

## **SUMMARY OF STATEMENT OF PROPOSAL TO AMEND THE NELSON COMMUNITY PLAN 2009-2019 AND WATER SUPPLY BYLAW 2008**

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### **1. Introduction**

Council proposes to amend the Nelson Community Plan 2009-2019 and Water Supply Bylaw 2008 to clarify when a credit would be given for water charges as a result of leaks.

Council is required by the Local Government Act 2002 to seek public views through a Statement of Proposal to amend the wording in the Nelson Community Plan 2009-2019 and make changes to the Water Supply Bylaw 2008.

### **2. Detail of the Proposal**

The proposal is to grant requests for water credits based on the following criteria:

Credits for excess water charges arising from the following will always be processed:

- a. Misreading of the meter or faulty meter
- b. Errors in data processing
- c. The meter was assigned to the wrong account
- d. Leak on a Council fitting adversely impacting on the metered usage

#### **Other Conditions and Criteria include:**

- e. Leaks from pipes or fittings on farms\*, commercial, industrial properties and un-occupied properties (regardless of temporary or long term) or reserves or from irrigation, stock water, swimming pools, ponds, landscaping, or similar systems on occupied properties. No credit.

*\* For the purpose of assessing credits for excess water arising from leaks "farm" is defined as any property that is or can be used for the growing of crops, including trees or rearing of livestock, with a land area greater than 5000 square metres.*

- f. Leaks from pipes that are, or should be visible, such as header tanks, overflows from WC's, above ground pipes or fittings and attached to raised flooring or in walls or ceilings. No credit.
- g. Where the leak is a previously unknown underground leak on the main lateral between the water meter and a residential dwelling or under the concrete floor of a residential dwelling. Credit where the leak has been repaired with due diligence. Only one leak per property, and maximum two consecutive water supply invoices covering the leak, per 5 year rolling timeframe will be credited. Credit will be based on Council's assessment of the property owner's usual usage for the period.

h. Define due diligence as within two weeks of the earliest of the following:

- The date of the first invoice to identify a higher than usual usage or the date of discovery or when it could have reasonably been discovered. Usual being the amount used in the same period as last year, these amounts are shown on every water account.

i. The leak must be repaired by a Licensed or Certifying plumber with a brief report on the leak by that person to establish where on the line the leak was found, dates and an opinion, if possible, as to how long the leak had been occurring;

j. Extraordinary circumstances which could lead to cases of genuine financial hardship for owner / occupier, could be granted at the discretion of the Council's Chief Financial Officer.

### **3. Reason for Proposal**

3.1. While Council regularly advertises the need for customers to check their meters and their properties to ensure there are no leaks, a common comment in credit requests is that the first indication of a leak is the very large six monthly invoice that arrives. While mail outs to customers have encouraged the regular checking of meters to track leaks there is no real financial incentive for anyone to do this while Council simply credits the cost of lost water.

3.2. A review of the current policies and criteria for evaluating credit requests has highlighted some issues. The criteria in the Nelson Community Plan 2009-19 and Water Supply Bylaw 2008 are not consistent with each other and are overly broad and vague leaving them subject to individual interpretation. Staff have no clearly defined criteria for evaluating requests and therefore are unable to provide support for a refusal of a credit application.

3.3. The proposal as detailed in section 2 above will more clearly define the criteria for evaluating credit requests and is considered a reasonable response by allowing credits for a limited criteria and emphasising the need for property owners to take responsibility for their water use and the maintenance of water supply pipework on their property.

### **4. Period for Submissions**

4.1. Consultation opens Saturday 27 November 2010 and closes 4pm Friday 21 January 2011.

4.2. Submissions in response to this Statement of Proposal can be made in writing, online at [www.nelsoncitycouncil.co.nz](http://www.nelsoncitycouncil.co.nz) (search phrase = water credits), at any Nelson Public Library or at Council offices.

4.3. Submitters who ask to speak to Council about the proposal will be invited to a public hearing planned for February, 2011.

#### **Contact Nelson City Council**

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