submission made to the Council will be acknowledged in accordance with the Act, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

Section 82 of the Local Government Act sets out the obligations of the Council in regard to consultation and the Council will take all steps necessary to meet the spirit and intent of the

law.

MAKING AN EFFECTIVE SUBMISSION

Written submissions can take any form (e.g. Email, letter). An effective submission references the clause(s) of the draft Bylaw you wish to submit on, states why the clause is supported or not supported and states what change to the clause is sought.

Submissions on matters outside the scope of the Bylaw cannot be considered by the Hearings Panel.

| Adam Feeley
CHIEF EXECUTIVE

APPENDIX 1 - Proposed Queenstown Lakes District Council Water Supply Bylaw 2015

APPENDIX 2 - A Summary of the Statement of Proposal prepared in accordance with
Section 83 Local Government Act 2002