

Natural Environment Appendices

Appendix 3.1

Development Incentives Guidelines

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1.0 Introduction

1.1 Purpose of this Appendix

The Kāpiti Coast District Plan sets out objectives, policies and methods that seek to reward landowners who carry out substantial enhancement activities to restore and enhance their local environment or who carry out sustainable *development* activities.

The purpose of this appendix is to explain how the development incentive tool works, the information requirements that need to accompany resource consent applications and likely *conditions* of consent.

The development incentives adopted in the Plan involve a mixture of reduced activity standards for certain activities and enabling additional *development* activities on a *site*. As such, they are incorporated into the plan rules and require a resource consent application to be granted.

1.2 Reasons for adopting incentives in the District Plan

As part of the plan review process, the *Council* sought to incorporate incentives for environmental sustainability (in particular water, biodiversity and energy) into the District Plan. The *Council* is keen to support those landowners and land developers who are prepared to go 'above and beyond' standard levels of resource management practice in carrying out activities. The *Council* considers that such actions should be recognised with additional *development* rights. While the *Council* already provides some non-regulatory financial incentives for some activities (e.g. heritage fund, rates relief etc), the *Council* considers there is scope to use regulatory-based incentives as well.

1.3 Development Incentive Provisions in the District Plan

The Plan sets up the development incentives tool with Objectives 2.2 Biodiversity and 2.18 Renewable Energy, Energy Efficiency and Conservation.

In addition, these policies have been identified:

- Natural Environment Chapter: Policy 3.4 Incentives and Policy 3.9 – Enhancement.
- Infrastructure Chapter: Policy 11.29 - Incentives

The policies indicate that incentives such as additional *lots* or dwellings within a *subdivision*, or increased *height* or coverage for *buildings* and *structures*, may be available provided a *development* includes an improvement over what would otherwise be required by the rules of the plan.

The policies note a number of parameters to this opportunity:

- There needs to be a net benefit (the benefit of the enhancement / improvement outweighs the cost of the additional *development*)
- The net benefit should be “substantial”, relative to the base case (being the *development* complying with standard rules and provisions)
- The benefit should be located in the area of the *development* (not transferred elsewhere)
- The benefit needs to be on-going, long term.

The types of enhancements sought by the policies are:

- protection and enhancement of a local area of indigenous vegetation or terrestrial habitat for indigenous fauna;
- protection and enhancement of water quality (including quantity management that affects water quality) and/or improved habitats for indigenous fauna in aquatic ecosystems;
- use of exemplary methods to promote the efficient end use of energy and renewable energy generation.

2.0 Development Incentives

2.1 Overview of the Development Incentives

Incentives are provided across a number of key activities that are likely to create a benefit for the environment in the three focus areas for the *Council*, being biodiversity, water quality and energy efficiency and generation.

The incentives also recognise that significant benefits can occur for the environment at a range of scales. First and foremost, the *Council* is keen to recognise those development activities that go 'above and beyond' current development practices in the District. However, in recognition that there is also the possibility of cumulative benefits for the environment from many individuals doing environmental enhancement activities (albeit on a smaller scale), incentives are also provided for smaller scale activities.

In most cases, a *restricted discretionary activity resource consent* will be required to ensure that the effects of the proposed activity, including any effects resulting from a development incentive, can be properly assessed by the *Council* to ensure it still meets the requirements of the RMA. Accordingly, the plan rules contain the 'triggers' for the development incentives.

Only one incentive can be earned for any land which is held as a single *lot* at the date of notification of the District Plan, in a ten year period, so it is not possible to earn an incentive for biodiversity and another separate one for water quality however an incentive can be made up of multiple benefits as set out in section 2.5 of the guideline. The incentives will be recorded against each *lot* using the incentive earned. The exception is for rural zoned land which is of sufficient area to be subdivided into two or more new *lots* as a restricted discretionary activity. In that case more than one incentive is available if multiples of 100 points are earned, for example by the creation of 4 or 6 hectares of ecological corridor, but with an upper limit of twice the density (or half of the minimum average *lot* size) for the zone

2.2 Biodiversity related activities and incentives

The following four packages are available within the biodiversity incentive. They apply in the Rural, *Living and Working Zones*.

1. Restoration and enhancement of natural wetlands, in priority areas for enhancement, including an indigenous vegetation buffer of at least 20m wide, making a new planted area greater than 1ha (100 points). Smaller areas of restoration and enhancement of natural wetlands including indigenous planting buffer may earn up to 20 points.
2. Linking up areas of fragmented native bush to create ecological corridors, in priority areas for enhancement. New indigenous planting must be at least 2ha in area and create a link between identified bush fragments in recognised corridors (100 points). Smaller areas of planting contributing

Comment [MM1]: 24 - Carter Family of Reikorangi. Appellant seeks additional activities which would result in incentive points.

towards linkage of ecological corridors may earn up to 20 points.

3. Enlargement of existing areas of indigenous bush where they remain unconnected to an ecological corridor. New planting must be at least 3ha (100 points). Smaller areas of new indigenous planting may earn up to 20 points.
4. For coastal areas: in the rural *zones* with a coastal boundary, re-shaping and re-planting restoration of the dune environment for the full width of the *site* and a depth of 30m. *Development* must also meet all other District Plan requirements, including *yards* and *building* set-backs from the seaward *boundary* (Zero points, full provision required for incentive)

For each of the *wetland*, ecological corridor and indigenous bush enhancement planting activities the following incentives are available:

- 1 additional subdivision lot with the minimum *lot* size of the *zone* in which it is located, and not counted towards the average *lot* size, available three years after the planting has occurred (100 points required), or
- Ability to create additional *household unit* on *site* (100 points required), or
- 5% additional *building coverage* on *site* (20 points required).

In respect of the coastal dune restoration activity, the following incentive applies:

- For the rural *zone* dune restoration, the creation of an additional *lot*, or
- Ability to create additional *household unit* on the *site*.

2.3 Water quality activity and incentives

The following three packages are available within the water quality incentive. They apply to land in the Rural and *Working Zones* and are in addition to any other *Council* requirements.

1. Enhancement planting of at least 2ha along riparian margins in rural areas that helps to link isolated areas of bush together (100 points)
2. Retirement of erosion-prone rural land (mapped) through enhancement planting of at least 2ha (100 points)
3. New or existing commercial and industrial developments that achieve removal of at least 75% of contaminants (suspended solids) from stormwater on *site*, using a constructed wetland, or infiltration system, or re-vegetation, or sand filter, or bio-filtration (20 points for each 200m² of *site* treated, up to a maximum of 100 points).

For both of the enhancement planting-based activities the following incentive is available:

- 1 additional *subdivision lot* with the minimum *lot* size of the *zone* in which it is located, and not counted towards the average *lot* size, available three years after the planting has occurred (100 points required), or
- Ability to create additional dwelling on *site*, (100 points required), or

In respect of stormwater management activities on business zoned land (retail, commercial and industrial *sites*), the following incentive is available:

- For industrial activities, for every 200m² of yard or outdoor car parking area treated to remove at least 75% of contaminants (suspended solids), on-site car parking requirements can be reduced by 2 car parking spaces, up to a maximum of 10 car parking spaces for 100 points
- For commercial activities, for every 200m² of yard or outdoor car parking area treated to remove at least 75% of contaminants (suspended solids), car parking may be reduced by 2 car parking spaces up to a maximum of 10 car parking spaces for 100 points, or alternatively
- Building *height* increase by up to 1.5m over the height limit for commercial buildings in the *Working Zones* (Centres, Civic and Community Zones only, and not available in the Airport Zone or the Paraparaumu District Centre). 200m² of treated *site* equals 25 points and earns the 1.5m height increase.

2.4 Energy Efficiency and renewable energy generation activity and incentives

The following nine packages of energy efficient and renewable energy development components each contribute points to the incentive rating. Water management efficiency is also included as, even with no or relatively low energy efficiency value (reduced hot water volumes used), it supports the sustainability of the *building* and the public *infrastructure* required. These nine packages all apply to residential *development* in the residential *zones*, although some are also available for commercial (packages 1, 2, 7, 8 and 9) and industrial *development* (packages 2, 8 and 9).

1. Shower heads and dual-flush toilets and at least 70% of other taps and all water-using appliances (washing machine and dishwasher) shall be water-efficient, no incandescent lights and less than 5 ceiling down-lights in the house unless LED and insulated, and energy star rated refrigerator and freezer (10 points)
2. For *working zones sites*, rainwater collection and re-use plumbed into the building (supplying more than half of the water required by the land use) and hydraulic neutrality of *site* for up to the 1 in 10 year rainfall event, that is stormwater run-off at no greater rate than if the *site* was vacant and fully vegetated (20 points)
3. Solar water heating installed, and hot water cylinder no older than 2004, and insulation wrap to hot-water cylinder and accessible hot water piping. Alternatively, a hot water heat pump installed (20 points)

4. Thermal insulation in roof (R4.6), walls (R2.6) and floor (R2.0), above Building Code requirement, draught-stopping to external doors and windows, all windows double-glazed (20 points)
5. Green roofs, being a *building* roof covered with vegetation and a growing medium, planted over a waterproof membrane. It may also include additional layers such as a root barrier and drainage and irrigation system, depending on the type of planting. It will absorb and use rainwater, delay the rate of rainwater run-off, remove some contaminants and improve insulation (20 points)
6. Efficient heat pump or log-burner or pellet fire as the main heating source (20 points)
7. Correct solar orientation, internal high thermal mass, a concrete slab ground floor with insulation beneath and around slab edges, and natural cross-ventilation (30 points)
8. 60% of electrical and heat energy used on the *site* is generated on-site by renewable sources such as solar, small scale hydro or biomass and wind power (space heating, water heating, electricity generation by photo-voltaic panels or wind turbine) (40 points)
9. For residential development, a Homestar rating of 8 or more stars. For commercial or industrial development, a Green Star rating of 4 or more stars. (100 points)

As an incentive for the energy efficiency and on-site generation initiatives, the following incentives are offered within the *Residential Zones* and Beach *Residential Zone*, (but excluding the Waikanae Garden Precinct, and other low density housing precincts) where 40 points or more are gained by the application of packages above:

- Building coverage may be increased from 35% to 40% for Beach *Residential Zone* and 40% to 45% for *Residential Zones*, and
- Height limit may be increased to 9m (from 8m permitted standard), and
- Minimum *site* size of 450m² of one house is excluded from the calculation of minimum average *site* size (for each new dwelling that has the 40 or more points from sustainability packages applied).

Note that the incentive is also available for *alterations* and *additions* to existing dwellings, to ensure that existing houses as well as new houses have access to a development incentive for sustainability initiatives.

For commercial *buildings* in the *Working Zones* (Centres or Civic and Community Zones only, and excluding the Airport Zone and the Paraparaumu District Centre) if any of the packages 1, 2, 3, 5, 8 and 9 above are provided, the *height* limit for the *site* may be increased by a maximum of 1.5m or an additional stores, whichever is the lesser, where 40 or more points are earned.

In the Rural, *Living and Working Zones* the energy efficiency packages may also be used in combination with the water quality or biodiversity incentives to top-up those activities to earn a development incentive.

2.5 Providing flexibility in the incentives scheme

2.5.1 Flexibility to 'top-up' a development activity to reach the threshold for a development incentive

The *Council* considers that some flexibility should be provided in the development incentives system. There may be times where a landowner, for a variety of reasons, cannot quite reach the threshold needed to qualify for an incentive. Where an activity falls short of reaching a given points threshold by less than 30%, by way of *restricted discretionary activity* it may be increased to earn the incentive by adding at least 20 points earned in other incentive categories (Biodiversity, Water Quality Enhancement, or Energy Efficiency and On-Site Generation). The activity selected will need to relate as much as possible to the proposed *development* occurring on the *site*. In applying its discretion, the *Council* will consider the reasons for the inability to obtain the thresholds and the degree to which the failure to meet the threshold affects the net environmental benefits.

For example, a landowner who has carried out enhancement planting may find after 3 years that only 85% of the area planted is healthy. Rather than having to wait a further 3 years for new planting to become established, the landowner could 'top-up' the contribution by proposing 60% of electrical and heat energy used on site is to be generated on-site by renewable sources (space heating, water heating, electricity generation by photo-voltaic panels or wind turbine) for the additional dwelling that is being built under the development incentive.

There is some overlap between the areas seeking incentivised behaviour. Water quality and biodiversity are mutually beneficial, and water conservation will involve energy efficiency in marginal new water supply capacity as well as the cost of domestic water heating. This supports the topping-up approach to overall sustainability initiatives and also the inclusion of stormwater management and re-use within the energy efficiency activities

2.5.2 Alternatives

A proposed activity may be able to contribute to achieving the purpose of Objectives 2.2 and 2.18 and the three related policies, i.e. likely to create a benefit for the environment in terms of biodiversity, water quality or energy efficiency and generation, but does not qualify for any of the particular incentives specified. Such a proposal would be a *discretionary or non-complying activity*, but would also gain some support from Policy 3.4 – Incentives, which encourages benefits to the natural environment by rewarding them with development incentives.

3.0 Implementing the development incentives

The incentives outlined above need to be supported by a number of procedural practices to ensure the effective and efficient delivery of the incentives tool. These areas of guidance can be grouped under the following headings:

- Application procedures
- Consideration of proposals seeking to obtain a development incentive
- Securing permanent environmental benefits
- Monitoring

3.1 Application processes

i) Eligibility

Any landowner may use the incentives, provided they can provide evidence of carrying out the specified activities according to the *conditions* set out in the plan rules.

The incentives cannot be applied retrospectively to work carried out before the plan provisions become operative.

However, the *Council* will accept any 'notices of intention' (see below) lodged once the plan has been notified. This will only occur on the understanding that the landowner accepts the risk that the development incentive provisions may, as a result of submission, decisions and appeals process, be altered or even removed from the finalised plan provisions.

ii) Pre-application meeting

A pre-application meeting is necessary for applicants wishing to take advantage of a development incentive provided in the Plan. The meeting will provide the opportunity for the *Council* to discuss with the applicant the development incentive being sought, to check that the proposed activity will be eligible and to outline the nature of additional information that may be required in any *resource consent* application. This meeting will also provide the *Council* the opportunity to ask the applicant to consider what actions they will take to ensure that the benefits purported to occur from the activity will in fact occur.

iii) Lodging a 'notice of intention' to obtain a planting-based incentive & preparing a planting management plan

This process will be necessary where a landowner or developer proposes to take advantage of any development incentive that involves planting. **The requirements of the planting-based incentives are that the planting needs to have been**

Comment [MM2]: 24 - Carter Family of Reikorangi. Appellant seeks incentives to be available prior to carrying out planting / clearing pine forest and allowing regeneration to occur rather than waiting three years

established for a period of at least three years before the *Council* will 'accept' it for the purposes of obtaining an incentive. Any additional *lot* (or other incentive) will only be considered by the *Council* once the planting is established and evidence is provided that it is self-sustaining.

Accordingly, any potential applicant needs to notify the *Council* that it is starting a planting programme with a view to having it accepted at a future time under the incentives programme. A letter will be sufficient, to be followed up by a meeting with the *Council* to confirm that the planting management plan will meet the criteria needed for the incentive.

A planting management plan should be prepared by a suitably qualified person, and address the following:

Site characteristics, such as:

- (i) The ecological district of the *site*
- (ii) The characteristics of the soil (i.e. clay, silt, loam etc)
- (iii) Soil drainage
- (iv) Topography and aspect of the area to be planted
- (v) Exposure of the *site* to wind, frost, sunlight and salt spray
- (vi) Extent of existing bush or native vegetation on the *site* and its species composition
- (vii) Distance from established bush and the state of the established bush if there is none on the *site*.

A Planting Plan, which should detail the following:

- (a) Purpose of the planting, including hill country erosion control, stream bank erosion, habitat control, habitat restoration, ecological corridor creation, buffer planting to protect the edges of existing bush, water quality enhancement
- (b) Location and extent of planting on a plan
- (c) *Site* preparation for planting, including stock-proof fencing of areas, weed and animal pest control
- (d) *Site* planting, including species to be planted, size of plants and where they are to be planted, density of planting, timing of planting, sourcing of plants and fertilisers
- (e) Maintenance of planting, including fertiliser, replacement of dead plants, animal and plant pest control, and mulching, and covenants or consent notices protecting the planting in the long-term.

Comment [MM3]: 24 - Carter Family of Reikorangi. Appellant seeks stock-proof fencing of areas to not be mandatory.

iv) **Water Quality development incentive**

In order to confirm the benefits arising from a water quality incentive that does not involve replanting (covered above), the *Council* will need to review a Stormwater Management Report, which provides the following information:

- a) Location and size of lawfully established existing and proposed impervious areas on the *site*
- b) Location, design, performance and maintenance of existing and proposed stormwater quality management techniques taking into account:
 - i) The natural drainage patterns of the *site* to be retained
 - ii) Bio-retention to be incorporated into landscaping requirements wherever practicable and to be connected to accessways and parking areas.
 - iii) Plant species appropriate to the *site* and the proposed method of mitigation.
 - iv) Sub-surface conditions and appropriate design of retention areas to maximise infiltration and minimise hazards.
- c) Detailed design and calculations for 10% and 50% AEP events
- d) A maintenance schedule for any on-site stormwater devices proposed.

v) Energy Efficiency

The *Council* will identify the nature of the information likely to be required at any pre-application meeting.

For residential dwellings, information requirements should generally be as for a building consent, with details of the size and location of the solar panels, solar hot water heating and how they are to be installed and incorporated into the *building's* electricity / water heating systems.

Additional insulation should be specified on the building plans.

For commercial *developments* and comprehensive *developments*, a more in-depth analysis of design performance will be required, generally involving a suitably qualified person. Detailed design calculations will need to be submitted covering the design performance of the *building(s)*, and how design is to maximise the benefits of natural light and ventilation, while controlling solar gain. Alternative energy generation systems will require performance information. Specific design calculations for green roofs are also to be submitted.

vi) Using the development incentive

There is no time limit on the use of the development right obtained from carrying out a development incentive activity.

vii) The development site

In most cases, the *development site* where the development incentive activity takes place will be the same *site* where the development incentive rights will be used up. For example, an incentive *lot* created through enhancement planting will be created from the primary *lot* where the planting took place. A *site* containing a commercial *building* where solar panels are proposed will be the *site* where

additional *height* is provided for.

There will be some exceptions though and it will be within the discretion of the *Council* to identify early on where it is appropriate to carry out activities beyond the *development site*. These mainly relate to planting of riparian margins or planting of coastal dunes. In these situations it is conceivable that the planting will occur adjacent to the *development site*. In these cases, a clear relationship must exist between the site of the planting and the *development site*. For example, the coastal dune is directly adjacent to the *development property*, or a stream where riparian planting will occur runs through or is adjacent to the *development property* (i.e. within a distance of 500m). In instances where the destination site for planting is not owned by the applicant, approval for the planting must be obtained from the relevant landowner(s) and provided to the *Council*. The planting will need to be protected by a covenant or other long-term legal mechanism.

3.2 Consideration of proposals seeking to obtain a development incentive

3.2.1 Council assessment of proposals

The *Council* will need to assess proposals for *resource consent* that seek to take advantage of a development incentive in the *same* way that it would consider an application for a *resource consent*.

That is, it must consider whether there are any adverse effects on other parties. The activity will generally be non-notified. It is expected that the involvement of third parties in these types of applications will however be limited, as reducing the likelihood of third party involvement was a consideration in selecting the type of incentives to be offered in the Plan.

In making the substantive decision, the *council* will need to expand its usual considerations, by assessing whether the activity carried out meets the criteria for the incentive development activity. This consideration will fulfil the need to assess whether the Plan's incentive objective and policies are met by a proposed *development*.

The pre-application process should have identified the information required to be submitted with the application to demonstrate compliance. **The *Council* will need to independently assess the information and establish whether the benefits that are expected to have accrued from carrying out the activity have in fact occurred (in the case of enhancement planting),** or whether the proposed activities are designed in such a way as to be sure that the benefits will occur (e.g. water quality treatment devices).

Applications that have identified (or volunteered) mechanisms to ensure that the benefits will be permanent will have a greater likelihood of success against the relevant policies.

3.2.2 Transferable development rights not provided for

The development incentive scheme does not provide for transferable development

Comment [MM4]: 24 - Carter Family of Reikorangi.

rights. The development incentive right must be used on the ‘*development site*’ which relates to the activity being carried out, with limited exceptions where it can extend onto adjacent land if that land can better achieve the intent of the incentive provision, for example a connection into an existing ecological corridor..

3.3 Securing permanent environmental benefits

3.3.1 Consent conditions

In considering consent *conditions*, the *Council* will need to identify the best mechanism to ensure that planned activities (to obtain a development incentive) are actually carried out in order to secure the net benefits. *Conditions* of consent will relate to:

- Activities to be undertaken in accordance with application (e.g. installation of devices)
- Ongoing legal protection and maintenance of any restored or enhanced area (pest control, weed control, fencing) including implementation of management plans
- Ongoing maintenance and operation of any device required to qualify for incentive – e.g. solar panels, stormwater treatment devices. This may involve surrendering easements to the *council*, in some situations, so as to allow for inspection and monitoring.

The applicant will be responsible for meeting all costs involved in complying with the *conditions* of consent.

3.3.2 Ongoing legal protection

Appropriate legal mechanisms will be required to ensure permanent benefits are achieved. All legal agreements shall be prepared by a solicitor at the applicant’s expense. The type of legal agreement to be used can be discussed at the pre-application meeting and the outcomes achieved by the legal instrument will inform the consideration of the consent application.

i) Covenants

Restoration and enhancement areas

Any area restored or enhanced which has been used to qualify for a development incentive must be subject to physical and legal protection in perpetuity.

A covenant shall be registered against the title under the Land Transfer Act 1952 which requires that the **fencing of the restoration area is maintained to a stock-proof standard** and remains undisturbed from any earthworks or structures; that restoration planting and ongoing maintenance occurs in accordance with the approved planting plan; that weeds and pests are controlled; and that all existing trees and any re-vegetation of the area shall be protected.

Water quality treatment devices

Comment [MM5]: 24 - Carter Family of Reikorangi.

A covenant shall be registered against the title as to the location and purpose of the water quality treatment device, the required maintenance schedule and that the device can only be removed with *Council's* approval. The effect of such covenant shall be to ensure the efficient future functioning and ongoing maintenance of the on-site stormwater management system.

Energy efficiency and generation

A covenant shall be registered against the title under the Land Transfer Act 1952 as to the location and purpose of the energy efficiency feature, the required maintenance schedule (if applicable) and that the feature can only be removed with Council's approval. This would only apply to solar water-heating, and solar or wind electricity generating systems. It would not apply to other appliances or fixtures and fittings. The effect of such covenant shall be to ensure the efficient future functioning and ongoing maintenance of the on-site energy feature.

ii) Consent notices

Where the applicant seeks to utilise a development incentive through carrying out a subdivision, including comprehensive *site* redevelopment, a consent notice may be used in order to secure the same outcomes as a covenant. Consent notices shall also be used to prohibit any further subdivision of the new *lots* or existing *lot* with additional dwelling, either for an agreed period or in perpetuity. The consent notice shall be in place before the issue by the *Council* of a Certificate of Compliance for the subdivision pursuant to Section 224(c) of the *RMA*.

iii) Bonds

A bond may be payable instead of a consent notice or a covenant without bond. This will generally apply if there are elements of uncertainty regarding the continued operation and effectiveness of any measures taken, or the financial implications of rectifying failures in operation and maintenance are significant. Any bond will need to be registered under the Land Transfer Act 1952; i.e. it will be registered on the Certificate of Title and bind all subsequent owners of the land. Bonds may be given for the performance of consent *conditions* including:

- *Conditions* relating to the alteration or removal of structures (e.g. photo-voltaic panels)
- *Conditions* relating to remedial, restoration or maintenance work (e.g. wetland restoration, maintenance of stormwater treatment devices)
- *Conditions* relating to ongoing monitoring of long-term effects (e.g. success of planting, energy usage figures).

A bond may not be required if long term outcomes are considered to be more certain or the financial implications of rectifying failures in operation and maintenance are not significant (however a covenant will still be required). Examples may include:

- Planting has been established for 3-5 or more years, is considered to be

self-sustaining, has eliminated pests and has 75% canopy closure

- Features requiring little or no ongoing maintenance e.g. insulation, ventilation, sunlight access, some stormwater devices.

3.4 Monitoring Programme

3.4.1 Ecological Restoration

Monitoring needs to be undertaken at 3 and 5 years, as it takes between 3-5 years before native replanting is well established and certainty of survival is assured.

The following needs to be monitored by the applicant and reported to the *Council*:

- Survival rates: this is because the *Council* requires a 90% survival rate which is thought to be appropriate to ensure that the replanting will become ecologically viable.
- Size of plants: this is an indication of the health of the plantings. The greater the growth, the healthier the planting and therefore the more likely a planting is to survive.
- Canopy closure: if a planting is healthy, canopy closure should occur at year 3, although it can take to year 5 if the *conditions* of the *site* are particularly harsh. Therefore, this is an important indication of the health of the planting.

Replacement of plants which do not survive is important to ensure that gaps are not created which could allow weeds to enter the planting and to ensure that there is an adequate canopy cover in the long term.

3.4.2 Water Quality

Monitoring of effectiveness is not needed due to the difficulties of assessing performance. However consent *conditions* will still be monitored e.g. the devices are operating as consented and maintained adequately. As part of this, a maintenance plan should be prepared and submitted as part of the application.

The long-term effective operation of on-site contaminant reduction measures depends not only on sound design and construction, but also on applying routine operation and maintenance practices. Maintenance is typically not onerous in respect to either the amount of effort involved or the frequency.

Typical maintenance actions may involve:

- Frequently, check for and rectify any problems evident during/after heavy rain
- Regularly, about every 2 – 3 months, check state of repair of the device and remove growths, repair leaks, clear blockages, etc
- Periodic (e.g. once or twice a year): inspect pipes, remove sediment, etc
- Every 2 years: inspection and maintenance programme by a qualified contractor.

3.4.3 Energy Efficiency

For residential, commercial and industrial buildings' energy efficiency, monitoring should not be required. Once the systems are installed, to achieve consent compliance, the capital costs have been incurred and there will be substantial energy cost savings to the owner if the systems are maintained and continue to perform.

3.4.4 Council to maintain records

The *Council* will maintain a register of all incentives granted. The register will assist the council to monitor the uptake of the development incentives and to monitor the effectiveness of the incentives tools. This information will need to be made available on Land Information Memorandums for prospective purchasers to inform them of the development opportunities (and responsibilities) for a given property.

3.4.5 Review of Development Incentives

The *Council* anticipates that it will carry out at least a 5 yearly review of the development incentive programme. This review will include, among other things, an assessment of:

- the uptake of the programme,
- the degree to which the environmental benefits are being achieved as expected,
- the transaction costs involved in obtaining an incentive,
- usability of the system.