

GORE DISTRICT COUNCIL
SUBDIVISION AND LAND DEVELOPMENT BYLAW

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SECTION 1 **INTRODUCTION**

1.1 SCOPE

This bylaw applies to all engineering infrastructure constructed within the Gore District Council area. It has the standing of an acceptable means of compliance with Acts and Council requirements governing subdivision and land development works within the District.

The scope does not include any building work as defined under the Building Act 2004. In any areas of overlap the Building Act 2004 and the New Zealand Building Code takes precedence.

Please note that this is primarily an engineering document. While there is reference to requirements of the District Plan, the bylaw does not cover all of the District Plan requirements and reference must be made to that document for a full understanding of the relevant provisions.

This bylaw applies as a substitute for New Zealand Standard 4404 Land Development and Subdivision Engineering, incorporating the standards appropriate to the Gore District.

1.2 OBJECTIVE

All development in the Gore District has some effect on the infrastructure of the district and on all of the inhabitants. The standards and required or recommended in this document are intended to ensure that:

- Adverse effects on the district's infrastructure or inhabitants are isolated, minimised or eliminated
- Structures built are as "sustainable" as possible

This will limit long term adverse effects and helps to "Future Proof" the development.

1.3 BASIS OF POLICY

The authority for Council to set and monitor compliance with this bylaw is given in the following sources:

(a) **Resource Management Act 1991**

Section 31 gives the Territorial Authority control of land subdivision. Sections 218 to 246 relate to the application and approval process.

(b) **Gore District Plan**

Within the District Plan, sections 2, 4, 5 and 7 manage land development, and utilities, section 8 set out provisions relating to subdivision and section 9 provides for associated financial contributions.

(c) **Local Government Act 2002**

Part 8 sets out the powers of local authorities to make bylaws.

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This bylaw is to be interpreted in conjunction with the above documents.

1.4 GENERAL PERFORMANCE STANDARDS

All subdivision and land development shall be of such design and construction so as to:

- (a) Not require any major maintenance or replacement of parts (for other than direct vandalism, accident or act of God) for the following **minimum** periods:
- | | |
|---|----------|
| All subsurface features | 80 years |
| All surface and above surface features
(unless listed separately below): | 25 years |
| Road formation | 25 years |
| Road surfacing (asphalt and chip seals) | 10 years |
| Road signs | 7 years |
| Street lamps (i.e. the lamps only, not poles, etc) | 5 years |
| Mechanical equipment | 15 years |
| Electrical equipment | 10 years |
- (b) Be fit for the purpose and usage intended and minimise the lifetime maintenance and replacement costs.
- (c) Be adequate for all anticipated usage and demand, including demand imposed from adjacent development, for periods compatible with the above.
- (d) Where applicable, be compatible with other adjacent Council infrastructure.
- (e) Be sympathetic to the environment.
- (f) Be safe and sustainable in the face of natural hazard impacts forecast over the upcoming 100 years.
- (g) Comply with the relevant documents listed in Section 1.3.

Dispensation may only be permitted subject to approval of Council (see Section 15).

1.5 RECOMMENDATIONS

Throughout this document different terminology is used to differentiate what is required and what is recommended. **SHALL** indicates a requirement that is to be adopted in order to comply with the standards set out in the Bylaw, while the words “**should**” or “**may**” indicate a recommended practice.

Recommended practices are referred to throughout this bylaw.

1.6 INFRASTRUCTURE REQUIREMENTS

All new subdivisions and land developments shall provide within the confines of the subdivision or land development area the following at cost to the Developer:

- (a) Fully formed road access, complete with road marking and signage.
- (b) Footpaths and cycleways.

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- (c) Power and telephone reticulation.
- (d) Street lighting.
- (e) Provision for sewerage and stormwater disposal.
- (f) Provision for water supply.

Within residential, industrial and commercial areas all network utility services are to be underground. In rural areas, where practical and appropriate with the form of development proposed Council will also require all utility services to be underground.

The Developer shall also provide or contribute to any additional or upgraded infrastructure outside the confines of the subdivision or land development if this is required to service the subdivision or development, including any required off-site extension or upgrade of such infrastructure.

1.7 LIFELINE SYSTEMS

Much of the infrastructure of the Gore District provides essential services necessary for the life supporting capacity and needs of the people that reside and visit there. Key lifeline systems such as strategic roads, water and sewerage are required to be designed and maintained having regard to the effects of natural disasters, including flooding, earthquake and slope failure. In the event of a natural disaster the lifeline systems require priority repair.

Council maintains a lifelines management strategy to which regard should be given in undertaking all subdivision and development.