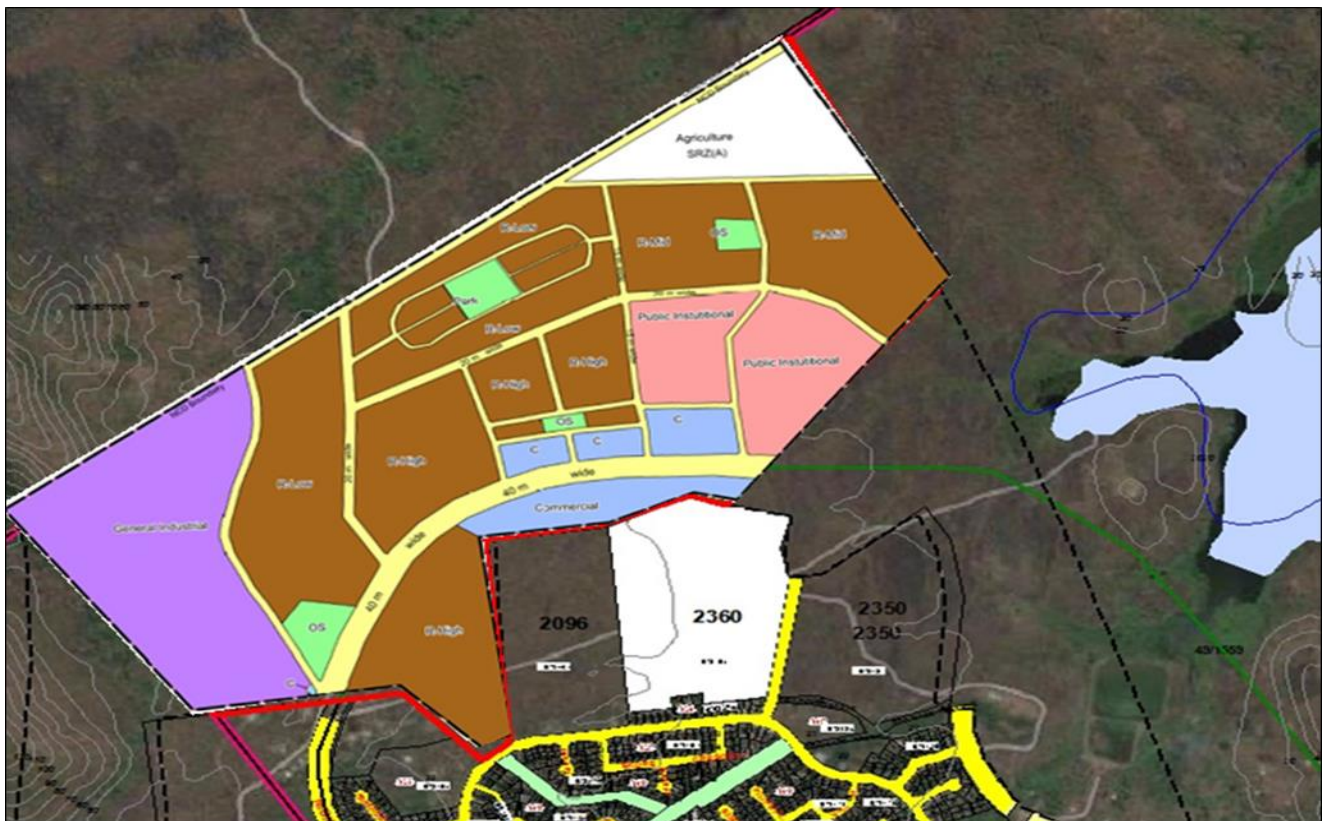




NATIONAL CAPITAL DISTRICT COMMISSION

GUIDELINES FOR ASSESSING DECLARATION OF SUBDIVISION ZONES



Strategic Planning

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1.0 INTRODUCTION

Management and timely release of land currently remains a challenge for the National Capital District. This is largely due to the lengthy processes involve in releasing of the land. These processes are administered by two separate departments; NCD Physical Planning Board and Department of Lands & Physical Planning. In an attempt to partially address this issue the National Capital District Physical Planning Board (NCDPPB) in meeting number 02/2014 held on the 28th April and 05/2014 (part 1) held on 01st October 2014 recommended to take on the responsibility of declaring subdivision zones either internally by the Commission. This will greatly assist to expedite the process for developers by saving them time if they had initiated the process themselves. This effort does not restrict external interested developers to declare the land themselves but will allow for timely release of developable land within the city.

OBJECTIVES

The Strategic Planning has now embarked on preparing a Comprehensive Report on the treatment of past and current subdivision zones which will:

- i. Provide the basis for the formulation of a Guideline for assessing future development proposals for declaring subdivision zones
- ii. Provide baseline data to be used in the future

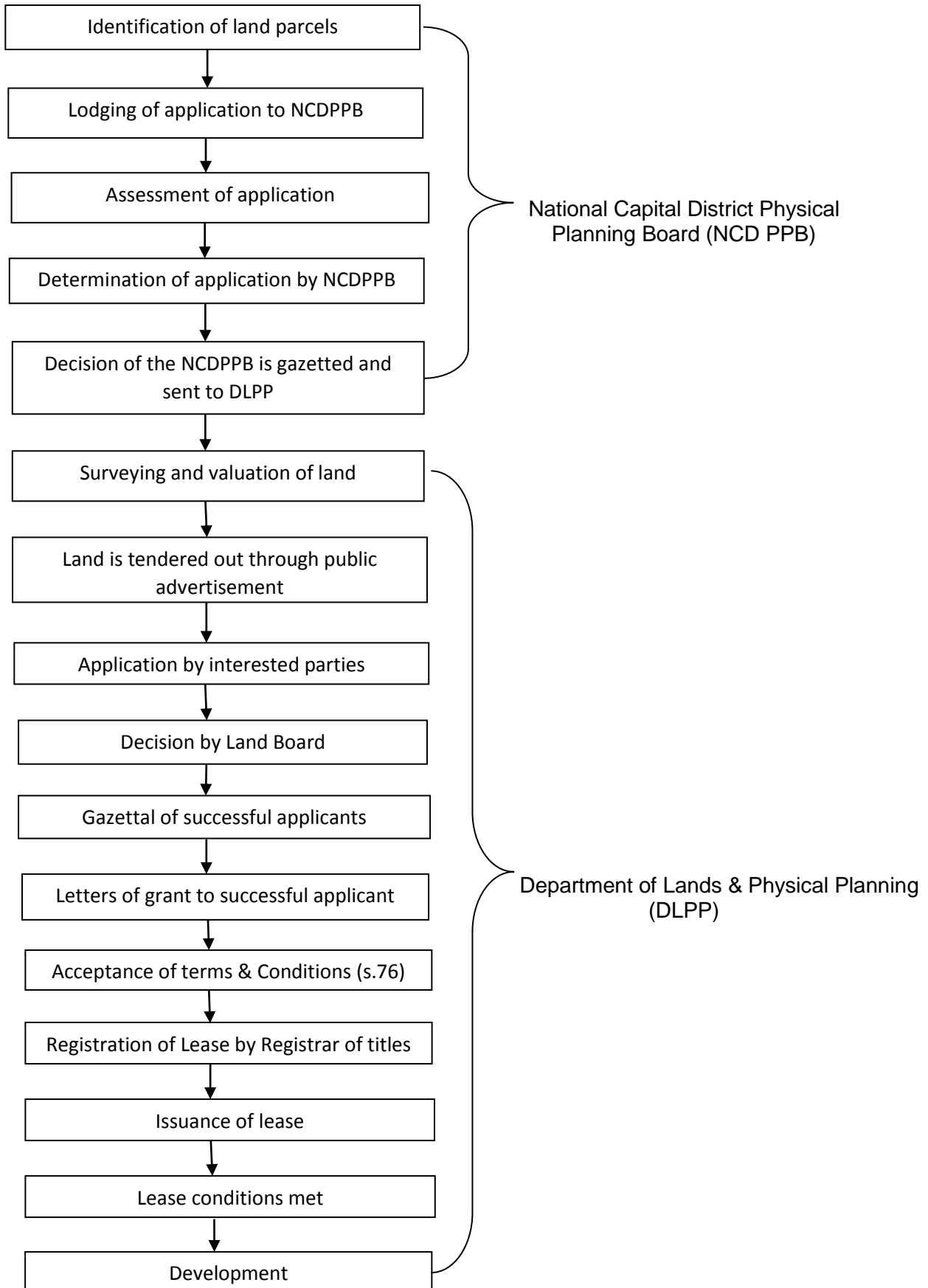
DEFINITION

Declaration of zones and subdivision zones are two different physical planning concepts. Their definition below gives a better understanding and appreciation of how each term is used.

- a. Declaration of zone – zones declared over areas that are white land or land without zoning
- b. Declaration of sub division zone- subdivision of land which involves the creation of two or more allotments, and sometimes road reserves

2.0 LAND RELEASE PROCESS

Below is the flow chart indicating the land release processes



Declaration of Subdivision Zone is the initial part of the Land Development Process under the Physical Planning Act 1989 which leads to the issuance of title under the Land Act 1996. It is usually done for parcels of land that are identified as white land.

The process begins with the identification of a vacant white land either by the developer or by the planning office who applies for the identified land parcel to be declared by the NCD Physical Planning Board through the formal planning application form for developer and as a submission paper if declared internally by NCDC. Both will be assessed against the Declaration of Zones Guidelines and once satisfied, approval will be granted by the Board, The planning office then gazettes the declaration and sends it to the Department of Lands and Physical Planning Office to advertise through public tender, the successful bidder is then awarded the Urban Development Lease.

Below is an excerpt from National Capital District Urban Development Plan 2005 – 2015 that better and further explains the process:

“Many of the mechanisms relating to the release of land are provided by the Land Act 1996. The Act allows the government to control and manage land through the establishment of a Land Board and through the authority of the minister, the Land Board and the Departmental Head of Department of Lands and Physical Planning. As a general rule the Land Board considers applications for leases and makes recommendations to the Minister. Land may be exempted from advertisements by the minister but only in exceptional and limited circumstances. The Minister has additional powers over matters which include, the acquisition of customary land, compensation claims, the direct grant of leases and licenses, the forfeiture of less and the onward sale of developed land.”(Appendix A-1)

3.0 BACKGROUND

ZONING ALLOCATION

NCD has a total land mass of approximately 26 140 hectares, out of that total 15,684 is considered as state land while the remaining proportion of 10456 hectares is considered as customary land.

Currently the principle land use of the entire NCD has already been established by the zoning system

The table below shows how much land have been allocated with zoning and how much still remains as white land which are yet to be declared if complied with the provisions in the Declaration of Subdivision Zone Guidelines.

LDP	PTLDP					GWLDP	8-9 mile LDP		PNLDP	PNLDP	PNLDP	DTLDP		
	LPA 1	LPA 2	LPA 3	LPA 4	LPA 5	LPA 6	LPA 7	LPA 8	LPA 9	LPA 10	LPA 11	LPA 12	TOTAL AREA (Sqm)	Ha
Area of LPA	8,596,000	11,600,000	9,259,000	15,810,000	18,890,000	28,570,000	44,340,000	13,570,000	6,505,000	24,250,000	13,280,000	66,730,000	261,400,000	26,140
Zone/Area	0													
White Land	79,415	5,951,330	684,118	1,892,230	8,774,410	20,511,640	2,604,300	3,076,080	1,859,160	0	0	0	45,432,683	4,543
Subdivision	47,293	0	74,260	73,170	42,690	0	1,351,000	588,800	0	0	0	270,322	2,447,535	245
Public Utility	1,078,000	795,800	1,555,000	3,429,000	2,296,000	1,853,000	4,464,000	7,276,000	193,300	1,293,400	739,534	2,950,884	27,923,918	2,792
Open Space	297,973	1,426,000	589,700	2,485,000	557,800	404,300	9,186,000	36,440	853,800	4,093,010	2,305,631	6,614,790	28,850,444	2,885
Residential	1,880,846	2,448,000	2,897,000	3,769,000	3,304,000	2,563,000	9,990,000	1,561,000	1,519,000	5,463,900	3,191,779	17,552,161	56,139,686	5,614
Commercial	410,072	55,070	307,900	1,350,000	42,170	56,060	628,400	208,900	11,740	36,010	79,188	3,668,332	6,853,842	685
General Industry	850,822	295,100	128,500	788,600	63,930	1,214,000	4,713,000	793,600	247,600	778,500	1,049,444	1,115,966	12,039,062	1,204
Public Institution	368,266	628,700	3,020,000	2,023,000	3,809,000	1,968,000	5,700,000	29,180	526,800	79,080	248,839	1,603,763	20,004,628	2,000
Protected Areas	1,050,071		2,522				3,145,000		1,084,000	12,506,100	5,358,172	14,590,883	37,736,748	3,774
Area Under Legal Ownership	0											165,934	165,934	0
Special Facilities	0												0	0
Others	0						2,558,300		209,600		307,413	18,196,965	21,272,278	2,127
Water	2,533,243					3,116,000							5,649,243	565
Total AREA	8,596,000	11,600,000	9,259,000	15,810,000	18,890,000	28,570,000	44,340,000	13,570,000	6,505,000	24,250,000	13,280,000	66,730,000	261,400,000	26,434
Settlement							1,943,000							
Area under investigation							615,300							

Out from an approximate total land area of 26 140 hectares of land in the city, 21597 ha of land have been allocated with zoning. The remaining proportion of 4543 ha of land remains as white land without being zoned. This is both for customary and state land. It can also be seen from the table above that the amount of land allocated to each zone varies and deems to be disproportionate and is anecdotally believed to be driven by market, geographical location, and population factors.

HISTORY

The Strategic Planning Section understands the importance of declaring parcels of land as subdivision zones as it will open up land for development in the NCD whilst expediting the process for developers by saving them time and money if they had initiated the process themselves and hence have made various efforts in identifying, declaring and gazetting parcels of land within NCD since 2006.

Below indicates a historical record of the above stated efforts;

- i. In 2006, the following sites were identified and approved as declared subdivision zones; section 81, lot 26, Matirogo (Gabutu), Portion 2222, Boroko, (East Boroko), Section 453, lot 35, Hohola, Waigani, Portion 2126, Hohola, (Waigani City Centre), Portion 2127, Hohola, (Waigani City Centre), Land adjacent of section 482, Hohola

(Rainbow), Land adjacent of section 506 Hohola (Rainbow),, Section 389 lot 3- 6, Hohola Garden Hill), Portion 1571, Hohola (Gerehu)

- ii. Not much was done by the Strategic Planning Section between the years 2007 – 2010 until 2011, when the Board requested that the identification of developable sites should reconvened.
- iii. In 2011, an improvement was made with the formulation of a criterion which was used to determine the feasibility of the identified sites as show below:
 - Access to existing road network
 - Correct zoning and preferred land use
 - Vacant land
 - Suitable slope/elevation- two scenarios exist for this:
 1. More than 90m contour level and less than 20% slope
 2. Less than 90m contour level and less than 20% slope
- iv. Following that, ten sites were identified and an assessment was carried out to determine their feasibility, however, only 6 sites shown below met the development criteria and were approved by the NCD Physical Planning Board in meeting No 02/2011,
 - Land adjoining section 232, Kenese Avenue, Hohola
 - Land adjoining section 378 Lots 5,6 and 7, South West of Sivari Road, Gerehu,
 - Land south of Ensisi Avenue stretching from section 446 lots 37, 42, lots 1-10 and section 450 lots 1,4 and 9, Ensisi Valley
 - Portion 110, Talapia Street, Morata
 - Land bounded by section 230 lots 39 – 44 and 1- 14, West of Salote Street Tokarara
 - Land adjoining section 139 lots 24, 137 -140 and lots 1-5, Tokarara
 - In 2012, another 11 sites were identified, and only two met the criteria and were approved by the NCD Physical Planning Board in meeting no.10/2012. Similarly in 2013, 10 sites were identified but only one met the developable criteria and was approved as a declaration of subdivision zone. The three sites are shown below respectively:
 - Portion 587, Dorodo Street, Badili
 - Portion 1444, Corner of Hidiya Road and Tagula Street, Sabama
 - Portion 2176 Dogura Road (6 Mile)
- v. A total of 18 sites have been identified and declared as subdivision zones by the Strategic Planning office since 2006.

PAST TREATMENT OF DECLARING SUBDIVISION ZONES

The initial treatment or assessment was based entirely on the requirements provided in the Physical Planning Act 1989 specifically Section 5 Considerations. This clause provides an invaluable guide to decision making by the NCD Physical Planning Board and covers all physical planning matters in general.

At the initial stages, the applications were usually accompanied with a Completed Physical Planning Checklist, consultation letters from Service and Utility providers confirming the service capacity, other stakeholders' letters where it requires such as National Airports

Corporation, Conservation and Environmental Protection Authority and site inspection reports. However, experiences over time revealed that, a more detail guide which is issue specific is required. For example, Section 5 Consideration sub section (g) says that whether a land is unsuitable for development by reasons of its being, or being likely to be subject to flooding, tidal inundation, subsidence, slip, bushfire, earthquake, volcanic eruption or any other risk whether natural or man-made.” this clause is general and does not specify feasible slope %. Hence, in 2007, seeing a need for further improvement, a Guideline was prepared for assessing all planning proposals internally by the planning staff and includes declaration of subdivision zone as well with specific mentioned to the following:

Declaration of Zones:

“These are high order considerations which challenges the planning system. Zones are declared over white land or land without zoning. The planning system has not previously identified the land for development, there may be good reasons why the land was not previously identified for development, e.g. physical constraints, the following should be considered: Is the land physically suitable for the proposed zone? Is the zoning necessary, can it be confirmed that the maximum use of land will not result in an overload of utility and road services. “(Guidelines for Evaluating Planning Applications)

The criteria for the assessment of the merits of subdivision zone vary and may differ according to the locality of the area.

In 2013, a proposal for declaration of subdivision for a stretch of land at Waigani which is bounded by section 147, 148, 17, 49 and 147 was submitted to the NCD Physical Planning Board for consideration, this proposal brought about the need to do a feasibility study, which detailed both physical and social constraints and set in place the slope % requirement for land above 90 meter contour level. This study also revealed the need to indicate the drainage capacity and conditions against the site hydrological flow direction and catchment basins. This requirement has since been used to date for assessment of applications for declaration of subdivision zones within NCD.

The new Guideline for Declaration of Subdivision Zone will be built on excerpts from various documents amalgamated into one document for all planning staff to use to asses future applications for declaration of subdivision zones.

4.0 ISSUES

A review of NCD Physical Planning Board Meeting Minutes dating from 2005 – 2014 revealed that there were a total of 207 applications received by Board for deliberation. Out from that total 82 were approved cases, 106 were refused by the NCDPPB, 6 were withdrawn and 13 were deferred applications. There were no further records whether the withdrawn and deferred cases were reconsidered by the Board.

From the approved 82 applications, data entry and analysis were done for only 44 applications due to unavailability and missing files from the Records Division. This was considered as limitation in the formation of a comprehensive analysis.

An analysis of the approved subdivision zones dating from 2005 - 2014 indicated the following issues:

- ❖ 25 applicants out from a total of 44 indicated their financial strength for the proposed subdivision zone. The amount indicated ranges from the lowest of K200 000.00 to the highest being K48 million depending on the size of land and the type of development. This statistics indicates that on average there is lack of demonstration of financial capacity to develop the land. This usually results in the land being left undeveloped after the statutory planning permission of 5 year period has lapsed. In other instances it leads to non-compliance of lease conditions stated in the Urban Development Lease or reselling of land to second or third party which sometimes resulted in non-compliance of section 81 Agreement stipulated in the Physical Planning Act.
- ❖ Also 36 out from a total of 44 applications recorded indicated the declared size of their land. The sizes range from the lowest of less than 1 hectares to more than 50 hectares. The table below shows the categories of land sizes declared.

Less than 1ha	1ha and less than 5ha	5ha and less than 10ha	10ha and less than 20	20ha and less than 50 ha	More than 50ha
13	8	6	1	4	4

Some of the sites declared are too big to develop by one developer, hence a limit of 20 hectares of land area should be imposed on new declaration of zones.

- ❖ Most of the applications received from 2010 to current were proposals for declaration of subdivision zone on hilltops and slopes. Some of these applications were submitted without geotechnical reports as a supporting document causing difficulty in determining the feasibility of the proposed site, and whether or not it relates satisfactorily to the topography of the area, and whether the existing vegetation should be retained or not.
- ❖ Almost all subdivision design failed to indicate the drainage systems or how storm water or surface run off would be managed or collected and whether the retention basins are sufficient to cater for the proposed subdivision site
- ❖ Most of the subdivision designs are substandard and are sometimes vague to read and establish whether the proposed subdivision zone has adequately met the standard requirements

- ❖ All approved applications for subdivision zone are lodged in hard copies which most times leads to misplacement and missing information which have always led to applicants resubmitting new applications or asked to provide missing information. Such situations have caused delay in the processing of applications and needs to be improved with the submitting of electronic applications.
- ❖ All submissions for declaration of subdivision zones are always accompanied with confirmation of utility service in written form without proper indication of the service capability with statistics. With the current experience of power black outs and water cuts in the city, applicant will now be required to provide statistical confirmation from both PNG Power and Eda Ranu with indication of supply plant to the proposed site.

It was also observed that parcels of land characterized by steep slopes possess unique development constraints which require sensitive planning in the declaration of subdivision process. The experience with past development has shown that the improperly managed disturbance of steep slopes can:

- 1) aggravate erosion and sedimentation beyond acceptable levels, resulting in loss of topsoil, a natural resource, and can result in disturbance of habitats, degradation of surface water quality, alteration of drainage patterns, destruction of drainage structures during intensification of flooding.
- 2) leads to the failure of slopes and the mass movement of earth; rock and landslides, damage to the natural environment, man-made structures and personal safety; and the degradation of the aesthetics of the community. It is important the guidelines are set in place to reduce the risks to public health, safety, and welfare from unmanaged disturbance of steep slopes with the intention to provide for flexibility in the siting of buildings and other facilities so that alteration of steep slope areas, and other environmentally sensitive lands, can be avoided. Nonetheless, Strategic Planning recognizes that alteration of steep slopes may be necessary in some cases. The intent is not to restrict general development on slopes, but to guide development into areas where they best enhance these natural environment and preserve the visual character of the land that foster environmentally sound developments.

Example of such risks is shown below:



Pic 1: Flood and soil erosion of Hilltops developments during Heavy downpour at Ranbo Estate



Pic 2: landslide damage to natural environment and Residential house along Ports Road in Town Area

5.0 REGIONAL COMPARATIVE ANALYSIS

To understand and appreciate the formation of decision making for selection of land suitability and capability at regional scale, a comparative analysis of various councils including Pittwater, Richmond, Dubbo City, Northern Territory and Western Australia was carried out. The Comparative Analysis showed that the Land Release Strategy is drawn from a range of sectors including Demographic, Sustainable Environment and, Infrastructure Needs Studies which identifies and determines the capability and suitability of land to assign different forms of land uses and assess the likely requirements of future development. It draws down to specific issues listed in the table below in terms of assessing the suitability and capability of subdivision zone as a process to free up land to cater for urban expansions.

Environment	Infrastructure and Utility Services	Demographic	Location of Land
Open space and recreational areas	Effective provision of required capability of road and transport links	Current population concentration and likely trends of increase	Relationship to surrounding environment and associated impacts
Conservation and protection of significant vegetation	Storm water, surface run off and drainage issues	projections	
Suitability of slopes, soil structure,			
Geotechnical Stability & flooding and stable land surface			
Wetland and fire prone areas			

Although the NCD Physical Planning Office does not go into detailed sectoral studies indicated above, it however, considers the items listed under each sector as significant factors and have always applied that in the assessment of land suitability and capability as such is prescribed generally under the Section 5 of Physical Planning Act 1989 and have always formed part of the evaluation process for the declaration of subdivision zone proposals. This proves some kind of commonalities in the practise of identifying suitable land to cater for urban expansions and developments

Visual Aids – indicate picture as an e.g. and electronic copies of plans

Visual image of a proposed subdivision design aids in conveying the anticipated outlook of the area to the general public. In keeping up with the technology the most preferred visual image should be in the form of 3D as it helps to appreciate the proposed site in its entirety taking into account the surrounding environment and its relationship to the proposed subdivision zone. They help to read road lay outs, shopping centres, schools, parks, housing, employment, and the connections to transport in the creation of new suburbs.

6.0 SURVEYING AND MARKET INDUSTRY

The NCD Physical Planning Board has also raised concerns regarding the inflated rate of conducting the boundary survey and has proposed to undertake future boundary surveys for potential sites that will be declared by the NCD Physical Planning Board, however, before a final decision is made it is important that factors affecting the surveying cost must be critically analysed for the purposes of decision making. Each parcel of land is unique and the associated costs depend on many variables. Some of these cannot be established until the work has started. Listed below are some of those variables:

- ❖ Methods and Required accuracy and purpose for the survey.
- ❖ Complexity of deeds- the number of parcels that need to be researched in legal records and encompassed by field surveys, many times complicated by vague, incomplete, and often contradictory legal descriptions. Deeds for abutting lands must be researched and unrecorded deeds and agreements must be resolved.
- ❖ Size and Shape - an irregular shape has more corners and a longer boundary than a square containing the same area.
- ❖ Site conditions, terrain and Accessibility- a flat field is easier to survey than a mountain. Vegetation and swamps complicate the survey procedures.
- ❖ Field evidence- the existence of iron pins or pegs, stone corners, fences, designated trees, etc. aid the surveyor and their absence compound difficulties. Cooperative neighbours can be very helpful.
- ❖ Weather patterns; heavy rainfall slows down work pace and over time soil build up causes by erosion conceals field evidence.

The surveyor often works in conjunction with Registrar of Titles Division of Department of Lands and Physical Planning Office to determine the written evidence of title prior to performing a boundary survey. Boundary surveys are a product of research of the public records, fieldwork to establish the location of any physical evidence and office calculations of the written record to determine the proper location of the property lines.

An interview with the Surveyor General's Office of the Department of Lands and Physical Planning reveals that there is a standard scale of fees set by the Association of Surveyors as a measure to control inflated or exaggerated rates for registered private practitioners. These fees are charged on hourly rates which are based on professional fees, logistics, surveying equipment, computing and camping.

Category	Short term projects (K)	Long Term Projects (K)
PROFESSIONAL FEES		
Executive Specialist	326.80	228.76
Key staff/Project Manager	258.40	180.88
Senior Registered Surveyor Senior Engineering Surveyor	228.00	159.60
Town Planner	212.80	152.00
Experienced staff	167.20	148.96
Graduate surveyor	136.80	117.04
Graduate CAD Operator	136.80	95.76
Trainee Surveyor	106.40	95.76
Trainee CAD Operator	106.40	74.48
Chainman	28.12	19.68
Labourer	14.06	9.85
Vehicles		
2WD Urban	29.64	20.75
2WD Rural	41.04	28.73
4WD Urban	34.96	24.47
4 WD Rural	47.12	32.98
Survey Equipment		

Total station	29.64	20.75
Theodolite & Chain	14.06	9.85
Computing		
Computer and software	17.74	10.32
Plotter	34.96	24.47
Computer & Plotter	23.56	16.49
Camping		
First Party	218.88	153.33
Subsequent parties	109.44	76.61

Looking at the standard scale of rates, one could conclude that it is costly to engage private surveyors to conduct boundary surveys. On the contrary, surveying works conducted by the surveyors working full time with government department especially Department of Lands and Physical Planning are less costly. However, the government can assist to conduct boundary survey if the land is going to be used for public purposes such as sporting fields, parks, government schools or hospitals or other government projects such as the current affordable Housing project at Gerehu stage 3, where the public can benefit from or other special projects considered on humanitarian grounds, e.g., refugee sites.

Private developers usually carry out their own survey works as it is in their interest to gain both social and economic benefit out of it.

The current practice is that, after the NCD Physical planning Board approves the declaration of subdivision zone, the decision is gazetted and sent to the Department of Lands and Physical planning for the purposes of completing the Urban Development Lease processes. It is usually in the interest of the developer to pursue his/her interest in obtaining the urban development leases beginning with the surveying exercise and ending with the successful awarding of the lease by the land surveying and registration processes. It is also seen that those that undertake the boundary surveys themselves especially the private developers have a high chance to be issued with the Urban Development Lease because of the associated costs incurred on it together with the efforts and time committed to the entire process.

MARKET INDUSTRY

Market value refers to the price that a seller of property can expect to receive from a buyer in a fair and open negotiation. This price can fluctuate dramatically, and while the valuer may determine one "market value" for the land, the reality in the end is that the true value is determined by what a buyer is willing to pay for it. Knowing the market value of the property is equally important if you are selling or buying a home or land because it helps determine the asking and buying price. Many sellers who do not understand this concept will price their home or land too high or too low, both of which could have negative financial results. Similarly, many homeowners or land owners may fall victim to an excessive value if they don't understand the real market value

For the purposes of this report and in relation to declaration of subdivision, the market value here will be referred to as value of land that is declared as subdivision zone at an unimproved state.

It is very critical to understand the market value of the potential sites that will be declared as subdivision zone, because it helps to determine the financial capacity of the developer. Past experiences have shown that many developers have failed to indicate their financial strength to develop land which in most cases have resulted in land being left undeveloped after the

planning permission is granted. In other cases developers tend to sell their land to second and third parties who have always failed to comply with conditions of Section 81 Agreement stipulated in the physical Planning Act. Yet in other instance it was seen that the land was too big to develop for the amount of money indicated. These notions are evidenced with the result for the analysis of the application for declaration of subdivision zones from 2005 – 2024 together with general observations around the city.

Typically, the market value of a land is determined by a variety of key factors such as improvements to land, condition of the property, location, accessibility and availability of services together with the current market supply and demand. Examples of such services include its close proximity to the amenities such sporting field, bus stop, shopping centre. For comparison purposes, an unimproved land in Down Town or Boroko is valued higher than the one at Laloki or 9 Mile due to the above stated reasons.

Below is an indication of market value calculated at current rate for both commercial and residential allotments on an unimproved value as revealed a reliable valuer.

- (1) the current residential value range from K240/m² - K260/m² for improved land whilst
- (2) Unimproved commercial land is K370/m² – K400/m² as base for areas outside the Central Business District (CBD), e.g. Gerehu suburb.

Value increases for areas that falls within the proximity of Central Business District. The values advertised in the daily newspaper does not reflect the real value as they involve other costs such as administration fees, consultancy/agent fees, legal fees..etc.

LIMITATIONS

The analysis component of this report was prepared without the benefit of all approved files from 2005 - 2014 due to issues associated with the retrieval of files as well as missing information from the files retrieved

CONCLUSION

The Comprehensive Report on the “Treatment of applications for declaration of subdivision zone” discussed a wide spectrum of themes beginning with an explanation of land release processes together with a collection of background information that discusses zoning allocation and remaining proportion of white land. It includes a detailed history which includes the past and current treatment of applications for declaration of subdivision zone and associated issues. The report also discussed the comparative analysis which looks at the land suitability and capability with its determining sectors at regional scale. It further discussed the advantage of visual aid to show layout of subdivision concept together with comparative surveying cost and land market Industry and the associated value at an unimproved rate. All these discussions provided the basis for the formulation of Guideline for assessing declaration of sub division zone.

7.0 RECOMMENDATIONS

- i. A guideline be prepared to assess all future applications for declaration of subdivision zones which should address all the issues identified in the report,
- ii. The boundary survey of all sites declared as subdivision zones to be conducted by the developer interested to develop the land if it is not for public purposes.

GUIDELINE FOR ASSESSING DECLARATION OF SUBDIVISION ZONES

1.0 INTRODUCTION

Purpose

This Guideline is intended to provide guidance to case officers to do timely and comprehensive assessment of all applications for Declaration of Subdivision Zone in NCD.

Legal Basis

Section 5 Considerations of the Physical Planning Act 1989 provides the legal basis from which this Guideline is formulated. It stipulates that:

Where consideration is being given to a physical planning matter under the this Act, the appropriate authority shall take into account such matter under considerations

(b) Impact on the environment and where the harm to the environment is likely to be caused, nay means that maybe employed to protect the environment or reduce that harm

(c) The character, location, bulk, scale, size, height and density of any development

(e) The social and economic aspects of the matter

(f) The size and shape of the land which is proposed to be developed, the sitting of any building or works thereon, and the area to be occupied by any development

(g) Whether land is unsuitable for development by reason of its being, or likely to be, subjected to flooding, tidal inundation, subsidence, slip, bushfire, earthquake, volcanic eruption, or any other risk whether natural or man made

(h) Relation of any development to any development on the adjoining land or on the other land in the locality

(j) The amount of traffic likely to be generated by any development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic on that road system

(l) Whether utility services are available and adequate

2.0 Background

The Comprehensive Report on the “Treatment of applications for declaration of subdivision zone” discussed a wide spectrum of themes beginning with an explanation of land release processes together with a collection of background information that discusses zoning allocation and remaining proportion of white land. It includes a detailed history which includes the past and current treatment of applications for declaration of subdivision zone and associated issues. The report also discussed the comparative analysis which looks at the land suitability and capability with its determining sectors at regional scale. It further discussed the advantage of visual aid to show layout of subdivision concept together with comparative surveying cost and land market Industry and the associated value at an unimproved rate. All these discussions provided the basis for the formulation of Guideline for assessing declaration of sub division zone.

Relationship to other plans and policies

The Physical Planning Regulation Act 1989 and Regulation 2007 provide the legal basis from which all other plans, polices, guidelines and checklists are derived from. These Plans and Policies serve as a development management mechanism for managing urban growth. They come in tiers and works simultaneously with each other in controlling physical developments.

In NCD there is a master plan which provides the broad strategic framework to guide developments and infrastructure services. This master plan provides the basis from which local developments are prepared. The local development plans are specific to a local planning area and provides detailed land use and social and infrastructures services development plans. In the absence of local development plans and in relation to specific physical planning issues, development Control Polices, and Checklists are formulated and used to guide and control developments.

Desired Outcome

- i. Timely release of developable land
- ii. Address difficult topographic conditions, minimise impacts on the natural environment and reduce the risks to public health, safety, and welfare from unmanaged disturbance of steep slopes.
- iii. Contain scale of development in consideration of load on utility services
- iv. Ensure potential sites have road access and sufficient capacity.

Scope

This guideline applies to all areas that fall within the boundary of the National Capital District,

3.0 Guideline

The guideline set out below in the table will be used to assess future applications for declaration of subdivision zones.

	Planning Principles	Checklist	N/A	Yes	No						
1	Preferred Mapping Standard Locality Map drawn to scale of 1:4000, depicting the boundary of potential sites.	Did the applicant provide a locality map?	√	√	√						
2	White Land Zones are declared ONLY over white (land without designated zoning)	Is the proposed site white land?	√	√	√						
3	Ownership issue Vacant land	Is the proposed site vacant without title?	√	√	√						
4	Compatible with provisions of LDPs Development plans are comprehensive documents which are legally binding and used as control mechanism for managing urban growth. All provisions stipulated in the plan must be respected.	Is the proposal compatible with the provisions of the Local Development Plan	√	√	√						
5	Preferred land area Total land area to be declared is limited to 3 groups below to ensure that the potential sites declared must have adequate and reasonable size to be able to be developed comprehensively whilst discouraging piecemeal developments. More than 20 hectares will be assessed on merits on case by case basis. Otherwise allowances will only be made for schools and hospitals.	Does the total land area to be declared falls within one of the 3 categories? <table border="1" data-bbox="603 996 965 1070"> <thead> <tr> <th>Minor</th> <th>Mid-size</th> <th>Major</th> </tr> </thead> <tbody> <tr> <td>3 ha or less</td> <td>4ha-10 ha</td> <td>11ha – 20ha</td> </tr> </tbody> </table>	Minor	Mid-size	Major	3 ha or less	4ha-10 ha	11ha – 20ha	√	√	Proper justifications must be made for areas more than 20 hectares and how it would be comprehensively developed together with demonstration of financial capacity of the developer.
Minor	Mid-size	Major									
3 ha or less	4ha-10 ha	11ha – 20ha									
6	Suitability Analysis Some land are totally unsuitable for developments due to physical constraints and may pose safety concerns, such as risks to public health and welfare from unmanaged disturbances of steep slopes and floods together with landslips. Engineering difficulties such as steep road grades and difficult road geometrics results in narrow road with limited capacity	Geotechnical reports are required to confirm that the slopes and elevation are Suitable and must fall within : (1) (a) more than 90m contour level and less than 20% slope (b) less than 90m contour and less than 20% slope (c) soil and rock types and their conditions (2)Hydrological Assessment Report (Suitability Criteria yet to be done & attached)	√	√	√						
7	Site Analysis It is essential to carryout site investigations and document the existing conditions both physical and natural and their relationships to one another and determine whether certain conditions are worth preserving or not	Site Investigation Report: (1)Indicating the natural environmental features And whether they should be conserved. E.g. trees, shrubs, (2)Physical environment and its relationship with the surrounding developments 3. Any unique historical, archaeological, scenic or other noteworthy features within or in proximity to the proposed subdivision.	√	√	√						
8	Access to Services	Does the proposed site has access to	√	√	√						

	Access to existing road networks, water and power.	the exiting road network, water & Power services									
9	<p>Demonstration of Financial Capacity</p> <p>Most times huge parcels of land are declared and left without being fully developed. Owners tend to resell due to lack of financial capacity resulting in non-compliance with conditions of Urban Development lease hence it is important to demonstrate the financial capacity to ensure the proposed site is comprehensively developed</p>	<p>Did the applicant demonstrate their financial capacity as per the groups shown below to develop the proposed site?</p> <table border="1"> <thead> <tr> <th>Minor</th> <th>Mid-size</th> <th>Major</th> </tr> </thead> <tbody> <tr> <td>K150,000 (bond fee)</td> <td>K250,000 Bond fee)</td> <td>K500,000 Bond fee)</td> </tr> </tbody> </table>	Minor	Mid-size	Major	K150,000 (bond fee)	K250,000 Bond fee)	K500,000 Bond fee)	√	√	√
Minor	Mid-size	Major									
K150,000 (bond fee)	K250,000 Bond fee)	K500,000 Bond fee)									
DETAILED SUBDIVISION DESIGN											
1	<p>Title Proof</p> <p>It is important that the developer has a title over the proposed site or some sort of written proof to show that the owner has given consent to agent to develop the land on his/her behalf to avoid any likely ownership issues that may arise in the future</p>	Did the applicant provide evidence of ownership?	√	√	√						
2	<p>Locality Map</p> <p>Locality Map drawn to scale of 1:4000</p>	Did the applicant provide the locality map?	√	√	√						
3	<p>Subdivision Layout</p> <p>Subdivision design concept showing newly created allotments and layout of detailed drainage and road networks drawn to a scale of 1:2000.</p>	<p>Did the concept plan meet all these requirements?</p> <p>Proposed minimum allotment sizes must be 300m² and must be able to accommodate on site requirements</p> <p>Proposed road must comply with all minimum requirements stipulated in the Physical Planning Regulation 2007, Part IV sect 34</p> <p>20 – 30% of the total land area declared to be allocated for road and drainage easements</p>	√	√	√						
4	<p>Utility Service Capacity</p> <p>It is important that the proposed development does not create an overload of utility services but must be serviced with sufficient capacity</p> <p>Confirmation letters from Eda Ranu, PNG Power and NCDC Engineering Department are required to confirm service capacity</p>	Is the proposed site serviced with sufficient utility services with confirmation letters from respective utility service provider?	√	√	√						
5	<p>Open Space Standard</p> <p>Residential subdivision zone must ensure there is sufficient provision of open spaces to be used as playing field. Section 37 of the Physical Planning Regulation stipulates that for every 1000 proposed residents there should be 4ha of open space. This is considered too much and hence this guideline proposed for a 5000m² for every 10ha of land proposed to be developed.</p>	Did the proposal meet the 5000m ² open space requirement for residential subdivision zone?	√	√	√						

Reference

1. Physical Planning Act 1989 (No. 32 of 1989) and Planning Regulation 2007 (revised)
2. National Capital District Urban Development Plan, 2006, Strategic Planning, Regulatory Services
3. <http://.copyscape.com/copysentry.php>
4. <http://www.msls.org//.org//>.
5. Interview: Department of Lands and Physical Planning, Office of the Surveyor General
6. Interview: Urbanization Section of National Capital District Commission
7. Checklist For Evaluating Planning Applications
8. Application for declaration of subdivision files (2004 – 2014)