

QLDC Council
3 May 2018

Report for Agenda Item: 7

Department: Property & Infrastructure

QLDC Land Development and Subdivision Code of Practice - Amendments

Purpose

The purpose of this report is to seek adoption of the revised QLDC Land Development and Subdivision Code of Practice which incorporates NZS 4404:2010 with QLDC amendments.

Executive Summary

- 1 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.
- 2 Following targeted consultation with internal technical experts, Council maintenance contractors and the developer community along with a public notification period, amendments to the QLDC Land Development and Subdivision Code of Practice 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.
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:
 - a. Fix identified minor errors and /or omissions;
 - b. Re-format to ensure maximum usability (hard copy and on-line); and
 - c. Ensure continuity with other proposed provisions.

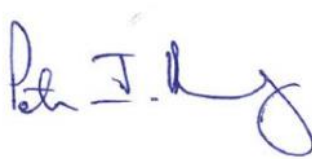
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16/04/2018

Background

- 1 The Council's current code of practice for subdivision and land development is NZS4404:2010 with QLDC amendments, which were adopted by Council in June 2015. The code of practice provides guidance to ensure land development and subdivision infrastructure is designed and constructed using best practice.
- 2 QLDC has carried out a review of the current code of practice and recommended amendments to this document which have been incorporated into the technical standard that is the subject of this report. These changes reflect the working knowledge and practical issues that have been previously encountered in the district.
- 3 On 7 September 2017 Council's Infrastructure Committee recommended that Council adopt the QLDC Land Development and Subdivision Code of Practice subject to any changes as a result of consultation with industry practitioners.

Comment

- 4 Consultation with the developer community in September 2017 and public notification in March 2018 highlighted three specific amendments worthy of further explanation:

Street parking

- 5 Developers consider a requirement of 1 on street parking space per residential unit in a Low Density environment is excessive and would not necessarily be achievable taking into account driveways, swales and street trees. Furthermore, developers consider flexibility should be provided to enable assessment of on street parking requirements on a case by case basis so for example, proximity to other parking facilities can be taken into account. In addition, given the Council is currently reviewing Chapter 14 of the District Plan it is considered more efficient to wait until this review is complete to ensure parking requirements onsite and on street can be considered in a holistic manner.

Disability

- 6 Inclusion of disability access. Code of Practice to reference existing standards NZS 4121:2001 (Design for Access and Mobility).

- 7 Tactile pavers must be designed and installed as recommended in “RTS 14 - Guidelines for facilities for blind and vision impaired pedestrians”. Refer to NZS 4121:2001, Design for Access and Mobility - Buildings and Associated Facilities and NZTA Pedestrian Planning and Design Guide.

Bond - Roading

- 8 Second coat seals are the responsibility of the developer and must be applied in the season following the first coat. The second coat seal can be undertaken via two options: as part of the Council's annual sealing programme (developer to cover costs) or independently by the developer (a bond will be required to ensure this work is undertaken). Council will need to ensure financial systems are in place to receive bonds and all monies are used for reseal purposes.

Options

- 9 Option 1 Do nothing

Advantages:

- 10 The development community are familiar with the existing QLDC Land Development and Subdivision Code of Practice.

Disadvantages:

- 11 The existing code of practice does not reflect Council's preferred standards within the district. They give rise to inconsistencies and contain aspects which are incorrect or irrelevant.

- 12 Option 2 Adopt as recommended

Advantages:

- 13 Council's standard will reflect engineering best practice and subdivisions and land development will be designed and constructed to an appropriate standard.
- 14 The robust standards and utilising a higher standard of materials will assist in reducing on-going maintenance costs.

Disadvantages:

- 15 The developer community will need to adjust to changes but this has been minimised through the consultation process.
- 16 This report recommends **Option 2** for addressing the matter as this will allow the Council's Land Development and Subdivision Code of Practice to align with national standards and Councils preferred standards within the district.

Significance and Engagement

- 17 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because whilst the document will

have an impact on the wider environment, it will provide Council's preferred standard and is aligned to the current New Zealand standard.

Risk

- 18 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 classed as high. This matter relates to this risk because the likelihood of it occurring is high due to the potential non-compliance with technical requirements.
- 19 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 Council's preferred standard and meeting these standards to ensure appropriately designed and constructed infrastructure.

Financial Implications

- 20 Potential reduction in on-going maintenance costs associated with vested assets by adopting proposed QLDC Land Development and Subdivision Code of Practice.

Council Policies, Strategies and Bylaws

- 21 The following Council policies, strategies and bylaws were considered:
- QLDC Land Development and Subdivision Code of Practice which incorporates NZS 4404:2010
 - Infrastructure Asset Management Strategy
 - QLDC Southern Light Strategy and Technical Specifications 2017
 - Parks and Open Space Strategy 2017
 - Proposed District Plan
 - Draft QLDC Disability Policy
- 22 The recommended option is consistent with the principles set out in the named policy/policies.
- 23 This matter is not included in the 10-Year Plan/Annual Plan

Local Government Act 2002 Purpose Provisions

- 24 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 Council's preferred standards;
 - 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

- 25 The persons who are affected by or interested in this matter are the broader community, the development community including developers, engineers and surveyors, and Council Officers involved with the approval of future development an on-going operation and maintenance of assets vested in Council.
- 26 The Council has internally reviewed the QLDC Land Development and Subdivision Code of Practice with technical experts from within the Property and Infrastructure and the Planning and Development teams. Due to the high level of technical content, targeted consultation was carried out with developer stakeholders (engineers, surveyors, developers). Consultation also occurred through a four week, public notification process in both Wanaka and Queenstown newspapers, on-line and through social media.

Legal Considerations and Statutory Responsibilities

- 27 The Resource Management Act 1991 requires the Council to publicly notify the amended QLDC Land Development and Subdivision Code of Practice prior to notifying it as part of the Proposed District Plan. QLDC legal advice was received on the term of this notification period and four weeks was agreed. The public notification occurred between 7 March and 4 April 2018.

Attachments

- A QLDC Land Development and Subdivision Code of Practice – Amendments and Modifications to NZS4404:2010
- B Summary of Submissions (made during consultation, March/April 2018)