

WAITAKERE CITY COUNCIL

BYLAW NO. 3 1990

LAND SUBDIVISION & DEVELOPMENT

The Waitakere City Council, acting in pursuance and exercise of the powers and authorities contained in the Local Government Act 1974, Bylaws Act 1910 their respective amendments and any other Act or authority in any way enabling the Council in that behalf **RESOLVES BY SPECIAL ORDER** to make the following bylaw

1 SHORT TITLE

The Short Title of this Bylaw shall be the Waitakere City Council Bylaw No. 3 1990 - Land Subdivision & Development.

2 COMMENCEMENT

This Bylaw shall come into force on the 13th day of March 1990.

3 INTERPRETATION

The expression 'NZS' and 'NZSS' when used herein shall mean a specification declared by the Standards Council to be a New Zealand Standard Specification pursuant to the provisions of the Standards Act 1965.

4 ADOPTION OF NZS 9201, THE MODEL GENERAL BYLAW

The standard specification known as NZS 9201, Model General Bylaw is hereby adopted as the general bylaw of the Waitakere City Council and shall be subject to the provisions of the SECOND SCHEDULE to this Bylaw and shall be read in conjunction therewith. The titles of documents, and amendments thereto hereby adopted are listed in the FIRST SCHEDULE to this bylaw, and these documents are annexed hereto.

- (c) Any fees payable by the Council to the District Land Register relative to any matter connected with the subdivision of land or any right of way application shall be reimbursed by the said person.
- (d) For checking any plans as to roading, vehicle access and parking layout, ground development, water supply, drainage, sewerage reticulation or sewage treatment and disposal works or other services to be carried out constructed or installed included in or associated with the subdivision or development, a fee according to the approved estimated value of the said works, as follows:-

<u>Value of Works</u>	<u>Checking Fee</u>
Up to \$5,000	\$50
\$5,000 to \$50,000	\$50 plus 3/4% on sum over \$5,000
Over \$50,000	\$387.50 plus 1/2% on sum over \$50,000

- (e) For engineering inspections on the site, a fee according to the approved estimated value of the said works, as follows:-

<u>Value of Works</u>	<u>Checking Fee</u>
Up to \$5,000	\$50
\$5,000 to \$50,000	\$50 plus 3/4% on sum over \$5,000
Over \$50,000	\$387.50 plus 1/2% on sum over \$50,000

- (f) For the purposes of paragraphs (d) and (e) hereof, the consultant engineer or surveyor acting for the subdivider or developer shall submit an estimate of the cost of the said works associated with the subdivision or development at the time the plans of the said works are submitted to the Council such estimate to be subject to approval for this purpose by Council's Engineer. In the event of the actual cost of work being at variance with the agreed estimate, an adjustment may be made by Council's Engineer at any time or times prior to completion of the said subdivision or development.
- (g) Notwithstanding anything contained in the preceding paragraphs (d) and (e) hereof, for each engineering inspection on site to test either water or sewerage installation other than the test at which such water or sewerage installations is approved or certified as acceptable by Council an additional fee not exceeding \$100 may be charged.
- 3.3 The fees payable under paragraphs (a), (b), (c) and (d) of the sub-clause 3.2 shall be paid to the Council upon submission of plan or plans in respect of which the fee is or fees are payable, and the fee or fees payable under paragraph (e) of the said sub-clause 3.2 shall be paid before the survey plan of the sub-division is approved by the Council or in the case of the development plan, before the building or buildings forming part of the said development are occupied or used.
- 3.4 If it shall appear, subsequent to the submission of a plan and acceptance by the Council of the fees then required by it to be paid, that any further fees are properly payable in accordance with this bylaw then the person who submitted the plan or the owner of the land which is proposed to be subdivided or developed, shall on demand in writing under the hand of the Chief Executive forthwith pay such further fee or fees.
- 3.5 If any of the inspections or other services in respect of which any of the fees under this bylaw have been paid are not made or given by the Council it may refund any of the said fees or portion thereof as it may determine.
- 3.6 The said fees as herein set out shall be increased in each case by the amount of any Goods and Services Tax charged from time to time in accordance with the Goods and Services Tax Act 1985 or amendments thereto.

The Common Seal of the)
WAITAKERE CITY COUNCIL)
was hereunto affixed)
Pursuant to a resolution)
of Council passed on)
28 February 1990 in the)
presence of)

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CHIEF EXECUTIVE

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MANAGER: FINANCE & ADMINISTRATION