

Notice is hereby given that a meeting of the Regulatory and Planning Committee will be held in the Council Chambers, 29 Bowler Avenue, Gore, on Tuesday 9 October, following the Operations Committee meeting.

NB – there is no meeting of the Finance and Policy Committee.



Stephen Parry
Chief Executive

4 October 2018

Agenda

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|----|--|-------------|
| 1. | Animal Control activities report | Pages 1-2 |
| 3. | Report from Building Control Manager | Pages 3-10 |
| 4. | Planning department report | Pages 11-12 |
| 5. | Regulatory services report | Pages 13-14 |
| 6. | Subdivision and Land Development Bylaw | Pages 15-21 |

REGULATORY AND PLANNING COMMITTEE AGENDA

TUESDAY 9 OCTOBER 2018

1. ANIMAL CONTROL ACTIVITIES FOR AUGUST 2018 *(David McKewen)*

There were 68 reported incidents for August.

Significant incidents

Four incidents involved dog attacks on domestic animals, and one incident involving a child.

The first incident involved one rabbit and 12 hens being killed by dogs on a section in Mataura. The Council has not been able to identify the offending dogs in this case due to lack of evidence.

A rabbit was also killed the same night in Mataura and the Council again has been unable to identify the dog in that incident.

Two dogs escaped from a property in Gore; one of these dogs briefly attacked a dog being walked by its owner then returned to the property in which it was being kept. An animal control officer spoke with a person who was looking after the dogs for her son while he was overseas.

Another incident involved a dog which left its property and bit at a child's feet as he was going home from school. Although no serious injury was caused, it has caused a great deal of distress to the victim. The dog has subsequently been classified as menacing.

The final incident during this reporting period was when a dog left its section and tried to attack another dog being walked by its owner. Following a complaint being made, animal control staff seized the dog at the time of the incident. The owner of this dog signed it over to the Council.

At the end of August, the Animal Control Officer attended the New Zealand Institute of Animal Management conference in Wellington. The subject of the conference was animals in emergencies. It focused on the role of Councils in emergency management in a civil defence emergency. There were some good suggestions put forward about how Councils can prepare for natural disasters and the importance of managing companion animals.

Customer Requests - Monthly Statistics	Total this period	Monthly average (between 2015-2017)	YTD	2018-2019 Monthly Average
Animals – Dog Attacks	5	1.17	8	4
Animals – Dog Enquires	12			
Animals – Dogs Barking	6			

Animals – Dogs Lost/ Found	15			
Animals – Dogs Rushing	2			
Animals – Dogs Wandering	21	29	47	23.5
Animals - Stock	7			
Total	68			
Dogs Impounded	12			
Stock Impounded	2			
Infringement notices	4			
Rehomed	1			

RECOMMENDATION

THAT the report be received.

2. REPORT FROM BUILDING CONTROL MANAGER – AUGUST SEPTEMBER 2018

Recent projects

Mataura Valley Milk – McNab site

- Babbage office staff are compiling the last of the documentation for the MVM main office and laboratory building, which is one of the last buildings to be assessed for final compliance. Several compliance schedules (CS) have also been drafted for the various buildings onsite that have specialised systems installed. A CS gets issued in tandem with a Code Compliance Certificate (CCC) for each building consent as it is signed off.

Industrial hub – Grasslands Road site

- The sludge dewatering building and cake bunker building are completed and final documentation has been requested from Signal Management Group to complete the sign off process. This includes forwarding all site inspection records undertaken onsite by the Opus Engineers during construction of these buildings.

Building warrant of fitness (BWoF)

- The number of outstanding BWoFs in our system has reduced significantly since the employment of the Compliance Officer began in November last year. At the moment there are 15 buildings where property owners are still to furnish their annual BWoF for the last twelve month period. An educational approach has been taken with these owners to assist them to understand the insurance and legal implications of not meeting compliance. One of the next steps is to consider enforcement action of the regulatory provisions detailed in the Building Act 2004.

Earthquake prone buildings (EPBs)

- The workshop/consultation process is being arranged at the moment to engage with commercial building owners and the general public at large. This is to deliver the thinking behind the draft priority building areas that have been mapped by staff in consultation with emergency services. Final dates have not been scheduled, however it is hoped to be completed by late October–mid November.

Building consent statistics

August

- A total of 41 BCs granted, average of 10.7 days to process (value of work was \$1,795,445)
- A total of 26 CCCs issued, average of 1.3 days to determine (\$2 million worth of work including 12 heating appliances of modest value)

September (statistics as at 27 September)

- A total of 24 BCs granted, average of 9.4 days to process (value of work - \$1,355,500)
- A total of 21 CCCs issued, average of 0.6 days to determine (\$18.7m of work including 4 stages of the MVM project)

✎ The August and September building consent statistics are attached.

General items

IANZ accreditation

- Due to unprecedented workloads, IANZ has agreed to an extension of time for our general non-compliances to be cleared. The deadline has been extended from 20 October until 30 November.

Current workloads

- The level of building enquiries (especially for new business activities) seems to have increased since the winter months. Several new proposals have been informally discussed with developers and builders to assist them with preliminary design and costings, prior to design drawings being drafted.
- The residential housing market is also buoyant as we see several new house consents in processing at any one time. Most tradies have commented that they have several months of work ahead of them and some are fully booked until late 2019.

RECOMMENDATION

THAT the report be received.

Building Consent Statistics

(Includes Certificates of Acceptance)

	2016-2017				2017-2018				2017-2018			
	No. of Consents		Value of Consents \$		No. of Consents		Value of Consents \$		No. of Consents		Value of Consents \$	
July	35	35	1,626,942	1,626,942	26	26	*2,346,900	2,346,900	40	40	*7,503,400	7,503,400
August	37	72	1,017,998	2,644,940	32	58	**15,460,400	17,460,300	41	81	1,795,445	9,298,845
September	27	99	1,070,453	3,715,393	32	90	1,536,750	19,344,050				
October	31	130	5,037,700	8,753,093	22	112	2,892,469	22,236,519				
November	39	169	*7,094,086	15,847,179	32	144	1,433,825	23,670,344				
December	30	199	5,000,982	20,848,161	30	174	3,049,295	26,719,639				
January	17	216	**11,838,200	32,686,361	13	187	754,282	27,473,921				
February	26	242	718,900	33,405,261	16	203	1,652,647	29,126,568				
March	26	268	5,106,800	38,512,061	34	237	5,234,094	34,360,662				
April	36	304	987,929	39,499,990	31	268	1,304,981	35,665,643				
May	47	351	3,019,513	42,519,503	37	305	838,190	36,503,833				
June	31	382	***11,133,365	53,652,868	22	327	1,205,651	37,709,484				
Median	31		4,010,248		30.5		1,594,699		40.5		4,694,423	

*includes Bupa stage 2

** includes St Johns and Stage 2 MVM

*** includes Stage 4 MVM and services building MVM

* Stage 2 of MVM boiler project

** Stage 5 of MVM

* includes Bupa stage 3

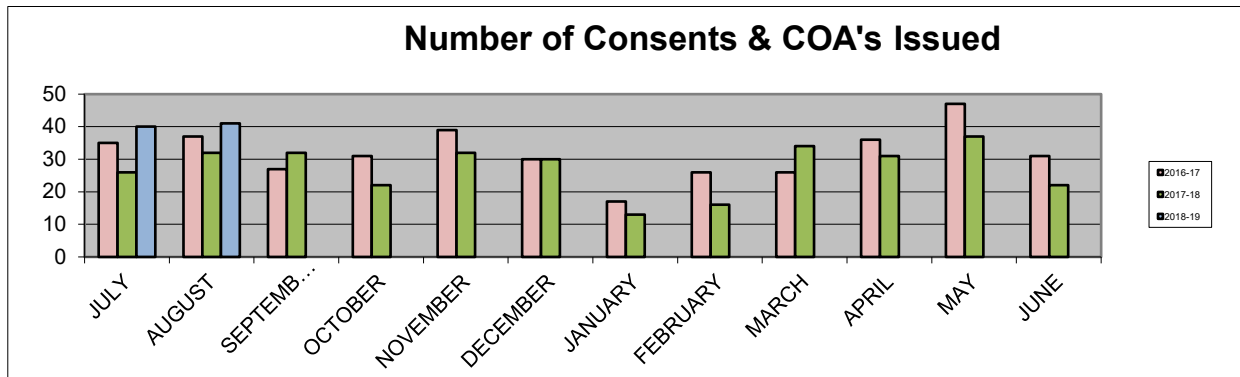
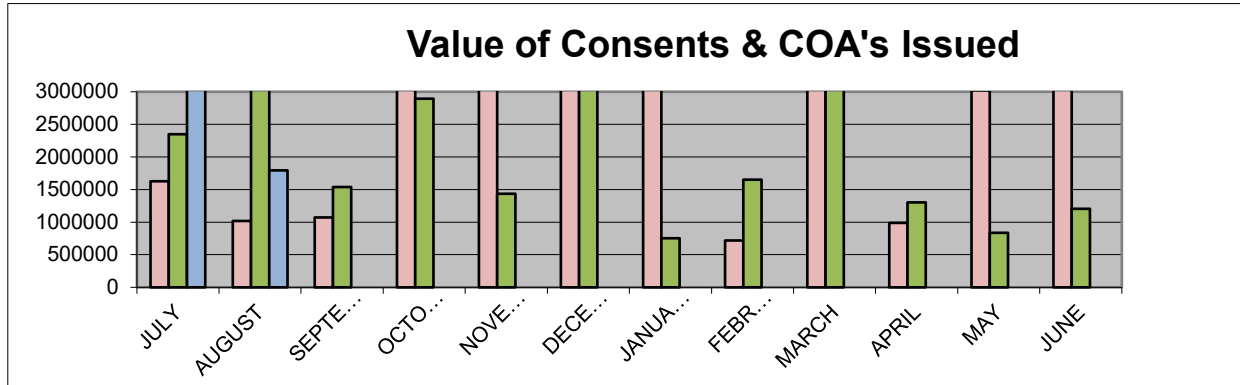
Consents issued over \$40,000

Location	Description of Work	Value of Consent
25 Takitimu Street	Construct two level dwelling with double garage	335,000
738-760 Waipahi Highway	New four bedroom residence	900,000
21B Reaby Road	Construct 19.2m x 9.0m four bay storage shed	60,000
187 Waikaka Valley Highway	Construct two lean-to sheds for farm accessory storage	95,000
1550 Waimumu Road	Erect 14.4m x 12m Implement shed with concrete floor	50,000

New dwellings (including relocated dwellings) (financial year)

2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012
32	38	35	34	33	40	31	32	34	30
2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019			
36	39	24	41*	36**	27	20***			

* Includes 19 villa's constructed in stage 1 – Bupa
 ** Includes 18 villa's constructed in stage 2 – Bupa
 *** Includes 14 villa's constructed in stage 3 – Bupa



Building Consent Statistics

(Includes Certificates of Acceptance)

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September	27	99	1,070,453	3,715,393	32	90	1,536,750	19,344,050	27	108	1,393,300	10,692,145
October	31	130	5,037,700	8,753,093	22	112	2,892,469	22,236,519				
November	39	169	*7,094,086	15,847,179	32	144	1,433,825	23,670,344				
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*includes Bupa stage 2

** includes St Johns and Stage 2 MVM

*** includes Stage 4 MVM and services building MVM

* Stage 2 of MVM boiler project

** Stage 5 of MVM

* includes Bupa stage 3

Consents issued over \$40,000

Location	Description of Work	Value of Consent
80 Ruia Street	Build new 77m2 garage	40,000
18 Thistle Street	Renovate inside by relining all walls with gib, install new fire place on wetback with new 250l Rheem HWC. Install/relocate kitchen, remove two walls	45,000
125 Millane Road	New dwelling with effluent system	300,000
14 Mary Street	New four bedroom dwelling	580,000
626 Otama Valley Road	66.1m2 of internal alterations to kitchen, dining, living and entry areas. 2.9m2 of internal alterations to sleep out	41,000
101 Campion Road	Construct new 18m x 24m shed for farm accessory storage	100,000
61 Reko Road	Implement and general farm storage shed. Concrete floor, light steel clad shed	75,000

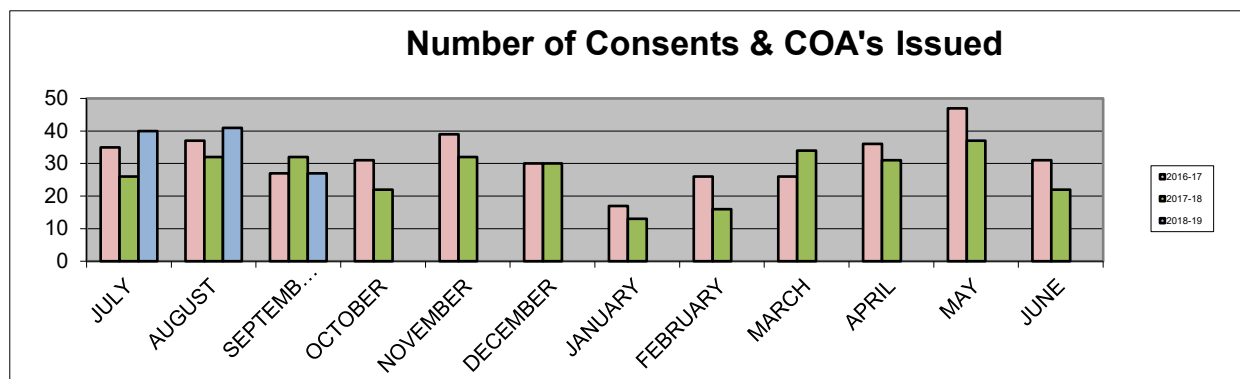
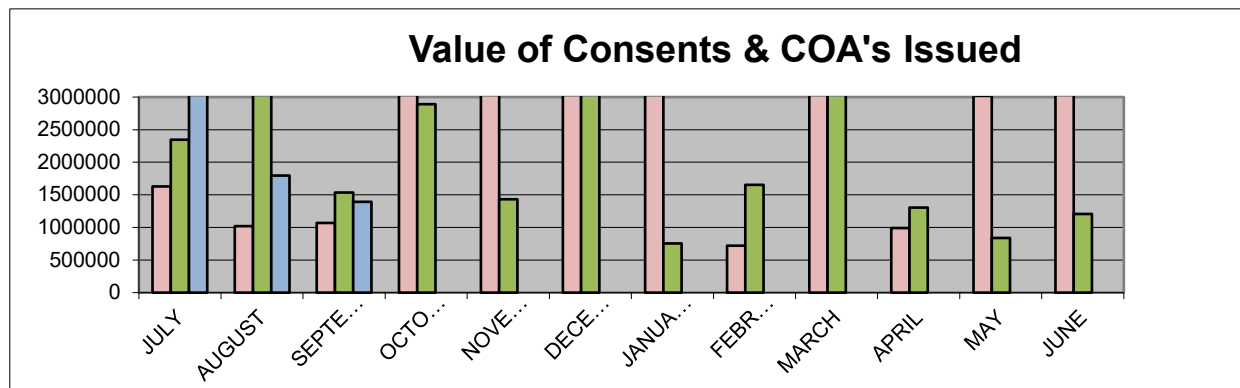
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2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019			
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3. PLANNING DEPARTMENT REPORT (Fran Davies and Keith Hovell)

Resource consents

During the period 16 August to 25 September 2018 three resource consents were completed and one deemed permitted boundary activity consent was issued, shown on the table below. All applications were processed within the statutory timeframe of 20 working days for non-notified applications. Current consents are also listed.

Applicant / Address	Proposal and Outcome	Decision Date	Working Days
B J Campbell 391C Otama Road	Subdivision consent to create two lots in the rural zone	25 September 2018	20
Taffooms Limited 11 Mary Street	DPBA 2018/8 Non-complying building length	20 September 2018	2
W F & K M McDonald 971 Knapdale Road	Subdivision consent for a boundary adjustment in the rural zone	19 September 2018	18
S L & D B Tilley 18 North Terrace	Land use consent to construct a garage on site with no dwelling	5 September 2018	16

Current consents (25 September 2018)			
Applicant / Address	Proposal	Received	Status
Eastern Southland YFC Southern Field Days Inc 575 Waimumu Road	LU 2017/347 To allow a range of commercial recreational, communal, commercial and visitor accommodation activities.	20 Dec 2017	Updated application received on 6 September 2018. Application to be publicly notified. Planner: Kirstyn Lindsay
S R Curry 190E Waimea Highway	LU 2018/369 Land use to establish commercial gym on rural site	21 May 2018	On hold pending further information. Planner: Kirstyn Lindsay
Brian's Lane Ltd 80 Kakapo Street	LU 2018/372 Land use consent to remove three trees listed in District Plan SC 2018/380 Subdivision consent to create 6 new residential lots	14 June 2018	On hold pending resolution of storm water issues. Planner: Kirstyn Lindsay
J E & P J Forrest 4 Kaka Street	SC2018/373 and LU 2018/374 to undertake subdivision to create 9 lots	25 June 2018	On hold pending resolution of storm water issues. Planner: Kirstyn Lindsay
J A Black 41 Wigan Street	SC 2018/381 undertake subdivision to create two lots	3 September 2018	Decision drafted. With Commissioner. Planner: Robert Buxton
Cumberland Property Group Limited 20-26 Lyne Street	LU 2018/383 To allow an extension of commercial activity in the industrial zone	7 September 2018	Decision to be prepared. Planner: Robert Buxton
H M & J C Kerse 104 Talbot Street	SC 2018/384 subdivision to create two lots in the residential zone	14 September 2018	On hold. Not yet accepted for processing. Planner: Robert Buxton
D G & K M Luoni 37A Canning Street	OTH 2018/46 uplift amalgamation condition	18 September 2018	Decision to be prepared. Planner: Fran Davies
N J Hannen & M J Vace 5 Lodge Street	LU 2018/385 convert existing hall to residential use in industrial zone	18 September	Decision to be prepared. Planner: Robert Buxton

While no notable activities were undertaken over the reporting period work levels have been high, particularly with regard to the processing of building consents and responding to information requests and enquiries from the public.

Meeting with Spark

Spark officials have approached the Council to discuss finding a number of new sites for small scale mobile phone tower sites in Gore. A meeting has been scheduled with Council staff for 2 October, to determine the requirements of the relevant departments and Spark's rights under the National Environmental Standards for Telecommunication Facilities 2016 (NESTF). Potential sites for the towers include legal roads and Council land.

Review of the Subdivision and Land Development Bylaw 2011

Work continues to progress on the review of the Subdivision and Land Development Bylaw. An initial draft has been completed and a full report on this issue is included on the agenda.

Staffing

The Council has re-advertised its Principal/Senior planner position.

Upstairs reception hours

From 3 September the opening hours of the upstairs reception were reduced from five days a week to Tuesdays and Thursdays only. On the days when the upstairs reception is closed, the public can make an appointment to meet with the Planning, Building, Roading, 3 Waters or Regulatory departments. Making an appointment ensures that the relevant staff member is available and prepared for a meeting, and able to organise their day-to-day work around public enquiries. On Tuesdays and Thursdays, the public is able to access the upstairs reception but still encouraged to make an appointment in advance.

Training and development

In August planning, alongside building and regulatory, staff undertook a site visit to the Matura Valley Milk nutritional plant. This provided staff with an understanding of the scale of operation and progress made on giving effect to their consents.

Last month planning staff attended a course on managing unreasonable complainant's conduct run by the Ombudsman's office. The course covered strategies for an effective complaint handling process for state sector agencies operating in New Zealand.

Next month the Council's Planning Officer will be attending a course on "Plan Making" run by the New Zealand Planning Institute. The course covers the plan development and review process under the Resource Management Act 1991.

RECOMMENDATION

THAT the report be received.

4. REGULATORY SERVICES REPORT (*Frances Shepherd*)

Alcohol licensing

Policy staff from SDC and ICC met with the alcohol licensing inspectors on Monday 17 September regarding the Local Alcohol Policy (LAP). Policy staff will meet with Police and MOH staff in October and have indicated they anticipate having a report prepared for all three Council's towards the end of this year to seek members from each Council to form the joint LAP committee. Policy staff propose a draft LAP should be ready in February / March 2019 to be released for public consultation.

The Southern Enforcement Alcohol Liaison (SEAL) group continues to work together to provide a consistent approach for the implementation of the Sale and Supply of Alcohol Act 2012 across our region.

The following alcohol applications were received:

2018/19	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Special licences	8	6	3*									
Managers certificates	3	4	3*									
Licence renewals	14	2	1*									

*as at 21 September 2018

Abandoned vehicles

There have been two abandoned vehicles reported since my last report. After contacting the registered owner of one vehicle it was moved and the other was burnt out and left on a residential street. The Council removed the burnt out vehicle.



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2016/17	1	4	1	1	2	0	0	0	2	3	1	0
2017/18	1	0	0	1	1	2	1	3	0	0	1	1
2018/19	2	3	1*									

*as at 21 September 2018

Noise control

Number of complaints received and seizures:

2018/19	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Complaints	15	13	5*									
Seizures	2	0	0*									
Noise type:												
Stereo	11	7										
Not excessive	4	5										
Chainsaw		1										

*as at 21 September 2018

2017/18	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Complaints	9	11	11	18	15	16	16	14	13	11	8	11
Seizures	0	2	0	0	0	0	1	0	0	0	0	0
Noise type:												
Stereo	9	10	9	19	12	14	12	10	7	10	8	9
Construction		1										
Alarm			1				1					
Fireworks			1		1		1					
Sander				1								
Chainsaw					1			1				
Stereo & fireworks					1							
Lawnmower						1						
No noise on arrival						1	2	3	4	0		
Helicopter									1			
Not excessive											2	2

2016/17	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Complaints	18	16	23	24	26	27	22	39	26	16	11	15
Seizures	1	1	2	2	2	0	0	3	3	0	0	0
Noise type:												
Stereo	18	16	23	24	22	25	21	38	26	15	10	15
Motorbike						1					1	
Engine										1		
Alarm								1				
People							1					
Fireworks					3	1						
Industrial					1							

Litter

There have been five reports of dumped rubbish, including a mattress, general household rubbish, offal and three dead swans. The latter is being investigated further.

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2016/17	4	4	1	0	5	0	0	6	5	1	5	6
2017/18	1	10	2	0	2	1	5	1	1	3	6	1
2018/19	1*	6	4*									

* as at 21 September 2018

Food Act

Verifications of food control plans can now be undertaken by Council staff without supervision. Staff will continue to work with food premises to ensure that they are on track transitioning from the Food Hygiene Regulations to the Food Act and they have registered either a food control plan or relevant national programme within the required timeframe.

Food Check South has been launched and a quality management system has been registered with MPI. This is a shared service from Invercargill City Council, Gore District Council and Clutha District Council to verify food control plans and national programmes.

RECOMMENDATION

THAT the report be received.

5. SUBDIVISION AND LAND DEVELOPMENT BYLAW

(Memo from General Manager Regulatory and Planning and Planning Consultant - 27.09.18)

Purpose of report

The Subdivision and Land Development Bylaw 2011 became operative in 2012 and under the provisions of the Local Government Act 2002 must now be allowed to lapse or be reviewed. This report seeks approval from the Council to proceed with submitting a reviewed version of the Bylaw to the general consultative process of the Local Government Act 2002 (LGA).

Development of the current Bylaw

Prior to 2011, the Council had no set standards for the construction of infrastructure associated with subdivision and land development. As a consequence, there was considerable variation in design of water, stormwater, sewerage and roading infrastructure being submitted to the Council for approval. Developers and designers (surveyors and engineers) promoted products and solutions to issues based on their own preferences and cost considerations. Council staff too, in considering development proposals, also focused on their own preferences. This resulted in a lack of uniformity and ongoing tension between those undertaking developments and the Council (and within the Council). There was particular concern with regard to infrastructure to be vested in the Council and the risk of ongoing maintenance and repair costs being incurred by the Council.

By default, the Council relied on the provisions of New Zealand Standard NZS 4404 *Land Development and Subdivision Infrastructure*. However, the content of the Standard did not recognise the particular circumstances applying to ground and climatic conditions within the Gore District. Other Councils nationally adopted the same view and sought to overcome this by adopting NZS 4404 while completing a separate document of variations to the Standard. This required consideration of the provisions in the Standard and then a check against the variation document of the Council. This was frustrating for all concerned.

The Gore District Council determined that a preferred approach was to prepare a standalone document as a bylaw that provided a single set of standards that reflected best practice and recognised the particular circumstances of the Gore District. Several Councils nationally had adopted a similar approach and these were noted in preparing the 2011 Bylaw. The Southland District Council document was particularly helpful, although a number of the roading and sewerage infrastructure design diagrams were unique to Gore.

The Gore Bylaw also formalised a dispensation process, rather than relying on the ad hoc approval of individual staff. These provisions have since been adopted by other Councils.

In general, the current Bylaw was well received, and much of the tension between

developers and the Council was subdued, either by the adoption of standard provisions and/or the use of the dispensation process. Some frustration still lingered however arising from slight differences in the design requirements of the different territorial authorities. Also, and as expected, some of the existing provisions are now dated and have been surpassed by changing technology.

There would be consternation from both the development sector and Council staff if there was a return to the pre-2011 situation. A bylaw dealing with subdivision and development design issues is an essential tool in adoption of appropriate design standards and practice. There are no other suitable options practically available to achieve the same outcome. As a consequence, a review of the Bylaw is recommended.

Section 155 of the LGA requires the Council to determine whether a bylaw is the most appropriate way of addressing a perceived problem and whether the proposed bylaw is the most appropriate form of bylaw. It is considered that both tests are met.

The approach of the revised Bylaw

In mid-2017 targeted consultation was undertaken with surveyors, builders and developers to assist in determining the best approach to be adopted in a review of the 2011 Bylaw. There was almost a total preference for a closer alignment to the NZS4404 document. That was also supported by Council staff. In part, this change in preference arose because of the stance adopted by the New Zealand Standards Association to allow Councils to acquire a licence permitting them to use the NZS 4404 document as a template, making whatever changes to the document they considered appropriate for their area. This enabled a single standalone document overcoming the problems associated with the dual document approach referred to above. Within our local sphere of interest the Queenstown-Lakes District and Southland Districts acquired a licence and modified the document to meet their local needs. In the QLDC case this resulted in a document some 200 pages longer than the original. For Southland the final document, adopted in 2012 was of a similar size, although due to differences in page layout it increased from 220 pages to 270 pages.

Late last year the Gore District Council acquired the appropriate licence and work commenced on integrating the 2011 Gore District bylaw with NZS 4404. It soon became obvious that the changes being made to the NZS 4404 document were almost identical to the changes that the Southland District Council had made when it prepared its Bylaw. The option of preparing a joint bylaw with the Southland District Council was investigated. However, Southland District does not favour that at this stage given that its Bylaw is not due for review until 2022 and it wishes to await the outcome of government consideration of how territorial authority water resources and infrastructure will be managed in the future.

While a separate document is being prepared for the Gore District, this document generally mirrors the provisions of the Southland District Bylaw. Some of the design diagrams still differ reflecting the lesser intensity of development that occurs in the Gore District and more uniform ground and climate considerations.

Revised Bylaw overview

The existing Council Bylaw, and that proposed, are both technical documents. The target audience is engineers and surveyors undertaking work on behalf of developers. Other than one issue discussed below, the document will not be of general public interest.

The current document adopted a straight-forward approach focusing on processes and required standards. NZS 4404 contains far more descriptive commentary, akin to an ABC of “how to do it” with individual direction on the steps to be followed and other documents to be referred to.

A description of the content of both documents is as follows:

The current 2011 Bylaw	Proposed Bylaw 2018
1. Introduction	1. General Requirements and Procedures
2. Applications and Documentation	2. Earthworks and Geotechnical Requirements
3. Acceptance	3. Roads
4. Construction	4. Stormwater
5. Earthworks	5. Wastewater
6. Roading	6. Water Supply
7. Water Supply	7. Landscape
8. Wastewater	8. Network Utility Services
9. Stormwater	9. Dispensations from this Bylaw Appendices
10. Installation of Utilities	A Acceptable Pipe and Fitting Materials
11. Piped Utilities	B Standard Construction Drawings
12. Cabled Utilities	a. Drainage
13. Street Signs and Road Marking	b. Roading
14. Parks and Reserves	c. Services
15. Dispensations from this Bylaw	d. Water
16. Definitions and Abbreviations	C Field Testing of Pipelines
17. Documents Referred to in This Bylaw	D Water Supply Disinfection Specification
18. Standard Drawings	E Parking and Access Layouts
a. Drainage	F Accessway Sightlines
b. Miscellaneous	G Railway Sight Line Restriction
c. Roading	
d. Water	

↳ For completeness, a copy of both documents is attached. The revised Bylaw requires layout corrections, tidying diagrams and updating of the index. That will be undertaken prior to public release for consultation.

Sustainable management of stormwater

Section 4.2.5 of the proposed revised Bylaw provides for the mandatory installation of rainwater tanks as part of new buildings constructed within the Gore and Mataura reticulated areas.

Given climate change predictions of longer periods between, but heavier, rainfall events, and the historic record of water restrictions within the Gore and Mataura urban areas, is it now prudent for residents and businesses to adopt some self-help approaches to the supply of water on their sites, particularly in relation to the outdoor use of water for washing of vehicles and windows, and watering of lawns and gardens. Such water does not need to be treated and provision of on-site storage will enable, for example, continuing watering of gardens when restrictions are imposed. Such storage when not used on-site will facilitate slow release to reduce the peak flow impact of rainfall events. This provision is actually promoted/encouraged in the Reticulated Services Policy 2011.

Water stored on-site within the reticulated areas is not intended for human consumption or use within dwellings. This removes the need for associated pumps and ongoing costs to the owner. Rather, the intent is to provide a gravity supply for outdoor use in a manner that suits the property occupier. That does not however preclude the voluntary use of on-site water usage for domestic use, but certain treatment requirements would apply.

Over the past 17 years, an average of 20 new dwellings and 4 commercial or industrial buildings have been built each year within the Gore and Mataura reticulated areas. While in the short term this does not impact significantly on the volumes of water that the Council needs to supply, it will provide a distinct advantage to the property owners with the tanks. It may also generate interest in others voluntarily installing tanks. Depending on the size of the tanks, costs are estimated to be in the range of \$3,000 - \$5,000 per installation.

For residential areas, a review of rainfall data for Gore concludes that the optimum size of tank appropriate for dwellings, regardless of their size, is 3,000 litres. When tanks of that size are full that would provide a volume of water equivalent to nearly four hours use of a garden hose.

An alternative approach would be to link the size of tank to the size of the buildings on the site as follows:

Roof area (m²)	Minimum tank size (litres)
Less than 100	1,000 litres
100 -199	2,000 litres
200 +	3,000 litres

This alternative approach could be justified on the basis that the smaller the area of buildings on a site the lesser the runoff of rain water that will occur. A decision is required from the Committee on this matter.

Non-residential developments, including all industrial and commercial activities, pay for water consumed on site. That by itself incentivises minimising water use. Two approaches could therefore also be adopted for non-residential developments:

1. Require the installation of rainwater tanks in all cases, with a minimum of 3,000 litre tanks, but for buildings with a roof area greater than 500 square metres, a minimum storage of 30,000 litres shall apply, with an additional 10,000 litres of storage for each 100 square metres of roof area.
2. Enable either on-site usage or, if the ground conditions are suitable, the discharge of stormwater to land. The volume of storage required would be calculated on a case by case basis, having regard to the roof area of buildings on the site.

While both options for non-residential development are workable, the second is preferred by staff. A decision is also required from the Committee on this matter.

Previously, the Council has required the installation of rainwater tanks where resource consent has been sought for industrial buildings in residential areas. This water has been used on-site for washing of vehicles and other plant and also facilitated slow release into stormwater systems reducing peak flows during rainfall events.

A second issue in relation to stormwater arises where a significant proportion of a site is covered in buildings and other impermeable surfaces, such as concrete or compact gravel. This currently increases stormwater from buildings and runoff from sites into the reticulated systems.

In residential areas, runoff from hard ground surfaces used by vehicles or storage is particularly problematic contaminating stormwater and increasing the need to for Council to undertake treatment prior to discharge. Treatment of domestic storm water is not yet necessary and it is appropriate to take steps to avoid that in the future.

Within non-residential areas little consideration has been given in the past to providing permeable areas to reduce runoff from sites. Rather the pattern has been to provide hard surfaces such as concrete or compressed gravel. Given climate change predictions of more intense rainfall events, a change is required.

Section 4.2.4 of the draft Bylaw therefore includes a provision applying to the reticulated areas of Gore, Mataura and Waikaka that requires the following minimum areas of permeable surfaces such as grass and gardens:

Residential	60%
Commercial	55%
Industrial	40%

In the event that the installation of a rainwater tank and providing the required area of permeable surfaces is not practical in any particular case, the Bylaw enables a request for a dispensation. If a request is approved consideration can also be given to requiring other on-site disposal methods or the installation of attenuation measures to reduce the impact of rainfall events on the stormwater system at peak times. Indeed, on-site disposal is to be preferred, reducing the volumes of stormwater the Council treats and discharges. Where on-site disposal is proposed, the Bylaw mandates the use of green infrastructure options. Green infrastructure includes swales, rain gardens, ponds and wetlands etc.

Should these provisions be confirmed a further report to the Council will give consideration as to how the Council can assist in the provision of appropriate rainwater tanks and other possible incentives.

The process to be followed

LGA Section 156 requires consultation to be undertaken in considering the review of the Bylaw, either by way of the special consultative procedure or by giving effect to the principles of consultation envisaged by the LGA. Section 156(1)(a) requires adoption of the special consultative procedure if:

- (i) the bylaw concerns a matter identified in the local authority's policy under section 76AA as being of significant interest to the public; or
- (ii) the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of, the bylaw.

The Council's Significance and Engagement Policy lists the thresholds for a matter being of significance. These include "community interest - taking into account the extent to which individuals, groups, organisations and sectors of the community will be affected by a Council decision".

Given that the only matter of general interest in the revised Bylaw relates to the mandatory provision of rainwater tanks on new buildings, and only 20 new houses and four commercial/industrial buildings being erected each year on average, it is considered that the use of the special consultative procedure is not required. Rather, the general consultation process should apply. Once approved by the Council, it is intended that the revised bylaw be released for four weeks for public submission.

A hearing will be required to consider any submissions lodged. A sub-Committee of at least three Councillor members are required to determine the submissions and report back to the full Council for final approval of the document, subject to any changes the sub-Committee recommends. Depending on the level and nature of submissions lodged, a hearing could be held either mid-December or late January.

RECOMMENDATION

THAT the Council resolve under section 155 of the Local Government Act 2002:

- (i) a bylaw is the most appropriate way of addressing problems perceived by the bylaw; and**
- (ii) the proposed bylaw is the most appropriate form of bylaw.**

THAT the Council determine the approach to be adopted for the provision of rainwater tanks for residential and non-residential developments,

THAT the Council, subject to decisions made in recommendation 3, resolve to undertake public consultation on the proposed review of the Subdivision and Land Development Bylaw,

AND THAT a sub-Committee of at least three Councillors be formed to consider and determine submissions the proposed review of the Subdivision and Land Development Bylaw prior to recommending formal adoption by the Council.