

Full Council

17 April 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [5]

Department: Property & Infrastructure

Title | Taitara: Land Development and Subdivision Code of Practice update - Stage 3

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to seek approval from the Council to adopt the 2025 version of the Land Development and Subdivision Code of Practice (CoP), this will allow the proposed version to proceed to the final step of approval with is adoption of the new version at the next Full Council meeting.

In order to gain this approval this report includes:

- A copy of the proposed CoP (including all appendices) with all proposed changes identified in red text.
- The results from the consultation process in the form of a tracking sheet that includes the details of the submission and the response/action that came from it.

Recommendation | Kā Tūtohuka

That the Infrastructure Committee:

1. **Note** the contents of this report; and
2. **Approve** the proposed changes to the Land Development and Subdivision Code of Practice.

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19 March 2025

Reviewed and Authorised by:



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21 March 2025

Context | Horopaki

Background

1. Land Development and Subdivision CoP sets out the minimum standards that must be met for civil works and infrastructure constructed within new developments.
2. The CoP is based on the New Zealand Standard 4404:2010 with amendments made over previous iterations to suit the specific needs of our district.
3. Periodic reviews are undertaken to ensure the CoP stays relevant to the changes in the development, civil design and civil construction industries as well as refining approaches to better protect the environment both natural and developed.
4. Stage 1 and 2 of the current update included minor amendments, removal of contradictions and any amendments that did not involve a cost implication to developers. The changes under Stage 1 and 2 were adopted in 2020 and is the CoP used currently.
5. Stage 3 (current stage) includes significant amendments carried over from Stage 2 and the internal Queenstown Lakes District Council (QLDC) department requests and requests from consultants and developers who use the document. From these requests the 2022 draft CoP was produced and went out for consultation. Due to the scale of changes following that consultation process and the time taken to make those changes a new 2024 draft was produced and went out for further consultation in late 2024.
6. The response to the last round of consultation has informed the 2025 draft CoP which is provided as an attachment to this report seeking approval from the Council.

Proposal

7. In the proposed update to the CoP there are over 130 changes. This review was done with a particular focus on stormwater management to lessen environmental effects and ensure stormwater systems built today are suitable for the future.
8. This includes updates to the standard drawing set and specific parameters for assessing and designing for stormwater catchments, as well as additional requirements and methodologies for designing and using stormwater treatment and soakage devices.
9. These changes reflect the working knowledge and practical issues encountered in the district, and work to continue aligning the Queenstown Lakes CoP with best practice and to ensure infrastructure meets local conditions and community expectations.
10. In addition to the changes to the stormwater section, the process has endeavoured to rectify any apparent issue within the CoP that has been advised/identified by any of its users through either comments and requests over the years or through the specific consultation processes.

Consultation

11. The last consultation process was open for 8 weeks from 26 August to 6 October 2024. At the close of the submissions period, over 200 submission points from 24 individuals or companies were received.
12. In the cases where submissions were technical in nature or if it was unclear what the submission was intending, the submitters were contacted or met with to constructively work through their submission to ensure the intent was understood.
13. All submissions that were received have been considered and addressed, the record of this is found in the submissions tracker appended to this report.
14. For highly technical matters the changes to the CoP were subject to a peer review specifically this included the entire stormwater section, anything that had geotechnical implications and the Southern Lighting Strategy.
15. Following the consultation process final changes were made to the CoP and the final draft version was presented to the Infrastructure Committee at the meeting held on 13 March 2025. The Committee endorsed the CoP, subject to a minor wording change to section 1.8.4.3.

Future of the QLDC Land Development and Subdivision Code of Practice

16. There were a number of points raised from the consultation process that were either out of scope of this review or required a significant amount of work to get to a position where they could be incorporated into the CoP. In these instances, the issues were recorded to be either be considered under the next review or provided as a separate guidance document, depending on the situation.
17. While this update has had a focus on stormwater, it has become evident that there is a real demand for the roading and transport section to be updated. Accordingly, a further update to the CoP is planned for 2026 to revise the Roding and Transportation sections of the CoP and include the outstanding items that were not able to be closed out in this round.
18. The Local Government (Water Services) Bill (Introduced December 2024) provides the Water Services Authority – Taumata Arowai powers to develop a mandatory set of National Engineering Design Standards (NEDS) for water services. No timeline has been set out for when the NEDS will need to be adopted however the Bill is likely to be enacted mid-2025 and following that, the NEDS will be finalised through a consultation process. The Department of Internal Affairs intends to provide further information once the Bill is enacted.
19. Having an up-to-date CoP will put QLDC in a good position to make submissions to the NEDS with our position already considered and documented. The NEDS is also limited to three waters reticulated infrastructure therefore sections of the code that relate to roading, transport and trunk infrastructure will still be relevant and required.

Analysis and Advice | Tatāritaka me kā Tohutohu

20. 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* (LGA).
21. Option 1 – Do nothing, decline the option to accept the proposed 2025 version of the CoP and continue to use the current version of the Land Development and Subdivision CoP (2020).

Advantages:

- Developers, designers and internal QLDC officers who use this document are familiar with the current version and will not need to learn a revised version of the CoP.
- Council can wait for central government roll out a nationally standardised Land Development and Subdivision CoP.

Disadvantages:

- Relying on the existing 2020 CoP will mean that any shortfalls in that version, which have been remedied with the proposed update, will remain to be acceptable through the consenting process until a national standard is available and enforceable.
- There is currently no confirmed timeframe for when a national standard will be provided, therefore the current 2020 CoP could be continued to be used for some time.

22. Option 2 – Accept all proposed changes to the CoP and accept it to be adopted.

Advantages:

- This will allow the 2025 CoP version to be implemented and will provide a standard that better suits the district and remedies issues within the current version of the CoP.

Disadvantages:

- The revised 2025 QLDC COP and the changes from the current version will need to be learnt by developers, designers and internal QLDC staff who use this document.
- The new 2025 QLDC COP may be redundant if or when central government rolls out a nationally standardised Land Development and Subdivision CoP and requires all councils to adopt it.

23. This report recommends **Option 2** for addressing the matter because this will allow the 2025 version of the CoP to be adopted and used for subdivisions and land developments going forward as a full document that has had the input and consideration from:

- Resource management, capital delivery and operations and maintenance departments within QLDC.
- Consultants, designers and developers from both within and outside of the District.
- Expert peer reviews of the technical content.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

24. This matter is of high significance, as determined by reference to the Council's Significance and Engagement Policy 2024 because the proposed updated to the CoP have a high community interest, is amending a currently adopted and used document (2020 CoP). The updates to the CoP do not involve any strategic assets.
25. The persons who are affected by or interested in this matter are developers, designers, consultants, internal QLDC staff.
26. The Council has contacted all developers and consultants that actively work with the CoP to request submissions on the updates. A specific request was also sent out to all relevant QLDC staff and publicised the submission period to the general public.

Māori Consultation | Iwi Rūnaka

27. The Council has not specifically consulted with Iwi Rūnaka over the proposed changes however opportunity to make a submission on the changes through the public consultation process was available.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

28. This matter relates to the Environmental risk category. It is associated with RISK10027 Inadequate construction management causing failure of infrastructure service or property damage within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
29. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by adopting the changes that more stringently require the proper management of stormwater.

Financial Implications | Kā Riteka ā-Pūtea

30. No further expense will be incurred or additional resource required for any of the options described above.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

31. The following Council policies, strategies and bylaws were considered:

- Vision Beyond 2050: Our Vision and Mission - QLDC
 - Disaster-Defying Resilience – Through resilient infrastructure
 - Deafening Dawn Chorus – By protecting waterways and other ecosystems.
- Pressure Sewer Policy – Confirming any changes to the CoP aligns with this policy
- Policy for the Provision of New Water Supply and Sanitary Sewer Connections - Confirming any changes to the CoP aligns with this policy
- QLDC Disability Policy has also been considered, further consideration will be given when roading and transport sections of the CoP are updated to ensure alignment with the policy.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

32. Section 10 of the LGA states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The underlying purpose of the updates to the CoP is to ensure what Council require of subdivisions and developments enhances the build environment and protects the natural environment, the addition requirements, specifically around Stormwater, are intended to ensure the appropriate design and management of stormwater is implemented.

33. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter 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.

Attachments | Kā Tāpirihaka

A	QLDC Land Development and Subdivision Code of Practice 2025 (Proposed)
B	QLDC Land Development and Subdivision Code of Practice 2025 Appendices (Proposed) – Please note this attachment is a standalone document.
C	Submissions Tracker

All attachments are included separately.