



**Local Government New Zealand**  
*te pūtahi matakokiri*

Submission to Standards New Zealand

In the matter of the  
DZ4404/V1.0 Land Development and Subdivision

From *Local Government New Zealand*

5 February 2010

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## INTRODUCTION

1. *Local Government New Zealand* thanks Standards New Zealand for the opportunity to make this submission in relation to DZ4404: Land development and subdivision.
2. It is important to first note that this review of NZS 4404:2004 was part funded by *Local Government New Zealand*. As a result we have been both directly and indirectly involved with this project from the beginning. While the review of the standard may have ended up being more extensive than initially envisaged, we agree entirely with the review committee's decision to create a document capable of delivering a more challenging set of objectives. We are pleased to say that we are generally very satisfied with the direction taken by the consultation draft.
3. It should also be noted that *Local Government New Zealand* makes this submission on behalf of the National Council, representing the interests of all local authorities of New Zealand. While individual councils can (and have) made their own submissions, we believe this submission presents the wider "whole of local government" perspective. As a result, this submission only presents relatively high level feedback. However, we strongly encourage the committee to work with any council that has offered more specific suggestions for the purpose of improving the usability of the final standard.
4. *Local Government New Zealand* prepared this submission following:
  - an analysis of DZ4404/V1.0 Land development and subdivision
  - a review of the existing content of NZS 4404:2004
  - detailed feedback from councils on the practical implications of the issues raised by the draft standard
  - the analysis of all feedback from our members and a detailed analysis of the legislative obligations on local authorities.
5. This final submission was endorsed under delegated authority by:
  - Lawrence Yule, President, National Council
  - Kerry Prendergast, Vice President, National Council
  - Dianne Hale, Regulation portfolio, National Council.

6. *Local Government New Zealand* would be pleased to meet with either the steering committee or Standards New Zealand for further discussion on any of the points raised in this submission.

## GENERAL COMMENT

7. While some councils are already up to speed with the concept of encouraging sustainable urban design, others will view this standard as a fairly monumental shift in thinking. For many, scepticism of this standard will be further compounded by what on the surface appears to be a corresponding increase in maintenance costs. Although the contents of DZ4404 have been based on best practice, it is inevitable that it will also be met with pockets of resistance.
8. However, regardless of how aggressively this standard is adopted, what it does offer is an expanded toolbox for all parties involved in the design and construction of subdivisions. It demonstrates and emphasises that achieving good design is a multi-disciplinary and collaborative process. It recognises that stringent one-size-fits-all requirements unfortunately lead to perverse outcomes. It represents a vital movement away from the common focus on cost minimisation and compliance with minimum standards. With or without integration, it provides a platform from which developers can lobby councils to consider better ways of doing things.
9. As NZS 4404:2010 is still only a standard, each territorial authority is free to determine the extent to which this revised standard is incorporated into existing practices and planning documents. Such discretion is entirely appropriate. As with its predecessor before it, the uptake of NZS 4404:2010 will inevitably vary significantly across the country. Again, such variation is entirely appropriate. Not all the solutions offered by the revised standard will be suitable for all communities. At least not immediately.<sup>1</sup>
10. *Local Government New Zealand* has invested a considerable amount of resource into this review process. As such, we have a vested interest in making sure that the final product will be useful for as many of our members as possible. This is the context with

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<sup>1</sup> However, to minimise potential confusion, *Local Government New Zealand* recommends additional guidance be added that outlines the interaction not only between this standard and the Resource Management Act (RMA) (Section 1.3.1) but also how this version of the standard interacts with NZS 4404:2004. i.e. That the publication of NZS 4404:2010 does not automatically render any sections of NZS 4404:2004 already incorporated into statutory planning documents to be redundant. Existing planning documents will have to be specifically amended for any provisions of the new standard to take effect.

which this document was reviewed. In general, we feel the concepts advocated by this revised standard are going entirely in the right direction. While still requiring finishing touches (and individual councils have suggested many) at this stage we feel comfortable with recommending this document to our members for incorporation into their statutory planning documents and practices as they see fit.

11. In addition to the specific comments on the contents of the standard being made individually by our members, we have several high level comments we would also like the review committee to consider. Each can be looked at separately.

## **SCALE OF DEVELOPMENT**

12. The draft standard appears to be primarily written for large greenfields developments. However, the reality is that the majority of resource consents in our major centres are for small scale or infill-type developments. Additional guidance should be included for territorial authorities that wish to adapt this standard to smaller scale and/or brownfields applications.

## **ADDITIONAL QUALITATIVE GUIDANCE**

13. Although heavy on technical standards, DZ4404 is comparatively light on qualitative advice. While brief references are made to the New Zealand Urban Design Protocol and the SNZ Handbook 44:2001, the standard would benefit by making the linkages to both these documents even more explicit.
14. In addition, further linkages should also be made to the National Guidelines for Crime Prevention through Environmental Design in New Zealand. These Guidelines outline how urban planning, design and place management strategies can reduce the likelihood of crime and deliver numerous social and economic benefits in the long-term. These Guidelines offer yet another useful qualitative design tool to local authorities.

## **ROADS**

15. *Local Government New Zealand* strongly supports the objective of providing roads that are safe for all road users and designed to the context of their environment. We also strongly support the multiple identified functions of roads outlines in 3.2.3, the connection made between place and link in 3.2.4, and the emphasis placed on network

connectivity in 3.2.5. We believe the combination of these three sections will lead to the creation of roads that are more self-explaining and are capable of achieving multiple objectives.

16. However in addition to these sections, we also feel that making stronger linkages with the upcoming *Safer Journeys - New Zealand's road safety strategy 2010-2020* document can further integrate road safety into land-use planning. This document is currently being drafted by the Ministry of Transport and is expected to include a section on promoting safer roads and roadsides. *Local Government New Zealand* believes this presents a golden opportunity to tie in the draft standard to wider government thinking in this area.

## **STORMWATER**

17. *Local Government New Zealand* is generally supportive of the objectives outlined in 4.2.1, particularly the consideration of low impact designs where appropriate. However, it is also important to reiterate that piped stormwater drainage networks will still be required either in support of low impact systems. We also support the concept of requiring developers to consider and mitigate the risks posed by climate change introduced in 4.2.11.
18. However, as this section is much less prescriptive than the previous standard its interpretation will be inherently more subjective. *Local Government New Zealand* is concerned that some councils will find it difficult to use as an operative document to compare proposed works against as it currently stands. The steering committee may wish to put further consideration into how this section may operate in practice before the new standard is finalised.

## **NETWORK UTILITY SERVICES**

19. This section of the standard makes multiple references in anticipation of a Code<sup>2</sup> eventually being regulated by the provisions outlined in the Infrastructure Bill currently before parliament. For obvious reasons, the final contents of this Code are yet to be finalised.

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<sup>2</sup> Specifically, the New Zealand Utilities Advisory Group (NZUAG) National Code of Practice for Utilities' Access to the Transport Corridors.

20. However, regardless of the final contents of the Code, this section should take up the opportunity to offer additional guidance on the location of above ground utility assets within the road corridor. This should be dictated with reference to road safety as 50% of rural and 27% of urban crashes involve a collision with a roadside hazard or obstacle, such as a power pole. This standard can be used to reposition the locations of necessary roadside objects, significantly reducing the chances of run-off roads crashes resulting in deaths and serious injuries. At the same time, if possible, above ground utility assets should also be positioned in locations that do not detract from the amenity of an area.
21. *Local Government New Zealand* recommends an amendment is made to either 8.3.2 *Utilities above ground* or 8.4.5 *Location of services* that states that the location of utility assets within a road corridor must consider and mitigate the risk of accident or serious injury to road users.

## CONCLUSION

22. *Local Government New Zealand* is generally very supportive of the changes proposed to NZS 4404:2004 by this draft standard. This is an enabling document that attempts to show those involved with the design and development a way of achieving better, more holistic outcomes for communities and the environment. We hope that local authorities across New Zealand will incorporate elements of the final standard into the existing practices and planning documents.
23. *Local Government New Zealand* thanks Standards New Zealand for the opportunity to comment on this draft standard and highly recommends the steering committee works with any council that has made specific comments aimed at improving the usability of the final standard.