

QLDC Council
8 October 2020

Report for Agenda Item | Rīpoata moto e Rāraki take 4

Department: Property & Infrastructure

Title | Taitara QLDC Land Development and Subdivision Code of Practice – Amendments (Stage 2)

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 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 | WHAKARĀPOPOTOTANGA MATUA

- 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 a public notification period, targeted consultation with internal technical experts, Council maintenance contractors and the developer community, amendments (stage 2) 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 | NGĀ TŪTOHUNGA

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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CONTEXT | HOROPAKI

- 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 May 2018. 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 A further review (stage 3) of the code of practice will begin in late 2020 and this stage will cover stormwater, climate change and roading initiatives in more detail.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 4 Internal review (January to July 2020) and targeted consultation/public notification (July/August 2020) highlighted three specific amendments worthy of further explanation. These are discussed further in the paragraphs below.

Suitably Qualified Persons Definition

- 5 Where investigations and reports are required by a suitably qualified person, this person or persons will have nationally recognised qualifications and accreditation, such as Chartered Professional Engineer (CPEng), Registered Professional Surveyor or Licensed Cadastral Surveyor. The person or persons will normally be expected to be professionally recognised in the area of competence claimed and to carry professional indemnity insurance to a level suitable for the purpose but in any case not less than \$1,000,000 per project.
- 6 Council reserves the right to have any work peer reviewed regardless of any prior approval as to the acceptability of the suitably qualified person. The cost of all peer review work will be borne by the developer.
- 7 Council is currently working with Survey and Spatial (NZ) to define clear measures of surveyor's qualifications and ensuring Continued Professional Development in an ongoing review of the Survey and Spatial NZ CPD pathways, framework, and programs as well as the certification/registration process. Once this is complete, Council will revisit the criteria for a suitably qualified persons across the disciplines.

QLDC's Roding Construction Practice Note 2020

- 8 This Practice Note has been developed to provide guidance for the construction of carriageways and shoulders, including subgrade, sub-base metal course and base course. In addition, it covers testing requirements. These changes have informed updates to the relevant sections in the Code of Practice

Soakage system design and testing

9 New Zealand Standard 4044:2010 and QLDC's existing Code of Practice have previously not had a recommended soakage test methodology. This 2020 Code of Practice amendment specifies full or partial subdivision soakage systems shall be designed (including soakage testing) in accordance with Auckland City Council Soakage Design Manual 2003.

10 Option 1 Do Nothing

Advantages:

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

Disadvantages:

12 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.

13 Option 2 Adopt as recommended

Advantages:

14 Council's standard will reflect engineering best practice and subdivisions and land development will be designed and constructed to an appropriate standard.

15 The robust standards and utilising a higher standard of materials will assist in reducing on-going maintenance costs.

Disadvantages:

16 The developer community will need to adjust to changes but this has been minimised through the consultation process.

17 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 Council's preferred standards within the district.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

18 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.

19 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.

20 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, consultation was carried out with developer community (engineers, surveyors, developers) and district wide media release.

> MĀORI CONSULTATION | IWI RŪNANGA

21 The Council has not sought specific views of Iwi during policy development.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

22 This matter relates to the Strategic/Political/Reputation. It is associated with RISK00056 Ineffective provision for the future planning and development needs of the district within the QLDC Risk Register. This risk has been assessed as having a moderate inherent risk rating.

23 The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved 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 | NGĀ RITENGA Ā-PŪTEA

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

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

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

- Vision Beyond 2050: Zero Carbon Communities and Deafening Dawn Chorus
- QLDC Land Development and Subdivision Code of Practice which incorporates NZS 4404:2010
- Infrastructure Asset Management Strategy
- QLDC Southern Light Strategy and Technical Specifications 2020 - Draft
- Parks and Open Space Strategy 2017
- Proposed District Plan
- QLDC Disability Policy
- QLDC Bus Stops Policy
- QLDC Roads and Reserves Policy
- QLDC Fencing Policy

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

27 This matter is not included in the Ten Year Plan/Annual Plan

LEGAL CONSIDERATIONS AND STATUTORY RESPONSIBILITIES | KA TURE WHAIWHAKAARO, ME KĀ TAKOHAKA WAETURE

28 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. The public notification occurred between 8 August and 21 August 2020.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

29 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 [explain how it will help];
- Can be implemented through current funding under the Ten 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.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	QLDC Land Development and Subdivision Code of Practice 2020 (Including Appendices A – K, noting that only appendices F-K have changed)
B	Stage 2 Amendments Register 2020
C	Submissions/Consultations Register 2020

Note that **Attachment A** is circulated separately.