



# **Nelson City Council**

## **Water Supply Bylaw**

**27 April 2021**

For more information please contact:  
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## **Submitter details**

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Water Supply Bylaw.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

## **Specific Comments**

4. NMH supports the proposed changes to the Water Supply Bylaw.
5. NMH supports the introduction of the concept of source protection zones with the aim of providing layers of protection related to the potential for contaminant entry to waterways. This concept recognises that that the catchments are available for recreational use and seeks to strike a balance between use and source water protection.
6. NMH seeks that NCC provide more clarity on the permitting processes for each of the three Zones.

Clause 8.5 states –

*No person shall carry out any of the following activities within any Source Protection Zone 1 in any water supply catchment without a permit:*

*i) Construction, maintenance or any other activity not associated with the Nelson City Water Supply.*

Clause 8.3 states –

*No person shall carry out any of the following activities within any Source Protection Zone within any catchment without first obtaining a permit and any building or resource consent (where required) from the Council authorising the same:*

There follows a list of activities from i to xi.

These clauses appear not to afford Source Protection Zone 1 any greater level of protection than Zones 2 and 3, in that a permit can potentially be obtained

for any activity in Zones 1, 2 and 3. Similarly, Zone 2 does not appear to be afforded greater protection than Zone 3.

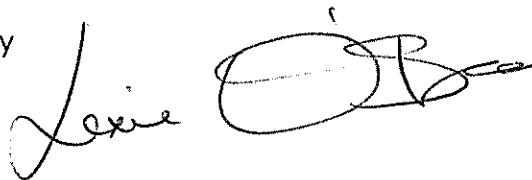
What then becomes crucial to the protection of the catchment is the permitting process and this process is not transparent within the Bylaw.

7. NMH recommends that greater clarity is given to the relative protections that each zone is to be afforded.
8. NMH recommends that the protection afforded to each zone is conservative in recognition of one of the principles of Water Safety Planning that protection of source water is paramount.
9. **Clause 8.2:** NMH recommends that the wording of clause 8.2 (i) and (ii) is amended to read 'existing consented tracks' with the aim of reducing the proliferation of informal tracks that might be otherwise viewed as 'existing' tracks.
10. **Clause 8.3 (viii):** NMH recommends adding 'mountain biking' to this clause.

## Conclusion

11. NMH thanks the Nelson City Council for the opportunity to comment on the Water Supply Bylaw.
12. NMH **does not wish to be heard** in support of its submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lexie O'Shea', with a stylized flourish at the end.

Lexie O'Shea  
**Chief Executive**  
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