

**QLDC Council  
28 May 2015**

**Report for Agenda Item: 8**

**Department: Planning & Development**

**QLDC Land Development and Subdivision Code of Practice**

**Purpose**

- 1 The purpose of this report is to seek adoption of the revised QLDC Land Development and Subdivision Code of Practice which incorporates the revised NZS 4404.

**Executive Summary**

- 2 This report seeks the adoption of an updated technical standard that will align land development and subdivision, within the district, to the current national standard and best practice.
- 3 Following targeted consultation with internal technical experts and external practitioners a number of amendments to the national standard have been made. These changes reflect the working knowledge and practical issues that have been previously encountered in the district.

**Recommendation**

That Council:

1. **Note** the contents of this report;
2. **Adopt** the QLDC Land Development and Subdivision Code of Practice as a Council policy document
3. **Authorise** officers to make further minor changes to the QLDC Land Development and Subdivision Code of Practice without further recourse to the Council, where this is necessary to:
  - i. To fix identified minor errors and / or omissions.
  - ii. To re-format to ensure maximum usability (hard copy & online)
  - iii. Ensure continuity with other proposed provisions.

Prepared by: Richard Flitton

Reviewed and Authorised by:  
Marc Bretherton




Principal Resource  
Management Engineer

General Manager – Planning  
and Development

7/05/2015

14/05/2015

## Background

- 4 The Council's current code of practice for sub division and land development is NZS4404:2004 and amendments, which were adopted by Council in 2005. Standards New Zealand has released an updated version of its Subdivision and Land Development Code NZS4404 in 2010. To align with this new code (which is considered best practice), QLDC has carried out a review of the revised standard and recommended amendments to this document.
- 5 This document is included as attachment 1 to this report. The development of this document aligns with the review of the District Plan Subdivision Chapter and has considered the draft Infrastructure Code that was developed in 2009 but neither finalised nor adopted by Council.

## Comment

### 6 Options

- 7 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:

#### 8 Option 1 Do Nothing

- 9 Advantages: The development community are familiar with these standards.

- 10 Disadvantages: The existing standards are out of date and do not reflect current best practice. They give rise to inconsistencies and contain aspects which are irrelevant or out of date.

#### 11 Option 2 Adopt as recommended

- 12 Advantages: Councils standard will reflect engineering best practice and be aligned to the national standard for subdivision and land development

as well as utilising a higher standard of materials to assist in reducing on-going maintenance costs.

13 Disadvantages: None

14 Option 3 Adopt as recommended with a further review in twelve months.

15 Advantages: Allows time to embed amendments and receive and consider further feedback from interested parties following the use of the new document.

16 Disadvantages: This may create uncertainty within the development community, as the potential for a frequently changing standard, may result in design and construction changes.

17 This report recommends Option 2 for addressing the matter.

### ***Significance and Engagement***

18 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy. The significance level has been determined by assessment of its importance to the QLDC community interest, inconsistency with existing policy and strategy, and the impact on the Council's capability and capacity. Whilst the document will have an impact on the wider environment, it will provide best practice and is aligned to the current New Zealand standard. Due to the high level of technical content, targeted consultation with specific stakeholders (internal and external) via workshops, peer reviews, email and direct contact was carried out.

### ***Risk***

19 This matter relates to the strategic risk SR1 - Current and future development needs of the community (including environmental protection), as documented in the Council's risk register. The risk is classified as high. The likelihood of it occurring is high due to the potential non-compliance with technical requirements.

20 A mitigation action has been identified as a sub task in the Corporate Mitigation activities. Sub task - Completing the District Plan. The purpose of this document is to mitigate the risk by providing guidance to the developer community when constructing assets that may be vested in Council. The measures include adopting best practice and utilising the latest national standards.

### **Financial Implications**

21 Potential reduction in on-going maintenance costs associated with vested assets by adopting current national standards as best practice.

## **Council Policies, Strategies and Bylaws**

22 The following Council policies, strategies and bylaws were considered:

- Asset Management Framework
- NZS 4404:2004 and the Council's amendments as of October 2005
- The Southern Lighting Strategy
- Parks Strategy
- The District Plan

23 The recommended option is consistent with the principles set out in the named policy/policies.

24 This matter is not included in the 10-Year Plan/Annual Plan

- This document does not require additional funding and has no impact on current budgets. Its on-going review of best practice is business as usual.

## **Local Government Act 2002 Purpose Provisions**

25 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by adopting current national standards and best practice;
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

## **Consultation: Community Views and Preferences**

26 The persons who are affected by or interested in this matter are Council Officers that are involved with the approval of future development and on-going operation and maintenance of assets vested in Council. The development community including developers, engineers, and surveyors.

27 The Council has internally reviewed the documentation with technical experts from within the Infrastructure and Planning and Development teams. Four workshops have been held with elected members and draft documentation was provided to targeted group of external developers, engineers and surveyors. Council's maintenance contractors were also consulted with. The document was technically and peer reviewed by Council's Chief Engineer and his staff.

28 The following companies were asked if they would like to provide comment on the revised standard. They are responsible for a significant proportion of

the development design and construction that occurs in the district and cover developers, engineers and surveyors.

Clark Fortune McDonald and Associates  
Paterson Pitts Wanaka  
Paterson Pitts Queenstown  
Aurum Survey  
Holmes Consulting Group  
MWH  
Airey Consultants Ltd  
Remarkables Park Ltd  
Meridian Land Development Consultants  
Just One Life (Kirimoko Park)  
AR & Associates

29 Feedback on the draft document was received from:

Clark Fortune McDonald and Associates  
Paterson Pitts Wanaka  
Paterson Pitts Queenstown  
Meridian Land Development Consultants  
Just One Life (Kirimoko Park)  
AR & Associates

**Attachments** (Presented separately)

A – QLDC Land Development and Subdivision Code of Practice – Sections 1 to 8