
LOCAL AMENDMENTS TO NZS4404:2010 LAND DEVELOPMENT AND SUBDIVISION INFRASTRUCTURE

MATTER

1. The matter for consideration is that the proposed local amendments to NZS4404:2010 Land Development and Subdivision Infrastructure are required to be made available to the public for comment prior to the notification of the full Proposed District Plan.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report the proposed local amendments to NZS4404:2010 Land Development and Subdivision Infrastructure are made available for public comment.

COMMUNITY BOARD RECOMMENDATIONS

Kaitake, Inglewood, Clifton and Waitara community boards

Endorsed the officer's recommendation.

TE HUINGA TAUMATUA RECOMMENDATION

Endorsed the officer's recommendation.

COMPLIANCE	
Significance	This matter is assessed as being of some importance.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none">1. Release the proposed local amendments to NZS4404:2010 Land Development and Subdivision Infrastructure for public comment.2. Do not release the proposed local amendments to NZS4404:2010 Land Development and Subdivision Infrastructure for public comment.
Affected persons	The persons who are affected by or interested in this matter are Council asset managers, land development professionals and the land owners they represent. Iwi and the wider public are also affected by or interested in this matter given this document impacts the built form within the New Plymouth district.
Recommendation	This report recommends option 1 for addressing the matter.

COMPLIANCE	
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

EXECUTIVE SUMMARY

2. It is recommended that the proposed amendments to NZS4404:2010 Land Development and Subdivision Infrastructure (the Standard) are made available for public comment prior to them becoming a reference document within the Proposed District Plan.
3. There is a need to update the Standard to maintain best practise, meet technological advancements and to comply with evolving national and international standards. As the Standard has been used now for five years, refinements are proposed to make the requirements clearer and relevant in the local context. The proposed changes also align with the whole of life philosophy which the New Plymouth District Council (the Council) is taking to infrastructure as outlined in documents such as the Long-Term Plan.
4. Council officers have worked collaboratively with South Taranaki and Stratford district councils and engaged local industry professionals in the revision of the Standard so that there is one set of guidelines across the region.
5. The proposed local amendments are considered to be 'material proposed to be incorporated by reference' in the Proposed District Plan under the Resource Management Act 1991 (RMA). As a result the Standard including the proposed amendments are required to be released to the public for comment prior to public notification of the full Proposed District Plan, which is targeted for later this year.

BACKGROUND

Purpose of NZS4404:2010 Land Development and Subdivision Infrastructure with Local Amendments (the Standard)

6. In conjunction with the relevant District Plan and bylaws, the Standard provides the Council, developers, and their professional advisors with standards for design and construction of land development and subdivision infrastructure such as earthworks, roads, pipework and landscaping. The overarching principle of the Standard is to encourage sustainable development and modern design outcomes that emphasise liveability and environmental quality. These are principles that are also integrated into the proposed District Plan.

The opportunity to review the Standard

7. The Standard has not been reviewed since its adoption in 2013. The Council is now reviewing its District Plan which references the Standard, giving it statutory status. There is an opportunity to align the Standard with the Proposed District Plan and the Long-Term Plan and to respond to local issues observed since adoption.

Regional approach to land development and subdivision

8. In 2013 the New Plymouth District Council and South Taranaki District Council (STDC) undertook a substantial review of their codes of practice. In line with best practise, NZS4404:2010 Land Development and Subdivision Infrastructure was adopted with local amendments tailored to the requirements of the Council and STDC. A memorandum of understanding (MOU) signified the collaboration between councils.
9. A license from Standards NZ was subsequently granted and the 'NPDC and STDC Land Development and Subdivision Infrastructure Standard based on NZS4404:2010 with Local Amendments' (the Standard) was developed. The Standard then superseded the Council's 'Code of Practice for Infrastructure 2009' and the 'Code of Practice 1997'.
10. Stratford District Council now wishes to join in the shared use of the Standard and a new MOU has been signed between all three parties.

SIGNIFICANCE AND ENGAGEMENT

11. In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance because it will alter some aspects of asset design and construction undertaken by both developers and the Council.
12. A table detailing the significant proposed changes, the reasons for the changes and their likely implications can be found in Appendix One. A summary of the key changes can be found below:
 - The road types have been modified to better accommodate trenched services, street trees, parking bays and stormwater treatment.
 - Mechanistic design methods (more in depth design and construction processes) are now required for all road types in order to increase durability.

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- All new urban local roads are to be constructed with asphaltic concrete of a thickness that is fit for purpose as they are harder wearing, smoother, result in less vehicle noise and have a reduced whole of life cost.
 - Recently updated NIWA rainfall data is to be used. This requires stormwater assets that are future proofed based on climate change outcomes and associated rainfall predictions.
 - Stormwater shall be directed to on-site soakage, such as soakpits, vegetated swales, soakage basins, rainwater tanks, etc. Connection to the Council's stormwater network will only be permitted where no on-site options are available and there is sufficient capacity available in the local public network.
 - Every new lot will require its own connection to the Council's sewer network. This is to address the issues experienced to date whereby common private sewer connections cost Council time and money when resolving blockages and disputes amongst multiple owners of pipework.

Relevance to our community

13. The Standard is of relevance to the wider community because it encourages sustainable development and modern design that emphasise liveability and environmental quality. It also provides as much consistency as possible on land development and subdivision infrastructure while still allowing flexibility for local variations to suit local circumstances. In the absence of such a Standard there could be inconsistency and poor design outcomes for the communities that live, work and play in those areas as well as increased cost to the Council due to poor quality assets being vested such as new roads and pipework.
14. The proposed revisions to the Standard are of relevance to Māori because they strive to ensure stormwater is managed appropriately during construction as well as post completion. The proposed amendments are also encouraging more street trees where appropriate which has the potential to bring more flora and fauna into our urban areas.

Levels of service

15. The delivery of the following levels of service outlined in the Long-Term Plan will be assisted by the proposed changes to the Standard.
 1. *"We provide good quality district roads.*
 - a. *The average quality of ride on the district's sealed local road network, as measured by smooth travel exposure. 88% target.*
 - b. *The percentage of residents satisfied with the overall quality of the district's roads (NRB survey*). 85% target".*

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16. The proposed requirement for all new urban local roads to be constructed with asphaltic concrete will aid in the provision of good quality roads that are smooth, harder wearing, result in less vehicle noise and reduced whole of life cost. Asphaltic concrete is becoming more and more common in local subdivisions by developer choice. However, making this a requirement will transfer costs upfront across all new subdivisions.
 2. *"We provide a stormwater management system that protects people and property"*.
 17. NIWA's High Intensity Rainfall Design System rainfall modelling system requires inputs in order to generate a report that is needed to inform design. The proposed climate change assumptions align closely with those made in the Long-Term Plan. This assumption does however increase upfront investment in stormwater systems due to them needing to be larger to accommodate the predicted higher intensity rainfall events. Stormwater assets have an expected life of around 100 years so if they are not future proofed the Council will most likely need to upgrade them at significant cost in the future.
 18. Clarifying the need for stormwater to be managed on site is highly likely to result in better environmental outcomes due to less sedimentation, contamination and water volume entering our waterways.

Industry engagement

19. Officers held two workshops in March 2018 with industry professionals to test and discuss the proposed changes and attained a good degree of engagement in terms of attendee numbers and feedback. As a result a number of changes have been made to the proposed amendments. The industry group will have another opportunity and the wider public will have its first opportunity to comment on the proposed changes when released for public comment.

Infrastructure 'whole of life' costs considered upfront

20. The proposed amendments to the Standard place more of a focus on infrastructure costs over their whole of life. This reduces the potential burden that the cost of development can have on ratepayers because quality fit for purpose assets are constructed at the time of development, but can increase upfront costs. However, taking this approach can result in reduced maintenance and/or premature replacement. It is important that the assets built today are future proofed for growth, changing demographics, evolving community expectations and climatic variations.

OPTIONS

Option 1 Release the proposed local amendments to NZS4404 Land Development and Subdivision Infrastructure (Standard) to the public for comment.

- a) **Financial and Resourcing Implications**
The review of the existing Standard and consultation process will be done within existing budgets.
- b) **Risk Analysis**
The proposed amendments manage financial risk to the Council and therefore the community by requiring quality fit for purpose assets at the time of development. Officers have engaged with industry professionals to strike a balance between Council's preferred outcomes and the practicalities around making land development financially feasible.
- c) **Promotion or Achievement of Community Outcomes**
The proposed amendments to the Standard further encourage sustainable development and modern design outcomes that emphasise liveability and environmental quality, which contribute to the enhancement of people, place and prosperity within the district.
- d) **Statutory Responsibilities**
The proposed local amendments to the Standard are considered to be 'material proposed to be incorporated by reference' in the Proposed District Plan under the Resource Management Act 1991. As a result the Standard is required to be released to the public for comment prior to public notification of the full Proposed District Plan, which is targeted for later this year.
- e) **Consistency with Policies and Plans**
The proposed changes align with the thinking that underpins the Long-Term Plan, Infrastructure Strategy, Development and Financial Contribution Policy and Asset Management Plans. The changes also complement the Design Guides which communicate the design outcomes targeted under the Proposed District Plan.

The Standard is currently referenced in the Operative District Plan as providing technical land development and subdivision guidance when developing land.

Should the Council adopt the proposed amendments after consultation has occurred, the revised Standard would take effect immediately despite the Proposed District Plan still going through a full notification process under the RMA. The Proposed District Plan will also reference the Standard as providing the technical requirements to be met when developing land.

- f) **Participation by Māori**
The proposed changes to stormwater management may bring improvements to water quality which is likely to be of interest to Māori. The Proposed District Plan will facilitate Māori participation in planning for future growth areas and at the consenting stage.
- g) **Advantages and Disadvantages**
The advantages of the proposed changes to the Standard are:
- They target liveability and environmental quality, which contribute to the enhancement of people, place and prosperity within the district.
 - The assets built moving forward are future proofed for growth, changing demographics, evolving community expectations and climatic variations.
 - Vested assets do not place undue cost on the Council because the likelihood of them needing to be upsized in the future or having high maintenance costs is reduced.

The disadvantages of the proposed changes to the Standard are:

- There will be some increase in upfront costs when the Council constructs new assets such as roads and stormwater infrastructure. However the whole of life approach is aligned with the Long-Term Plan, Infrastructure Strategy and Asset Management Plans and associated budgets and is therefore accounted for.

Option 2 Do not release the proposed local amendments to NZS4404:2010 Land Development and Subdivision Infrastructure (Standard) to the public for comment.

- a) **Risk Analysis**
Should the proposed amendments not be implemented the Council will continue to inherit assets such as roads and stormwater infrastructure that are likely to require significant upgrades in the future at rate payer's expense.

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- b) **Consistency with Policies and Plans**
Without the proposed amendments to the Standard, new development may not align with the whole of life intentions within the Long-Term Plan, Infrastructure Strategy and Asset Management Plans. The good design outcomes targeted within the Design Guides that form a part of the Proposed District Plan will also be less likely to be achieved without the Standard providing the details for design e.g. subdivision road layout and types.

Recommended Option

This report recommends option 1 for addressing the matter.

APPENDICES

- Appendix One Summary of proposed significant local amendments to NZS4404 Land Development and Subdivision Infrastructure (the Standard). (ECM7901567)
- Appendix Two Full draft of NZS4404 Land Development and Subdivision Infrastructure (the Standard), including proposed local amendments (ECM 7503002)

Report Details

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