

Memorandum

TO: City Planning

FROM: Consents & Compliance Officer, Water and Waste Services

DATE: 7 June 2017

SUBJECT: **SUB-2017-43 ESTABLISHMENT OF A HOUSE & 9-LOT**
LUC-2017-222 SUBDIVISION
LUC-2017-223 91 & 99 FORMBY ST, OUTRAM
COMBINED DRAINAGE & WATER AND WASTE SERVICES
COMMENTS

Proposed Activity

Subdivision consent is sought from Council to establish a dwelling and create a 9-lot subdivision at 91 & 99 Formby Street, Outram. The site is within the Residential 5 & Rural zone.

Subdivision Description

Council has received an application to subdivide the land of Lot 2 SUB-2017-33 (part of 99 Formby Street) into nine lots, with land-use to establish residential activity on each of the new lots.

Lots 1 to 8 will be 1090m² to 1550m², fronting Formby Street. Proposed Lot 9 will be a 2.6ha site fronting Huntly Road and having access to Formby Street.

The subject sites have mixed Rural and Residential 5 zoning in the Dunedin City District Plan. Lot 9 is completely Rural zoned.

Existing Services

A review of the Council's GIS records shows a 100mm diameter water pipe in Formby Street.

Water Services

There are no existing water connections to the proposed lots as the metered supply for the existing dwelling was retained for lot 1 of stage one (SUB-2017-33).

Lots 1-8 are located mostly within the Residential 5 zone, and within the Dunedin City Council Water Bylaw 2011 Water Supply Area. Therefore each of lots 1-8 are able to be connected to the Council water supply on Formby Street. Should consent be granted each lot is required to be serviced from an individual Point of Supply as defined by the Bylaw. New connections will be approved through the "Application for Water Supply" process; this is provided as a condition of consent.

All new water service connections to the proposed development must be in accordance with the requirements of Section 6.6.2 of the Dunedin Code of Subdivision and Development 2010.

The applicant has requested a water connection to the water main on Formby Street for the proposed dwelling on Rural-zoned Lot 9, which is also within the Water Supply Area. An adjacent property at 91 Formby Street is undergoing similar development but is beyond the Water Supply Area Boundary, and approval for an 'extraordinary supply' must be made to the Infrastructure Services and Networks Committee (IS&NC). While Council staff have the delegation to approve or decline a water connection to this property, given the similarities with 91 Formby Street the application for water to Lot 9 in the Rural zone will be deferred to IS&NC for decision.

The Council has adopted a process that allows them the opportunity to consider supplying water to properties not provided for in the Water Bylaw (consideration by IS&NC). In general, connecting developments in rural zoned areas to urban reticulated services is opposed by City Planning and Water and Waste Services. In this instance it is noted that a significant portion of the Outram Water Supply Area caters to Rural zoned land.

Stormwater collected from roof surfaces may be used for domestic water supply and stored in suitably sized tank(s), with a minimum of 25,000L storage per lot.

Firefighting Requirements

All aspects relating to the availability of water for firefighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies.

There is a Fire Hydrant (WFH04699) 87 metres from 99 Formby Street. Based on SNZ PAS 4509:2008 a W3 (25l/s) zone requires a Fire Hydrant within 135 m and a second within 270 m. These Fire Hydrants requirements are compliant for the development.

Stormwater Services

There is no DCC stormwater infrastructure in Outram. Disposal of stormwater is to water tables and/or watercourses onsite, or to suitably designed onsite soak-away stroke infiltration system or rainwater harvesting system. Stormwater is not to cause a nuisance to neighbouring properties or cause any downstream effects.

Wastewater Services

There are no reticulated wastewater services available for connection in Outram. Any effluent disposal shall be to a septic tank and effluent disposal system which is to be designed by an approved septic tank and effluent disposal system designer.

Private Drainage

Any private drainage matters will be dealt with at the time of building consent.

Easements

All rights are reserved for any necessary easements required by this subdivision.

Consent Conditions

Water Services

1. An "Application for Water Supply" is to be submitted to the Water and Waste Services Business Unit for approval to establish new water connections to proposed lots 1 to 8. Details of how each proposed lot is to be serviced for water shall accompany the "Application for Water Supply".
2. Upon approval by the Water and Waste Services Business Unit, water service connections shall be installed in accordance with the requirements of Section 6.6.2 of the Dunedin Code of Subdivision and Development 2010.

Advice Notes

Code of Subdivision & Development

- Parts 4, 5 and 6 (Stormwater Drainage, Wastewater and Water Supply) of the Dunedin Code of Subdivision and Development 2010 must be complied with.

Water Service Connections

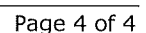
- The installation and connection of a new water service to the existing public water reticulation system will be carried out after the Consent Holder has completed and submitted an 'Application for Water Supply' form to the Water and Waste Services Business Unit, as per the Dunedin City Council Water Bylaw 2011. The Consent Holder or their nominated AWSCI is encouraged to submit the 'Application for Water Supply' at an early stage in the development, following issue of the resource consent.
- A quote for the required work must be obtained from an approved water supply connection installer (AWSCI). The list of AWSCI's, application form and the full process can be found here <http://www.dunedin.govt.nz/services/water-supply/new-water-connections>.

Fire-fighting Requirements

- All aspects relating to the availability of water for fire-fighting should be in accordance with SNZ PAS 4509:2008, being the Fire Service Code of Practice for Fire Fighting Water Supplies, unless otherwise approved by the New Zealand Fire Service.
- **Erosion and Sediment Control**
The following documents are recommended as best practice guidelines for managing erosion and sediment-laden run-off:
 - a. Environment Canterbury, 2007 "Erosion and Sediment Control Guideline 2007" Report No. R06/23.
 - b. Dunedin City Council "Silt and Sediment Control for Smaller Sites" (information brochure).
- **Private Drainage Matters**
- Private drainage issues and requirements (including any necessary works) are to be addressed via the building consent process.
- Certain requirements for building on this site may be stipulated via the building consent process and are likely to include the following points:
 - Stormwater from driveways, sealed areas and drain coils is not to create a nuisance on any adjoining properties.
 - Surface water is not to create a nuisance on any adjoining properties.
 - For secondary flow paths, the finished floor level shall be set at the height of the secondary flow plus an allowance for free board.
 - As required by the New Zealand Building Code E1.3.2, surface water resulting from an event having a 2% probability of occurring annually, shall not enter dwellings. The finished floor level shall be set accordingly.

Chelsea McGaw
 Consents & Compliance Officer
Water and Waste Services Business Unit
Dunedin City Council

CC:	Quality Inspector	- Calvin White
	Technical Support Officer, Building Services	- Robbie Ludlow
	Customer Accounts Officer	- Helen Flett



Lianne Darby

From: Karen Sannazzaro
Sent: Monday, 24 July 2017 11:46 a.m.
To: Craig Horne
Cc: Chelsea McGaw; Lianne Darby; John Eteuati; Helen Flett; Paul Freeland
Subject: RE: water applications 91 and 99 Formby St

Hi Craig,

Following discussions between Water and Waste Services (WWS), City Development and the ISCOM chair, and in recognition of the uniqueness of the Outram water scheme we have decided to take a different approach than I have previously advised. Given the location of 91 Formby St we will be considering it as if it were entirely "in-zone". A decision on connection will be made for both 91 and 99 Formby Street by WWS staff. In this particular instance, planning considerations will be left entirely to the consent process.

Given that the requested water connections are for intended residential development, we will not process your water application until a decision on consent has been made, and any appeals addressed.

Should consent be granted, could you please submit a water application in the usual manner to get the standard water application process initiated?

If you have any queries, please let me know.

Regards,

Karen

Karen Sannazzaro
 Acting Commercial and Regulatory Manager, Water and Waste Services
 Dunedin City Council

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From: Karen Sannazzaro
Sent: Thursday, 15 June 2017 2:02 p.m.
To: 'Craig Horne'
Cc: Chelsea McGaw; Lianne Darby; John Eteuati; Helen Flett; Paul Freeland
Subject: Re: water applications 91 and 99 Formby St

Hi Craig,

I see that 99 Formby Street is seeking water connections too – which is rural zoned (well, some of it) and inside the water supply area boundary. Note that should consent be granted for 8 lots in the Res 5 zone, we will process any

application for water supply as normal (i.e. they would be granted standard domestic connections). But the proposed development on the rural land is slightly tricky.

The disconnect between the District Plan and Water Bylaw in terms of who should receive servicing is problematic. The DCC has water schemes that were originally designed for the purpose of serving rural communities. City Development (those who write the District Plan / 2GP) strongly oppose the servicing residential developments in rural zones because they consider there is a risk that this promotes development.

The Water Bylaw provides the Council discretion to grant or decline applications that are rurally zoned, but inside the water supply area boundary. I am choosing not to exercise my delegation in this instance, and will be referring this to ISCOM for decision alongside 91 Formby St. There is also another similar development in Outram (rural, in-zone) that has just come in that I will also be referring to ISCOM.

There are no issues supplying either 91 or 99 Formby St from an operational perspective. City Development do not support the application, but have agreed in this instance planning concerns are best addressed via the consent process (noting delegated decision making between the consent and water processes are quite different).

So overall, my draft recommendation (subject to approval) to ISCOM is that water connections be granted - noting an application for water could be made regardless of whether residential development occurs or not. Any recommendation to grant a water connection otherwise has no bearing on the consent process. In making their decision on water connections however, ISCOM needs to be aware of the tensions that exist between the District Plan and the Water Bylaw. Conversely, the consent hearing panel will need to consider the potential effects of servicing on rural land too.

I will send you a copy of the report to ISCOM once it is approved/finalised.

Regards,

Karen

From: Craig Horne [<mailto:crhorne@xtra.co.nz>]
Sent: Monday, 22 May 2017 4:57 p.m.
To: Karen Sannazzaro
Subject: RE: Out of zone water application 91 Formby St

Hi Karen

Thank you for your email.

We are seeking to supply the property with a residential water connection so that a dwelling can be built on the site. There are 2 options for the location of the dwelling, (1) in the residential zoned land immediately adjoining Formby Street, or (2) further into the site on the rural zoned land, which is subject to land use consent from Council.

I understand that the consent for an extraordinary supply is required because the zone boundary divides the property with the residential zoned land and a strip along the southern boundary within the water supply zone, and the rest of the property outside the water zone. Given the property has over 1000m² of residential zoned land that a dwelling can be built on and is within the water zone, it would seem reasonable to conclude that the intent was to supply the property with a water connection. The drawing of water zone boundaries through the middle of the property seems to have created an issue where there doesn't really need to be one.

It seems logical that the water supply reticulation and its capacity was designed with the supply of the subject site in mind. The water main is in the street adjoining the property, the site is zoned residential (in part) and in within the water supply boundary (in part).

The location of the dwelling on the site shouldn't affect whether the property has a water connection or not. If consent is granted for a dwelling on the rural zoned land it would be by simply transferring the ability to build adjoining Formby Street to the middle of the property. Regardless of the location only 1 dwelling is proposed.

The only alternative for water supply, whether inside or outside the residential zoned land, is for roof collection and tank storage. This would seem to be a step back in time given the reasons above which suggest every intent for the site to be supplied with reticulated water.

Regards
Craig Horne
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Email crhorne@xtra.co.nz

From: Karen Sannazzaro [<mailto:Karen.Sannazzaro@dcc.govt.nz>]
Sent: Monday, 22 May 2017 12:01 p.m.
To: crhorne@xtra.co.nz
Subject: Out of zone water application 91 Formby St

Hi Craig,

Thank you for your application for water supply to a property at 91 Formby St Outram.

There is a Council water main in Formby Street. However, the right to connect to the water supply is regulated by the Water Bylaw 2008 (amended 2011) (<http://www.dunedin.govt.nz/your-council/council-documents/bylaws/water-bylaw>). It provides for water supply within identified supply areas, or outside of those areas if the District Plan zoning is Residential. The front portion of this property is zoned Residential 5 in the District Plan and is proposed to be zoned Township and Settlement in the 2GP. This portion of the property is within the water supply area boundary. However, the vast majority of this property, and the area on which a house is proposed, is zoned Rural and beyond the water supply area boundary.

Council staff do not have the delegation to approve this connection, but there is some scope to have other connections considered - in July 2011 the Council adopted a process that allowed them the opportunity to consider supplying water to properties not provided for in the Bylaw (consideration by the Infrastructure Services Committee (ISCOM)). The intent of this was to allow existing dwellings that were experiencing extraordinary circumstances to apply.

In order for me to progress your application to ISCOM, could you please identify any circumstances you consider make this application extraordinary, e.g. environmental or health reasons, any effects on business, or any relevant historic information. Could you also please identify what alternative water sources you considered using, and why you prefer not to opt for those alternatives. There may also be other relevant matters you might like to include in support of your application? Could you also please clarify if you are seeking a connection for a single dwelling, or if future development (and additional water) may be required. Once this information is received, it will be assessed from a technical perspective by Water and Waste Services, and a planning perspective by City Development.

A report will be prepared by staff for ISCOM that outlines the application, discusses issues, and makes a recommendation. Applicants may request 5 minutes to present their case at a preceding Public Forum. ISCOM will make a decision on the application, which would then be ratified by Council. A timetable of committee and Council meetings can be found on the DCC webpage:

http://www.dunedin.govt.nz/events/council_activities/committee_meetings

Please note that to proceed to ISCOM a report must be approved by the Council Executive – timeframes for this mean any staff report must be ready about 3 weeks prior to the date of ISCOM. Therefore the next available meeting date is 14th August.

All applications for water are deemed to accept the terms and conditions of the Water Bylaw. If connection is granted by ISCOM, it would likely be subject to Development Contribution for servicing, and would be metered and charged accordingly. An RPZ backflow prevention device would also be required.

If you have any further questions, please call me on 474 3607.

Regards,

Karen

Karen Sannazzaro
Acting Commercial and Regulatory Manager, Water and Waste Services
Dunedin City Council

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