

9. NEW WATER RELATED SERVICES BYLAW

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The purpose of this report is to commence the process of adopting a new Water Related Services Bylaw (attached).

Earlier this year corporate restructuring resulted in the disestablishment of the former Parks Unit, the Water Services Unit and the Waste Management Unit. The functions of those units are now undertaken by the newly formed City Water and Waste Unit and the Parks and Waterways Unit.

Prior to this change the Christchurch City Water Related Services Bylaw 1992 was administered in part by the Water Services Unit and in part by the Waste Management Unit. The bylaw is now administered in part by the Water and Waste Unit and in part by the Parks and Waterways Unit.

Because of the changes in the administration of the bylaw it is now necessary to alter the bylaw to record who may now exercise, on behalf of the Council, the various powers of the Council under the bylaw. Rather than specifying in the bylaw the titles of the officers responsible for exercising those powers, as has been the case in the past, it is considered preferable to specify that the powers are exercisable by the Council. The Council may then, by ordinary resolution, delegate those powers to the appropriate officers within the units concerned. This will then avoid the necessity of having to alter the bylaw on every occasion that different officers are substituted.

Rather than alter the existing bylaw it is considered that it is tidier to make a new bylaw. This is because of the frequency of alterations which will be required to alter the existing bylaw.

The proposed bylaw includes a clause (clause 12) which was inadvertently deleted from the existing bylaw by an alteration made by the Council earlier this year.

The opportunity has also been taken to improve the effectiveness of the proposed bylaw by redrafting a number of the provisions of the existing bylaw. None of these alterations are, however, of any major significance.

Every instance in which the proposed bylaw differs from the existing bylaw has been highlighted in grey.

Recommendation: That the Council commence the Special Order procedure for confirmation at the subsequent meeting of the Council on 27 September 2001.