

Damage to Street Frontages during Property Development Activities

Adopted – Works and Reserves Committee 8 December 1993

The Queenstown Lakes District Council requires that a cash bond be paid at the time of uplifting a building consent for any new building, replacement building, additions of alterations to any existing building, including demolition, over \$5000 in value in any area of the district, unless, in the opinion of the Operations Manager, the only practical access is via a properly formed vehicle access way.

The purpose of the cash bond is to cover the cost of any damage to the street or road frontage, including road surface, kerb and channel, footpath, and grass berm, as a result of development activity on the site. The term "street" also applies to roads in this policy.

The property owner will be required to certify the extent of any existing frontage damage at the time of the application for building consent. Any existing damage notified by the applicant will be inspected and photographed during consent processing. If no damage is notified, no inspections of the site will take place prior to consent approval.

The amount of the cash bond required will be as set out in Schedule A of this policy. The types of street frontage are:

- a) Fully scaled street with kerb and channel, formed footpath, and grass berm.
- b) Fully sealed street with kerb and channel, grass berm but no footpath.
- c) Fully sealed street with grass berm, but no kerb and channel or footpath.
- d) Unsealed street with grass berm, no kerb and channel and no footpath.
- e) Sealed road, kerb and channel, wide footpath, no grass berm.

Properties in industrial or commercial zones will be considered to have type 5 frontages.

The amount of cash bond for buildings being relocated onto or off a site will be that payable for type 5 frontage.

The bond will cover damage to footpaths, grass berms, kerb and channel, and street surfaces, and all street furniture, such as street trees, lighting standards, signs, etc.

The building consent holder will be held liable for the cost of repairing any such damage on any street frontage where it is determined by the Operations Manager that the damage is due to construction activity on the consent site.

The street frontage of the property and neighbouring properties will be inspected at the time of the final building consent inspection, and any street frontage damage recorded.

If no street frontage damage is reported, the bond will be refunded to the building consent holder, within 14 days of the street inspection.

If street frontage damage is reported, the damage will be:

- a) repaired by the Council and the actual cost of the repair work deducted from the bond held, or
- b) repaired by a contractor nominated by the consent holder and approved by the Council, with the cost of the repair work being met fully by the consent holder.

At the completion of the repair work, the balance of the bond left after meeting any repair costs will be refunded to the building consent holder within 14 days of final approval of the repairs. If the cost of the repair works exceeds the value of the bond, the consent holder will be invoiced for the additional cost.

This policy will become effective from 01 January 1994.

SCHEDULE A: Amount of Bond

Type of Frontage	Bond Required (\$)
1	600
2	350
3	200
4	100
5	1000

Resolution from Utilities Committee 1 May 2002

Damage to Street Frontages during Property Development Activities

Resolved that the report on Damage to Street Frontages During Property Development Activities be received and

That Council reviews its policy with respect to street frontage deposits/procedures and

That Council seeks legal advice with a view to initiating a bylaw or other process that will permit Council to enforce the repairs of damaged infrastructural assets as a result of development of private property or alternatively permits Council to undertake the repairs and recover the costs thereof from the developer.