



MNNA
Mount Newton
Neighborhood
Association

Working Together for Sustainable Solutions



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***** FOR IMMEDIATE RELEASE *****

District of Central Saanich concedes in Court battle over water line
District of Central Saanich repeals bylaw, pays court costs for neighborhood group.

Central Saanich: The Mount Newton Neighborhood Association (MNNA) has won its battle against a water main which would have extended water service unnecessarily to the Northwest of Central Saanich which is outside the Urban Containment boundary. In response to a court challenge brought by the MNNA, the District of Central Saanich has initiated a repeal of the by-law that would have enabled the controversial water line to proceed and the parties to the case have agreed to halt the case, with the District paying MNNA's court costs.

MNNA's case sought to quash a District Local Service Area Bylaw to install a municipal water distribution system along Mount Newton Crossroad to Senanus Drive. MNNA's suit alleged a number of legal problems with how the bylaw was enacted, including the use of false and misleading information in collecting signatures for a petition calling for the Bylaw. A pressing need for the urban servicing was never proven by the District.

"The Mount Newton neighbourhood is rural and outside the Urban Containment Boundary" says MNNA board member, Chris Paynter. "Water issues in this community should and can be resolved without piping in water where the Official Community Plan discourages extension of such services. The preservation of the rural character of Mt Newton valley is of vital concern to the MNNA."

The District of Central Saanich in enacting the bylaw had ignored the advice of Municipal Staff and the Municipal Solicitor, who had earlier stated that there was a high risk of a Judicial Review court challenging the bylaw. The MNNA is pleased with this victory but dismayed over the District's waste of tax dollars on an unnecessary court case. MNNA Board member Bob Bocking notes: "It shouldn't be necessary for citizens to take their municipality to court in order to ensure that laws are followed, and citizens are treated fairly."

The environmental organization West Coast Environmental Law provided some of the funding for MNNA's legal challenge. Andrew Gage, West Coast's Acting Executive Director, explained: "Decisions about municipal infrastructure have a huge impact on how communities develop. To avoid legal challenges, local governments need to make these important decisions in ways that follow the law and are transparent and accountable."

The case brought by the Mount Newton Neighborhood Association was made possible by MNNA's lawyer, Irene Faulkner, and the numerous individuals and organizations that provided support, including West Coast Environmental Law and the Environmental Law Centre at the University of Victoria.

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