



Lyford Lane

DP - District Plan Zones: Hocken Lane Rural Residential Zone

Type Hocken Lane Rural Residential Zone

[Zoom to](#) ...

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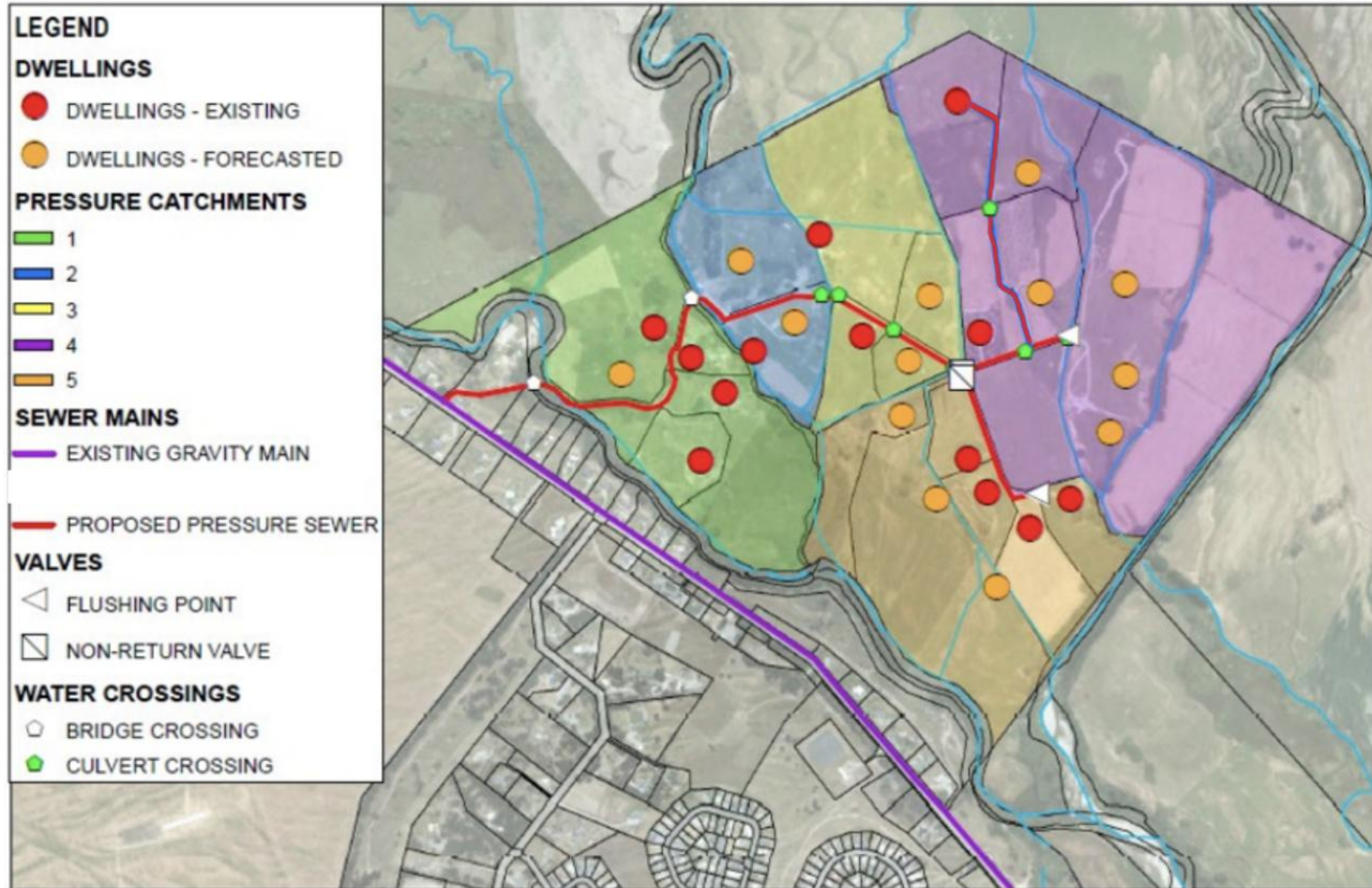
What is the Lyford Lane Wastewater Proposal?

- Proposed servicing of a private development for wastewater by way of a publicly owned pressure wastewater system
- Estimated to cost \$1.42 M (January 2023) – likely \$1.56 M now
- Proposed to be funded by existing wastewater customers at a rate impact of \$54,600 per annum
- If the work was paid for by the beneficiaries, based on 26 users, a lump sum of \$60,000 or \$5,100 principal and interest per annum for 20 years.

Original Proposal

No of pumps - 13
Future demand - 26
Total Length - 2,023m
GHD Estimate - \$1,416k

(Assumes Council funds future connections and pumps).

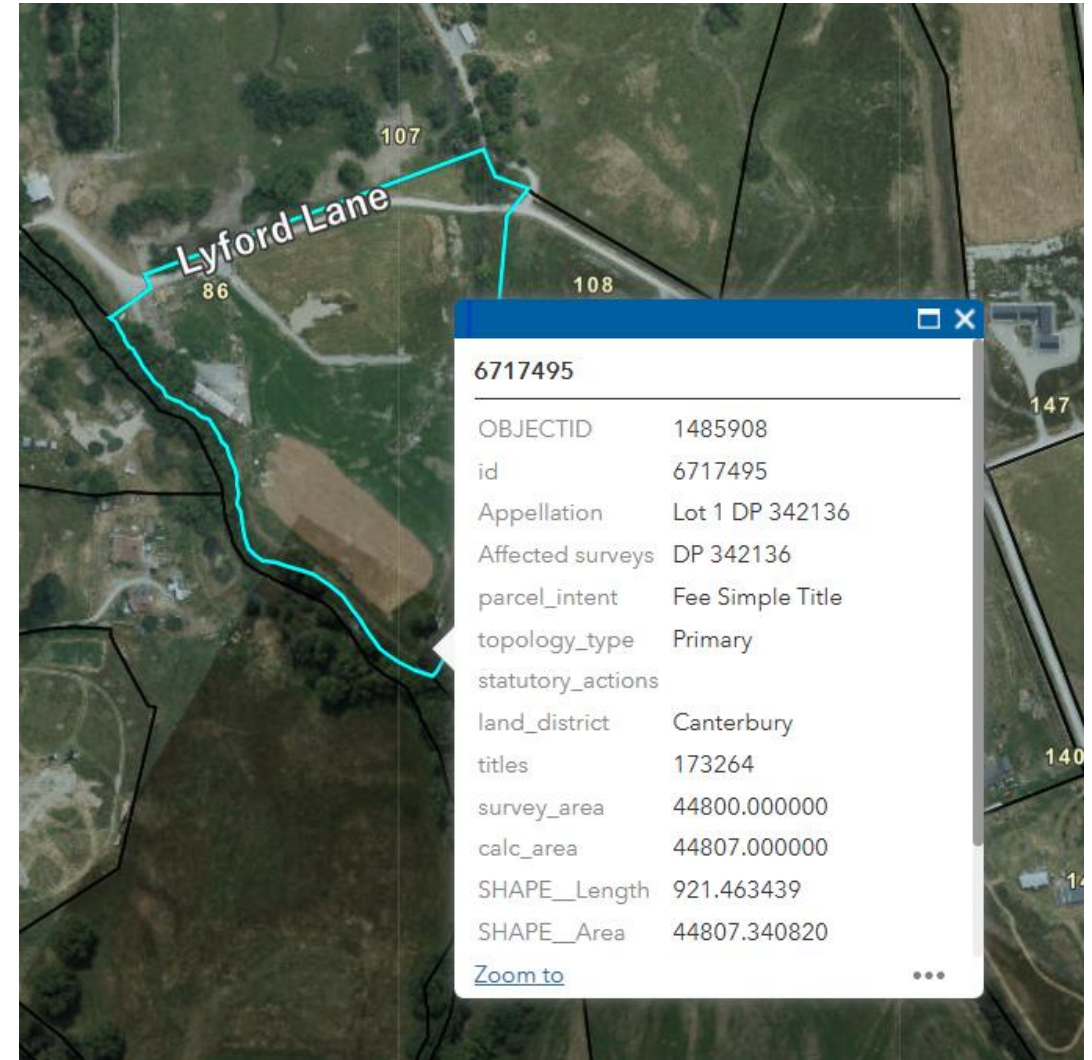


How would development ordinarily occur?

- The Developer will concept, design, construct and fund the infrastructure to a standard suitable for the eventual infrastructure owner.
 - Where private, the eventual owner is the land-owner(s) and the market sets the quality.
 - Where vested in Council, the eventual owner is Council and Council sets the quality.
- A Developer may seek to vest assets in Council
 - Infrastructure will need to meet Council requirements
 - NZS4404 Code of Practice for Urban Land Subdivision provides the technical standard applied by Council for infrastructure development.
 - Meeting the required standard ensures the Community does not inherit low quality infrastructure.
- Developers retain ownership of assets where it is financially advantageous to do so.
- Developers vest assets in Council to devolve themselves of ongoing ownership, operation, risk and financing of infrastructure.

Lyford Lane was not vested

- No infrastructure was vested to Council.
The entire development is private:
 - Private accessway – the 'road' runs through Fee Simple Title land
 - On-site stormwater
 - On-site water
 - On-site wastewater
 - 1 user connected by private pipe to Council network
- Private developments allow construction to different, normally lower, standards which are less costly to construct
- Lyford Lane infrastructure was either not built (water, wastewater, stormwater) or not built to Council subdivision standards (roads, footpaths, bridges, lighting etc)



Council has no greater involvement or responsibilities towards Lyford Lane than it does to any other privately owned lands and infrastructure

Why is Council Considering the Lyford Lane Wastewater Proposal?

- Lyford Lane lays within the Twizel Water Supply Catchment and Water Supply Protection Zone
 - Potential **Public Good** arising from removing on-site wastewater disposal from the catchment
- Lyford Lane offers development potential
 - Potential **Private Good** arising from eased development due to the removal of on-site wastewater requirements
 - Likely increase in capital value of the properties as a result

Assessing the Public Good

- Nov 2022 Water Safety Plan identified 66 water safety risks of which:
 - 2 were assessed as unacceptable - high priority
 - 1 was assessed as unacceptable - medium priority
 - 11 were assessed as additional improvement actions - low priority
- “Extend the wastewater reticulation so that septic tanks can be removed from the drinking water protection zone” was assessed as additional improvement actions - low priority
 - additional improvement actions - low priority are noted as “will be addressed when and if staff resources and funding are available”
- Limited Public good would be gained by extending the wastewater network because:
 - Animals (farmed, domestic, feral, avian) will remain in the catchment
 - The protozoal log credit removal requirement would remain at 3-4 log
 - The treatment process exists and can treat to 5-log

Assessing the Private Good

- A Publicly funded wastewater network would remove the need for land owners to design, consent, construct, own, operate, and maintain on-site wastewater systems which would likely result in:
 - Lower land development costs
 - Increased land attractiveness
 - Increased sale value
 - Removal of need to satisfy wastewater disposal consenting requirements
- There is clear private good arising from extending the wastewater system
- Development will not necessarily be constrained if the wastewater network is not extended
 - On-site disposal within a Water Supply Protection Zone is a Restricted Discretionary Activity in the Regional Plan.
 - Applications for on-site disposal will most likely be approved but with conditions

Current Status

- 27 June 2023 Council resolved to:
 - Extend the timeframe for investigation and consultation and work towards the implementation of the improvement action
 - Undertake water quality and sanitary assessments and apply regulatory powers to deal with unsatisfactory on-site wastewater systems
- The resolution does not confirm or promote the extension of wastewater into Lyford Lane. Extending timeframe and applying regulatory powers suggests:
 - an understanding of the opportunity to apply non-asset solutions
 - a degree of uncertainty around the merits of the extension
- These are valid points

Current Status

- The project does not appear to have been consulted on with the Twizel or broader Mackenzie Community (who are the proposed funders) as part of an Long Term Plan process.
- A feasibility study into the proposal was undertaken in 2023
- Residents have stated that they want drinking water, road upgrades as well as wastewater to be completed by Council
- Council has tried to seek agreement from owners to develop easements so a wastewater pipe could be installed.
- Unanimous agreement was not able to be achieved.
- Review completed to reprioritise three waters projects based on a risk approach
- This project identified as having mostly private benefit to Lyford Lane owners and very little to Mackenzie Ratepayers.

2023 Feasibility Study

- Considered piped system and improved on-site treatment
- Discounted improved on-site treatment solution due to risks relating to:
 - Landowner related matters
 - incurring cost associated with improvements
 - failing to operate and maintain systems correctly
 - illegally 'dumping' waste to avoid tank cleaning
 - experiencing uncontrolled release of blackwater in catastrophic failure event
 - flood-ability
 - Other matters:
 - impact on the aquifer due to aquifer depth and transmissivity
 - Maori interests and potential to set precedent
- It would be technically possible to extend wastewater services into the Lyford Lane area – but it has not been demonstrated to be prudent

Community views

- Firstly “Community” needs defined. Is it the beneficiaries (Lyford Lane land owners) or the funders (Wastewater ratepayers)
 - Land owners have expressed their views at Council meeting and by correspondence.
 - Direct liaison with landowners has occurred relating to physical construction
 - Extensive consultation has occurred with Lyford Lane and adjacent properties
 - Assumption that existing ratepayer base will fund proposal
 - Funders views are unclear, and does not appear to have been considered in any transparent manner
 - Secondly “Significance” needs assessed
 - the proposal offers limited benefit in way of Public Good Public Health

The proposal warrants reconsideration

- Suitable starting point is aligning the project to legislative requirements:
 - Local Government Act – Local authority must:
 - S77 - identify all reasonably practicable options to achieve the objective
 - S77 - assess option for advantages and disadvantages
 - S79 - determine if any options involve a significant decision and assess in proportion to significance
 - S80 - consider consistency with policy and plans
 - S101 manage finances prudently and in manner that promotes current and future interests of the community
- In summary, need clarity around objective, options, significance, and consistency assessment, and a test for prudence.
- A business case should be created

From ECAN

- Five septic tanks are within the protection zone.
- Of these;
 - Three septic tanks are not consented.
 - One has a not yet activated Certificate of Compliance confirming domestic wastewater discharge is required.
 - One property has a lapsed consent to discharge wastewater to land. ECAN just needs proof that the wastewater system has been installed before 31/12/2024 to reverse the termination.

Impact if proposal does not proceed

- One land owner has a private connection to the wastewater network
 - Others could do likewise
 - Easements would be required in favour of the landowner. Not materially different to easements being required in favour of Council were the public network extended
- On-site disposal remains possible
 - The land owner would need to gain consent from Ecan for the disposal
 - Non-consented and poorly performing systems would need consented and upgraded by the land owner
- Costs lay where the benefit is accrued - private

Twizel Water Treatment Plant

- The plant is designed to treat raw water to a 4 log level – the level required anticipating poor quality surface water impacted by rainfall, stock and other contamination
- The plant has 5 micron cartridge filters, UV and chlorine.
- Ground water testing shows the continual presence of Ecoli, spiking after rainfall events
- There are 55 potential on-site wastewater systems identified within the SWRMA zone 2 of the Twizel bores, 40 consents to discharge wastewater and stormwater in the SWRMA zone 2 identified.

Twizel Water Treatment Plant

- The nearest consented wastewater discharges are some 600m upstream of the closest Twizel Bore.
- It was noted in these consents that a setback distance of 85 metres from the neighbours drinking water supply bore was sufficient to ensure the water supply was not adversely affected.
- In summary, the risk is low and the treatment plant has sufficient treatment to provide confidence in ongoing stable, treatable and ultimately safe provision of water.
- **There would be significant benefit to all users in providing a treated water reservoir.**



LEGEND

— LYFORD LANE

— LYFORD LANE PROJECT AREA



TWIZEL

— TWIZEL COMMUNITY DWPZ

— WATER COURSES

PROPERTY WITHIN THE DWPZ?



NO



PARTIALLY



YES

Twizel Drinking
Water Protection
Zone (DWPZ)
(2008)

Lyford Lane Rural
Residential Zone

LYFORD LANE

FRASERS STREAM

All properties are
within Twizel's
Source Water Risk
Management Area
Zone 2 (2022)

TWIZEL TOWNSHIP



Summary

- The proposal
 - lacks clear objective, assessment, consultation, and funding
 - attracts significant cost
 - is primarily private good
 - Is funded by all wastewater ratepayers
- Public Health gains are small
 - Almost certainly out of scale to the cost
- Other solutions are available
 - On-site and consent
 - Private connection to public network