

---

## **REVIEW OF THE COUNCIL'S "CODE OF PRACTICE FOR LAND DEVELOPMENT".**

---

### **1. Purpose of report**

To inform Council of updates made to the Code of Practice for Land Development (referred to as the "COPLD") and seek approval prior to implementation.

### **2. Executive summary**

The Code is a guide to the minimum standard requirements to for planners, designers and developers servicing the land development industry and for work done on behalf of the Council for asset design and construction, relocation, replacement and renewal.

The COPLD has been reviewed and updated and a final version has been produced. Amendments include allowing the use of environmentally sustainable design, strengthened sediment and erosion control and a new Open Spaces chapter.

Updates have also been made to the standards and legislative documents referred to in the COPLD.

The COPLD also incorporates the Regional Water Standard provisions for water and drainage assets; ensuring a consistent method of design and implementation of water services across the Wellington region.

Formal approval of the updated document is sought from the Council.

### **3. Recommendations**

Officers recommend that the Strategy and Policy Committee:

- 1. Receive the information.*
- 2. Agree to the Regional Water Standard be the standard required for the design and construction of all water and drainage assets.*
- 3. Adopt the Code of Practice for Land Development (attached as appendix 1 to this report) as the minimum standard for design of earthworks, roading, water, drainage and open space assets and as be a basis for assessment for land developments.*

4. *Recommend to Council that the Code of Practice for Land Development be formally approved*

#### **4. Background**

The COPLD has legal status in that the document is referred to in the Council's District Plan. The COPLD complements the District Plan by providing more detailed technical standards necessary for the construction of subdivisions. The COPLD is not inconsistent with New Zealand Standard 4404 2010 Land Development and Subdivision Engineering in many areas it is more stringent. The COPLD provides more specifically for Wellington's unique topography, climate and urban form characteristics which can make the NZS 4404 standards impractical and/or uneconomic in Wellington.

The COPLD is a guide to officers as well as developers on the standards required for the design and construction of new assets. The majority of the physical work that the COPLD covers is carried out by developers and is vested to the Council when approved by the Council. After being vested, responsibility for ongoing maintenance and renewals of the constructed assets resides with the Council. Therefore it is important these assets are constructed to the Council's standard to ensure economically efficient, practical solutions, that consider total lifecycle cost and represent value to the community.

The Regional Standard for Water Services will have major impact on the Council's water and drainage assets. These assets support the platform for economic development and community wellbeing in Wellington, and represent a major historic and ongoing investment.

The review of the COPLD began in 2006. In 2007 SPC agreed that a draft COPLD be used for internally instigated works, as a basis for assessment for land developments and comments be invited from practitioners on the draft COPLD. Since that time feedback and suggestions have informed the production of a final COPLD.

Officers have also worked with Capacity Infrastructure Services to finalise a Regional Water Standard which has an overarching objective of achieving consistent in performance and engineering requirements for the three water networks in the region. It is intended that the current drainage and water chapters be removed from the COPLD and replaced by the provisions of the Regional Standard.

#### **5. Discussion**

The standards set out in the COPLD are regarded as a means of compliance and are based to a large extent on established practice. There is an increasing awareness of the need for environmentally friendly solutions to the effects of urbanisation. The 1994 COPLD was considered to be too restrictive and as a consequence this review was been undertaken. It is not the intention of Council to stifle innovation and sustainability of design. Flexibility in applying these standards is appropriate where the outcome will be a more sustainable, better

quality living environment without reducing the basic performance of the assets and still meeting the stated objectives, criteria and standards. All “alternatives solutions” must meet the Council objectives, criteria and standards.

The Council is not being requested to approve the technical details in the COPLD, but the general parameters that it is prepared under. When developing land, the COPLD defines the minimum standards for asset design such as earthworks, roading, water and drainage. The content of the COPLD is technical, including design parameters that Council requires to achieve the implementation of strategies and policies and to ensure that the future maintenance and renewal liabilities of the Council are optimised.

The most important addition to the document is the explanation and linkage between the required engineering design, alternative solutions and standards, and existing Council goals, policies and other local and national documents. This becomes the basis for the evaluation of any proposed solution.

The Council is committed to operating safe and efficient infrastructure systems. In line with our three-year priorities, we aim to increase the resilience of these systems to earthquakes and other natural disasters, including adapting to climate change. To maintain and enhance the city’s resilience, it is important all infrastructure and other assets are designed and constructed in a way that allows the city to respond, adapt and swiftly recover from natural hazards and other such events.

The Council’s Wellington’s Towards 2040 Strategy positions Wellington as an internationally competitive city with a strong and diverse economy, a high quality of life and healthy communities without compromising the environment. It will achieve the Towards Wellington 2040 Strategy goals through maintaining and developing smart and connected networks and by managing networks and resources prudently to ensure resilient and sustainable use. As such the COPLD contributes to achieve these goals through requiring engineering standards and best environmental practice for earthworks, open space, roading and stormwater.

Each chapter begins by outlining how its clauses and requirements add to Council outcomes and direction in terms of “objectives’ for each chapter. The objectives for each chapter are as follows:

- |             |  |
|-------------|--|
| Earthworks  | <ul style="list-style-type: none"><li>○ To ensure the stability of land and geotechnical soundness and resilience. To control sediment generated by the works, the amount of sediment entering receiving environments and management of surface water flows.</li></ul> |
| Roading     | <ul style="list-style-type: none"><li>○ To achieve the efficient and safe mobility of road users, including cyclists, pedestrians and goods on transport routes that are physically resilient to natural and major disasters.</li></ul>                                |
| Open Spaces | <ul style="list-style-type: none"><li>○ To emphasise sustainable integrated management of the natural environment to ensure resilience to environmental and social changes.</li></ul>  |

Regional Water Standard	<ul style="list-style-type: none"> <li>o The broad overarching objective is to gain consistency in performance and engineering requirements for the three water networks in the region</li> <li>o To develop robust and resilient foundation services on which the region depends.</li> </ul>
Stormwater	<ul style="list-style-type: none"> <li>o To safeguard people, property, infrastructure and the environment from the adverse effects of surface water, and to meet the performance requirements.</li> <li>o To provide a system for the safe treatment and disposal of wastewater that safeguards people and communities from injury or illness caused by infection or contamination resulting from exposure to wastewater, while at all times, avoiding, remedying or mitigating adverse effects on the environment.</li> </ul>
Sanitary sewer	<ul style="list-style-type: none"> <li>o To safely collect and distribute water for domestic, commercial, industrial and firefighting purposes in a manner that protects public health and complies with the performance criteria</li> </ul>
Water	

### **5.1 Consultation and Engagement**

There has been considerable discussion with stakeholders both internally and external to the Council to improve the document in terms of sustainability and to minimise Council and the communities risks.

Utilisation of the draft COPLD when it was placed on the Council's website instigated feedback and comment from users. These suggestions have been considered prior to the document being finalised.

It is proposed that the COPLD be regularly updated. To remain current, the COPLD must be continually updated to reflect changes in Council Strategy and policy, industry standards and guidelines and technological improvements and innovations.

When policies are adopted the relevant COPLD clauses will be correspondingly updated.

The initial review of the Regional Water Services Standard will be in two years time (2014).

### **5.2 Financial considerations**

Adoption of the COPLD will have minimal financial impact. However, in the long term, it will have lifecycle cost benefits well beyond the timeframe of the current LTP.

The impact of the COPLD on Councils work to existing assets is already included in LTP projects. Should any financial impacts become apparent, these will be included for consideration in the development of the Asset Management Plans and Long-term Plan for 2012/22.

Any other work carried out under the COPLD is funded by developers.

### **5.3 Climate change impacts and considerations**

The COPLD now makes a stronger recognition to climate change and the risk posed to land development, especially to stormwater management. Management of stormwater requires consideration of changes in rainfall patterns and sea level rise effects and appropriate mitigation of these risks.

### **5.4 Long-term plan considerations**

All new assets created and/or vested in Council under the COPLD will be included in the relevant Asset Management Plan and Long-term Plan for 2012/22.

## **6. Conclusion**

The requirements set out in the COPLD are based on statutory requirements and standards that are based to a large extent on established practice. The means of compliance from the previous version have been modified by allowing flexibility in applying these standards to create better quality living environments.

The COPLD contains greater emphasis on principles of sustainable low impact design and development. It supports Councils strategies, policies, objectives and community outcomes.

This document will be used for works instigated by Council staff and utilised in the assessment process for developments.

Contact Officer: *Nicci Wood, Planning Engineer, Asset Planning*

## SUPPORTING INFORMATION

### 1) Strategic fit / Strategic outcome

*The COPLD crosses the Transport, Urban Development and Environmental portfolios. As such the COPLD contributes to achieving all the four goals of Towards Wellington 2040 Strategy through maintaining and developing smart and connected networks and by managing networks and resources prudently to ensure resilient and sustainable use.*

### 2) LTP/Annual Plan reference and long term financial impact

*The impact of the COPLD on Councils Opex and Capex work is already included in LTP projects.*

### 3) Treaty of Waitangi considerations

*There are no Treaty of Waitangi implications however all District Plan work is required to take into account the principles of the Treaty of Waitangi (refer to section 8 of the Resource Management Act 1991).*

### 4) Decision-making

*This is not a significant decision. The Code of Practice for Land Development supports existing Council decisions.*

### 5) Consultation

#### a) General consultation

*There has been considerable discussion with stakeholders both internally and externally*

#### b) Consultation with Maori

*Consultation is not required with Maori.*

### 6) Legal implications

*Council's lawyers have been involved throughout the review and development of the COPLD.*

### 7) Consistency with existing policy

*This report is consistent with existing Wellington City Council policy.*