



Chapter 1

Introduction and General Provisions

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CHAPTER 1 INTRODUCTION

1 GENERAL

This document is the Nelson-Tasman Land Development Manual 2020 (Revision 1) (NTLDM) and contain revisions and corrections noted within the 2019 version.

The NTLDM is a document that combines network asset design and construction requirements for both Nelson and Tasman regions. It is intended to provide consistent minimum standards and guidance for network assets that Council will accept as part of its network, and activities affecting them including maintenance and operations. It also includes formation and construction standards for some private assets that connect to network assets.

The NTLDM replaces former Engineering Standards, the Nelson Land Development Manual, and the Tasman District Engineering Standards.

The relationship of the NTLDM to asset management functions under the Local Government Act (2002) and resource management functions of Council under the Resource Management Act (1991) is important.

All development within Nelson and Tasman must be consistent with the requirements of the respective Resource Management Plans (RMPs), being the Tasman RMP and the Nelson RMP. Development must be consistent with applicable RMP rules, either by meeting conditions for permitted activities or by applying for and gaining a resource consent.

However, where a new Council network asset is being created, maintained, or replaced through development, such as a new road or water supply pipeline, it is the NTLDM that provides more detailed design and construction standards of what the Councils will accept and take over as a public asset. Additionally, practice notes provide comprehensive design details that can support developers and maintenance and operation contractors in carrying out their activities in a way that will meet Council's expectations for design and construction. Altogether, these can also aid the Councils in achieving levels of service that are set out in Long Term Plans and objectives of the RMP's.

Parts of the NTLDM are externally referenced provisions of the Nelson Resource Management Plan or Tasman Resource Management Plan, where specified in those plans. The specified parts will be subject to First Schedule requirements of the Resource Management Act as "externally referenced" standards.

1.1 Purpose

The purpose of the NTLDM is to provide standards and guidance for the design, construction, maintenance, repair and replacement of:

- network assets and infrastructure that are or will be owned by the Councils; and
- some private assets that connect to public assets.

The standards aim to ensure the effective and efficient provision of infrastructure and environmental requirements.

The performance outcomes that the Councils seek to achieve are:

- a) A standard of service that ensures the health, safety and wellbeing of people and communities;
- b) Network assets and infrastructure that are designed to avoid or minimise risks associated with natural hazards and climate change effects, with particular regard for lifeline networks;
- c) The delivery of services to levels set out in the Long Term Plan (LTP);
- d) Assets and infrastructure that meet obligations for the sustainable management of natural and physical resources;

- e) The delivery of environmental outcomes that are consistent with the objectives of the RMPs;
- f) The effective and efficient provision of network utilities and infrastructure, with Network Utility providers responsible for telecommunications, electricity and transportation;
- g) Network infrastructure that is affordable over the whole-of-life of the asset; and
- h) Innovative water sensitive design and good urban design solutions, where network performance and cost effectiveness goals can be met.

1.2 Outline of Document

The NTLDM is organised into three parts.

Part I Introduction (Chapters 1-3)

This sets out how the document will be used, how it relates to other functions of Council, and its legal context. It also contains general provisions that apply to all sections of the document, including process requirements, engineering design details required and definitions.

Part II Standards (Chapters 4-10)

These chapters contain all standards, both mandatory ones and those that indicate what Council considers to be good practice. These are intended for network asset creation, maintenance, repair and replacement, and they are organised in terms of each asset, such as “Stormwater”, “Transportation” and “Water”. As well as the standards themselves, each chapter also sets out performance outcomes, tabulates other important standards relevant to that asset and summarises cross references to the respective RMPs.

Part III Appendices

The Appendices cover additional guidance forms and checklists. Associated with this manual are Practice Notes which contain detailed guidance about “acceptable solutions”, giving more practical guidance on the design and construction of solutions and devices that Council will accept as part of its network.

1.3 The Standards

The standards themselves are set out according to relevant design or construction consideration and broken down into two broad groupings being “mandatory” and “good practice” matters.

Mandatory matters are those which are a benchmark standard for design or construction that Council will accept. They represent a “line in the sand” that can help to ensure that Council-defined levels of service will met. They also provide a clear pathway for acceptance and certainty for developers and contractors.

However, both Councils recognise that in some situations the standards might not be the best way to achieve the performance outcomes sought, due to the particularities of the site or situation. Council also accepts that some design outcomes cannot easily be achieved by the application of a minimum standard. For these reasons “good practice” matters are also provided.

These are intended to provide a blend of additional guidance and direction such as; indicators of preferred methods, design formulae, matters for the exercise of discretion and general information. Where good practice matters are applied in design or construction, it is the performance outcomes sought that will ultimately determine what will be acceptable to Council.

Where there is a divergence from mandatory requirements, additional information and engineering design detail may be required by Council at the time of engineering plan approval or application for resource consent. Council will exercise discretion around the acceptability of any non-standard design and, depending on the relevant process, consider the design against the objectives and policies of the relevant RMP and the applicable performance outcomes of the NTLDM.

In the case of the Stormwater chapter, the associated practice notes are also provided to guide the design of specific stormwater management solutions. They are acceptable solutions for meeting mandatory requirements of the stormwater standards.

1.4 Statutory Requirements

The provisions of the NTLDM must be read subject to the provisions of the respective Councils' RMP's and to any applicable statutes, regulations, and bylaws.

The main statutes that the NTLDM relates to are:

- Resource Management Act 1991;
- Building Act 2004;
- Local Government Act 2002;
- Land Transfer Act 1952;
- Unit Titles Act 1972;
- Property Law Act 1952;
- Housing Accords and Special Housing Areas Act 2013; and
- Heritage New Zealand Pouhere Taonga Act 2014

Requirements from each legislative document provide consent authorities with the powers and functions to request, provide, and supply information pertaining to the land.

In addition, Councils' obligations for natural hazards management, including consideration of climate change are reflected in the NTLDM standards. Requirements for design, materials and construction standards generally have been set to minimise risks where possible and build network resilience.

Regarding Iwi liaison and consultation, developers and contractors shall be made aware of their obligations under the Resource Management Act 1991, the Local Government Act and the New Zealand Pouhere Taonga Act 2014.

1.5 Applicability

As noted above, all development is subject to the requirements of the respective RMPs.

In respect of network assets, this document applies in the following ways:

- a) All infrastructure assets that are to be vested in Council.
- b) All infrastructure assets constructed under contract for Council.
- c) The maintenance, repair, and replacement of existing infrastructure.
- d) Any development or infrastructure assets that may connect to, or have an impact on, Council's infrastructure assets.

1.6 Document Control

The NTLDM is a controlled document and amendment or re-issue is the responsibility of the Council Engineering Managers with approval of the Council.

Amendments or reviews may be carried out three-yearly. However, an earlier individual amendment may be made if an important alteration to a standard or technology arises. Significant amendments will be reviewed and approved by Council.

Amendments to some of the mandatory matters of the NTLDM may also be subject to a public notification, submissions and hearings process, in accordance with the First Schedule of the Resource Management Act

An electronic copy of the NTLDM is available via the Councils' websites.