

SECTION 10 – FINANCIAL CONTRIBUTIONS AND SUBDIVISION

INTRODUCTION

The control of subdivision is a specific matter of relevance to District Plans. The principal feature of subdivision is that it produces a framework of land ownership which assists development, activities and conservation.

Subdivision provides the framework of service provision for land use including roading, water supply, sewage disposal, energy, telecommunications, stormwater and trade waste. Subdivision is also the mechanism for the provision of esplanade reserves, and strips and access strips and is therefore significant in the context of providing public access to waterways and the coastline.

OBJECTIVES AND POLICIES

Objective 1 - Subdivision Servicing

The provision of necessary services to subdivided allotments in anticipation of the likely effects of future land use on those allotments.

Policies

- 1A. To integrate subdivision roading with the existing roading network in an efficient manner which reflects expected traffic levels and the safe management of vehicles and pedestrians and other modes of transport.
- 1B. To achieve safe and effective vehicular access to properties in subdivisional developments.
- 1C. To achieve provision of pedestrian and amenity linkages where useful linkages can be further developed.
- 1D. To minimise the adverse visual and physical effects of subdivision roading.
- 1E. To ensure that water supplies to subdivided allotments are of a sufficient capacity and of a potable standard.
- 1F. To require upon urban subdivision, that all new lots be provided with a means of connection to a reticulated water supply system, where water from such a system is available.
- 1G. To ensure that the provision of any necessary additional water supply, stormwater control or sewage disposal infrastructure and the upgrading of existing infrastructure is undertaken or paid for by subdividers, in recognition of the scale and nature of the anticipated land uses.
- 1H. To encourage the retention of natural open waterways for stormwater and to ensure disposal in a manner which maintains or enhances the quality of surface and ground water.
- 1I. To ensure that stormwater is disposed of in a manner that avoids inundation of land within or adjoining the subdivision.
- 1J. To ensure, upon subdivision, that anticipated development is provided with a means of disposing of sanitary sewage in a manner which is consistent with maintaining public health and minimises adverse effects on the environment.
- 1K. To require upon subdivision, that all new lots be provided with a means of connection to a reticulated sanitary system, where such a system is available. Where a reticulated system is not available, on site or stand-alone communal treatment systems may be installed, subject to any discharge consents required. Council will also require satisfactory legal or other arrangements to be in place ensuring that there will be ongoing availability and maintenance of any communal system or its component parts.
- 1L. To require that provision be made for trade waste disposal upon subdivision of land for anticipated industrial use.
- 1M. To ensure that adequate provision is made for the supply of reticulated energy and communication facilities and that the method of reticulation is appropriate to the amenities of the area.

- 1N. To require servicing standards for Residential 2 and 3 Zones to provide certainty for future owners, developers and the Council and achieve sustainable servicing over time (refer Residential Zone Policy 4A and its explanation.)

Explanation and Reasons

High vehicle ownership requires consideration of access to newly created lots. Only in a very restricted set of circumstances would vehicular access be impracticable and pedestrian access is always essential. Roading and access standards are a reflection of anticipated traffic be it volume or type. Subdivision standards for roading and access will reflect the opportunities to create a variety of vehicle and access limits for the benefit of both vehicular transport and pedestrians. Roading and access can also have a major visual impact and as such both the location in terms of the topography and landscape, and the design of access routes, should enhance the natural environment and minimise any visual intrusion.

The subdivision of land is often followed by intensification or changes in land use that subsequently increase the demand for water usage. Where the proposed subdivision creates new allotments, and where the users will require water for human consumption, then that supply must be potable and reliable. Water for fire fighting purposes will not be readily available from the Rural Water Supply Schemes. Unless the water supply system has an excess of capacity, subdivision and development leads to the need for the water supply system to be upgraded. Some land use activities may place heavy demands upon a water supply system to enable their processes to function, and consideration must be given to their location to ensure the sustainability and wise use of the water resource.

Notwithstanding regular monitoring and testing programmes, individual wells run higher risks of contamination. The water resource can be better managed if a public supply system is installed wherever practicable. Having as many water users as is possible connected to the public water supply system increases the efficiency of use of the whole system, including management of both the natural water resource and the physical resources involved in water supply. When land is subdivided new connections to the system will be required by the activities to be established on these allotments. The ability to connect to the water supply system at the property boundary must be provided by the subdivider. Where the public system is physically not available, then the subdivider or developer must provide a connection to that system as the Council requires, or to an individual on-site system of sufficient capacity and a potable quality. Where subdivision occurs within a reticulated water supply and water is not available from the supply, future owners need to be aware that the water supply is their ongoing responsibility.

The design of stormwater systems and the capacity of existing systems must be adequate to achieve satisfactory disposal. It is the responsibility of the person who changes the existing land and water surfaces to investigate the effects of the proposal and if any adverse effects will or could result from the subdivision of land, then mitigating measures must be carried out. Any possible adverse effects on land surrounding a subdivision are also to be prevented by remedial works installed by the subdivider.

Recognition and enhancement of the values of natural waterways and receiving waters is a necessary part of planning subdivision and subsequent land use developments. Open waterways can be visually attractive and generally provide an opportunity for enhancement through suitable landscape treatment. Preservation of the natural system is ecologically and environmentally more acceptable.

Disposal and proper treatment of sanitary sewage is a matter of vital importance. This is particularly significant in terms of the protection of the quality of the surface and groundwaters and that of receiving waters.

Adequate treatment of sewage effluent requires adequate provision for treatment works and means of disposal for the waste waters generated in the system. In the urban areas where density of development precludes individual disposal systems, it is a Council function to provide sewage treatment and reticulation ensuring a safe means of disposal of the large quantities of urban sewage, treating it and discharging the waste water.

In rural areas and unserviced townships where connection is impracticable, care must be exercised to ensure that individual treatment plant does not cause pollution of any waterways or the underground aquifers. Such pollution could adversely affect the quality of community water supplies, human health and the environment. Any private communal systems need to be subject to satisfactory legal arrangements to ensure households can be assured of ongoing availability of the system and that it is well maintained. Subdivision for new industrial activities has to anticipate trade waste disposal needs which are often much higher than most other land use activities.

The supply of electric power and telecommunications to all sectors of the community can readily be regarded as an essential service. It includes any upgrading or establishment of a system to service an area, and supply to individual users of sites created upon subdivision. The provision of reticulated supplies will, of necessity, involve reticulation systems which can be either above or below ground, as well as (in some cases) substation structures. The widespread use of electric power means a provision of power lines and their associated structures. However, with appropriate planning, adverse effects of overhead lines can be mitigated to a certain degree, while for most properties in the residential, town centres and special conservation areas, provision of new reticulation is required to be by underground reticulation. The much higher cost of underground reticulation is recognised, and underground reticulation is not required in all rural and industrial areas where environmental and economic considerations may be differently balanced.

Objective 2 - Cost of Services to be met by Subdividers and Developers

The costs of the provision of services within subdivisions and for new built development or the upgrading of services necessitated by that subdivision or development, is to be met by the subdividers and developers.

Policies

- 2A. To require subdividers and developers to meet the costs of upgrading services, which are attributable to the impacts of the subdivision or development, including where applicable:
- roading and access;
 - water supply;
 - sewage disposal;
 - stormwater disposal;
 - trade waste disposal;
 - provision of electricity;
 - provision of telecommunications.
- 2B. To provide for any contributions to be in accordance with the methods of determination specified in the Rules.

Explanation and Reasons

Subdivision of land provides a framework of services for subsequent purchasers of new allotments who have an expectation that services will be available. New subdivision may also give rise to demands for upgrading of existing services which is a direct consequence of the subdivision. Many of the costs of servicing subdivisions apply equally to servicing new houses and other buildings, including commercial and industrial buildings. Where no payment has been made at the time of subdivision it is appropriate that financial contributions be payable to the Council to provide for stormwater, sewerage, water supply and roading services.

The provision of services within the subdivision is a cost recoverable from the sale of allotments and can be imposed on a subdivider at the time of subdivision development. Furthermore, where a subdivision creates a demand for upgrading services outside of the subdivision, the Council is justified in recovering costs attributable to the subdivision itself.

Contributions are set according to rules to ensure a reasonable degree of certainty for developers.

Objective 3 - Pattern of Subdivision in Rural Areas

A subdivisional pattern which contributes to the maintenance or enhancement of groundwater and surface water quality and provides for a range of rural land use activities, while protecting the natural resources and values of the rural area.

Policies

- 3A. To limit the minimum size of subdivisions in the Rural zone in order to enable flexibility in house siting while avoiding the possibility of:
- occupiers of the new allotments being affected by neighbouring activities, or
 - cumulative adverse impacts of septic tank disposal systems on the quality of groundwater and surface water; or
 - increasing the exposure of the community to natural hazards; or
 - adverse effects on infrastructure; or
 - loss of the rural productive capacity of the Rural Zone; or
 - uneconomic extensions to, or maintenance of, services; or
 - adverse effects on indigenous vegetation and habitats of indigenous fauna.
- 3B. To require residential buildings to be setback from property boundaries to reduce the probability of the residents of those dwellings being exposed to significant adverse effects from an activity on a neighbouring property. (Refer Rural Zone Policy 6B).
- 3C. To limit adverse impacts (including cumulative impacts) on the character of the lower density of the rural environment.
- 3D. To avoid degrading or modifying the important landscape values of identified Outstanding Natural Landscapes and Features.
- 3E. To control subdivision that could foreclose the ability to use the soils which are, or foreseeably could be, valued for rural productive purposes.

Explanation and Reasons

There is a need and expectation by the community that groundwater and surface water quality should be maintained and/or enhanced because of the biological needs of natural systems, the cultural values attributed to water, and its use in domestic and stock consumption. Small lot subdivision with its associated residential use which can impact on groundwater and surface water quality by seepage from septic tank disposal fields should therefore be avoided. Where appropriate, subdivision applications should be considered at the same time as any discharge consent that is required.

It is wise to ensure that lot sizes are of a sufficient size to enable flexibility in house location while being set back from neighbouring properties to reduce the impact of neighbouring farming activities.

An essential element of rural character is the low density of buildings and residential use. To maintain this character and to avoid amenity and reverse sensitivity effects, a control is needed on the density of residential development. This control is also required to reduce the demand for increased or improved services such as roading, water and power which can be costly and uneconomic to supply.

To avoid inappropriate subdivision and development, additional controls (beyond the general Rural Zone rules) have been placed on outstanding natural landscapes. These controls require larger minimum lot sizes and limit buildings in order to retain an open, un-built character.

Objective 4 - Esplanade Provision

Development of a system of esplanade areas adjacent to and along important waterways, lakes and the coast, and access strips to these esplanade areas, which

- enables protection of the margins and retaining the natural character of lakes and rivers, and
- provides for public access to and along, and the recreational use of the margins of lakes and rivers, where it is appropriate in terms of conservation values and public safety.

Policies

- 4A. To require esplanade strips of up to 20 metres width along waterways, lakes and the coast to be created upon subdivision of lots within rural areas which have particular value for access or recreation and protection of margins, water quality and aquatic habitats.
- 4B. To enable the creation of up to 20 metre esplanade strips along waterways, lakes and the coast upon subdivision of lots in areas which are assessed at the time of subdivision as having value for access or recreation, or which enable protection of margins, water quality or aquatic habitats.
- 4C. To provide for esplanade reserves upon subdivision of land where protection of conservation values requires land management practices which are unlikely to occur with current land use.
- 4D. To negotiate easements for access for the public across private land to enable access to waterways, lakes and the coast within the District which are valued for recreational purposes and because of their conservation values.

Explanation and Reasons

- The public desire a reasonable level of access to waterways within the District, particularly for recreational purposes.
- There are areas adjacent to waterways within the District which have significant conservation value or which contribute to the maintenance and enhancement of water quality and aquatic habitats. It is desirable that these areas receive protection to retain those conservation values.
- Esplanade strips enable public access onto properties while permitting existing land uses to continue.
- Some waterways and their margins have significant conservation values which require protection that can only be achieved if the land is reserved for that purpose.
- To enable the public to enjoy esplanade areas and the District's waterways it is necessary that access to these areas and waterways be made available. The Council is authorised under the Act to negotiate access arrangements across private land for the purpose of public access to waterways.

Objective 5 – Recreation, Open Space and Reserves

A conveniently distributed and accessible range of public open space and recreational areas and facilities to meet the diverse needs of residents and visitors to the District.

Policies

- 5A To encourage and, where possible, provide for a range of recreation opportunities within the District.
- 5B To ensure the provision of open spaces and recreational facilities and areas within or in reasonable proximity to new residential subdivisions to meet the future needs of the community.
- 5C To require contributions towards public open space and recreation facilities and areas from residential subdivision and development to provide for:
 - i additional parks, walkways and cycleways needed as a result of additional household and/or visitor growth;
 - ii additional open space needed for visual relief or enhancement;
 - iii development and maintenance of neighbourhood parks and local open space to a level at which they are useable and enjoyable.

- iv development and maintenance of recreational facilities which serve the local and district community.
- 5D To require financial contributions for the provision and maintenance of open space and recreation facilities where the construction or operation of larger developments, including utilities:
 - i involves permanent on-site staff; or
 - ii attracts visitors directly or indirectly, or
 - iii results in the loss of actual or potential open space quality or recreational opportunities;
 and there is a connection between the development and the need for the provision and maintenance of open space and recreation facilities.

Contributions will not be required where sufficient alternative provision has been made.

Explanation and Reasons

The use of contributions by way of land or cash at the time of subdivision or development will assist the Council in acquiring further reserves to improve the availability of these or to improve and maintain the quality and facilities of existing recreation and open space areas. These new or improved recreation areas and facilities will serve the people who will be housed or work in or near the new subdivisions or developments. The basis for the contribution is the additional, actual or potential demand anticipated for recreational and open space land consequent to subdivision and development - that is, its "effects" in terms of land use intensification. Contributions are not to be imposed as a tax on development, but can be in the form of land (where provision is practicable such as from larger "green field" sites) or cash.

With regard to recreation and open space contributions payable by developments, their purpose is:

- To provide conveniently located open space and recreation facilities for construction and permanent workers/staff associated with developments/utilities.
- To provide open space and recreation facilities for visitors to an area where the development/utility is related to the attraction of those visitors.
- To mitigate or off-set the effects of development/utility on the quality and amenity values of existing open space or recreation values, whether temporary or permanent.
- To provide open space and recreation facilities to compensate for the loss of actual or potential recreational and open space opportunities resulting from the development/utility which loss cannot be dealt with satisfactorily by conditions relating to the development site.

Construction workers accommodation camps or similar (e.g. to construct utilities) are subject to the recreation and open space contributions.

Open space and recreation contribution requirements in the Plan apply across the full spectrum of development, except network utilities. The nature of some developments however will be such that they do not result in any adverse effects on recreation and open space provision and values or generate demand for additional facilities. This is particularly the case with some utilities which do not have permanent on site staff, generate little visitor demand, and do not result in the loss of open space quality or recreational opportunities. Mitigation of any effects may be by alternative means provided as part of a development, negating the need for a contribution. The level of contribution required for a development will be dependent on such factors in considering resource consent applications to reduce or waive any contribution required.

Objective 6 – Avoidance of Natural Hazards

The avoidance of subdivision in localities where there are significant natural hazards, unless these can be mitigated without significant adverse effects on the environment.

Policies

- 6A To ensure that subdivision is either restricted, subject to mitigation measures, or avoided in areas subject to risk from flooding, subsidence or slippage.
- 6B To ensure that mitigation measures do not give rise to unnecessary adverse impacts on the environment.

Explanation and Reasons

There are areas within the District, which because of risk of natural hazards including flooding, would be unsuitable for development, or which require specific measures to be undertaken to overcome these hazards. The Council has an obligation under Section 106 of the Act to decline consent to any subdivision in areas where these hazards cannot be adequately mitigated, in addition to ensuring that any mitigation measures are in fact adequate to overcome the hazard. It is also necessary to consider the effects of the mitigation measures themselves which may also create adverse environmental effects.

Objective 7 - Heritage Values

Subdivision which enhances or maintains heritage values

Policies

- 7A To avoid or mitigate loss of heritage values of heritage items or places or archaeological sites, resulting from subdivision.
- 7B To allow or create easements or consent notices in order to leave heritage items and archaeological sites undisturbed where possible.
- 7C To allow for a remission of any financial contribution in recognition of retaining the integrity of heritage items.

Explanation and Reasons

- The subdivision process can provide an opportunity to ensure heritage values are enhanced or maintained by creating potential development options. Where possible any adverse impact on heritage values should be avoided.

Objective 8 – National Grid

Facilitate the operation and maintenance of the existing National Grid lines while managing the adverse effects of the network.

Policy 8A

To manage subdivision design and building location to avoid incompatibility between activities and National Grid lines which could interfere with their operation and maintenance and/or endanger people and property.

Explanation and Reasons

- It is important to manage incompatible development and reverse sensitivity effects associated with subdivision and development near the National Grid transmission lines as this has the potential to place individuals and the community at risk, and generate adverse effects on those lines. The National Grid transmission lines form a major asset and may act as a constraint to subdivision and associated development. This asset must be protected from activities that could adversely impact on the

- ongoing function of the lines (including activities which could casue reverse sensitivity effects).
- It is important that the location, nature, scale and requirements for the operation of regionally significant infrastructure is taken into account at an early stage when changes can be more readily made in response to identified issues. Accordingly, developers of all new subdivisions are advised to contact Transpower New Zealand directly to discuss how the presence of a transmission line can be taken into account.

RULES – FINANCIAL CONTRIBUTIONS AND SUBDIVISION

1. FINANCIAL CONTRIBUTIONS FROM SUBDIVISION AND DEVELOPMENT

1.1 Application of Rules to Zones

1.1.1 The rules apply in all zones unless otherwise stated.

1.2 Activities

1.2.1 Any Residential Activity which complies with all of the following Site Standards shall be a Permitted Activity.

1.2.2 Any Residential Activity, Commercial, Industrial, Service, Recreational, Community, Visitor Accommodation or Utility (other than network utility operations) which does not comply with any one or more of the following Site Standards shall be a Discretionary Activity in respect of that matter.

1.2.3 Industrial, Service, Commercial, Recreational or Community Activities or Visitor Accommodation shall, where the following Site Standards specify, be Controlled Activities in respect of financial contributions.

1.3 Site Standards – Open Space and Recreation Contributions

1.3.1 Contributions for Open Space and Recreation are required for subdivision for residential purposes and for land uses as set out in Table 10.1 below and must comply with the clauses 1.3.2 to 1.3.5 below. Contributions are required for the land uses in the Table 10.1 below either as a condition of a Permitted land use activity or land use resource consent. All contributions include GST. In any subsequent year after 2009/10 the contribution will be adjusted on the basis of the Consumer Price Index.

TABLE 10.1 CONTRIBUTIONS FOR OPEN SPACE AND RECREATION FROM SUBDIVISION AND DEVELOPMENT

Activity	Zone	Amount
Second house or subsequent dwelling on a lot.	Residential Waimate only.	\$3000
Second house or subsequent dwelling on a lot.	Residential Other than Waimate	\$1500
Second house or subsequent dwelling on a lot.	Rural	\$1500
Residential, industrial, service, commercial, recreational, community, temporary construction buildings for accommodation, visitor accommodation development where the assessed value exceeds \$2 million, either solely or in combination.	All zones	1.0 % of the assessed value of the development up to the value of \$100million and thereafter at a rate of 0.5% of the assessed value of the development

Activity	Zone	Amount
Utilities (excluding network utilities) development where the assessed value exceeds \$2 million	All	0.3% of the assessed value of the development up to a value of \$100 million; and 0.025 % of the assessed value of the development of between \$100 and 600 million; and 0.02% of the assessed value of the development over \$600 million
Subdivision for residential purposes	Residential	5% of average value of additional lots created except where any additional lot has an existing residential unit.
Subdivision for residential purposes	Rural	\$1500 per additional lot except where any additional lot has an existing residential unit.

For the purposes of this rule a "development" means constructing, erecting or altering any one or more buildings, fixed plant and machinery or other works and shall include:

- the draining, excavation, filling or reclamation of land;
- the grading or levelling of land;
- the removal or destruction of vegetation relating to any such construction, erection or alteration.

- 1.3.2 Where it is proposed to construct, erect, or alter one or more buildings, fixed plant and machinery, or other works in stages and the total proposed construction, erection, or alteration would, if carried out otherwise than in stages, constitute a development as defined in the foregoing provisions of this definition, the total construction, erection, or alteration shall constitute one development for the purposes of this Rule.
- 1.3.3 Where the activity is being undertaken in conjunction with a subdivision, the above financial contributions shall be assessed as part of, and not in addition to, the subdivision consent requirements.
- 1.3.4 Where, within the preceding 10 years, a financial contribution for any one or more of the above purposes, has been made to the Council, on the subdivision of land, that contribution shall be assessed as a credit and deducted from the value of the relevant contribution above.
- 1.3.5 All respective financial contributions shall be paid to the Council at the time of the issue of the building consent, except where application for subdivision consent is made in conjunction with the undertaking of the residential activity or development. In such cases, the subdivision consent will specify when the payment shall be made.
- 1.3.6 Where the applicant and the Council agree to part of the applicant's property being vested in the Council as land for open space or recreation and/or agree that the applicant will improve the land to be vested by planting, facilities or other means, the value of such land and its improvements shall be taken into account when a cash contribution is assessed.

1.4 Site Standards for Industrial, Service, Commercial, Recreational and Community Activities and Visitor Accommodation

Any industrial, service, commercial, recreational or community activities or visitor accommodation, which:

- 1.4.1 requires a connection to a Council reticulated water supply system with a pipeline larger than 25mm diameter shall be a Controlled Activity in respect of financial contributions towards water supply headworks and water supply systems; or
- 1.4.2 will discharge stormwater to a Council reticulated stormwater system from the site which exceeds the co-efficient of discharge that existed on the site prior to the establishment or operation of the activity, shall be a Controlled Activity in respect of financial contributions towards stormwater disposal systems; or
- 1.4.3 requires a connection to a Council reticulated sewerage system for the discharge of sewage from other than staff ablution or staff kitchen facilities, shall be a Controlled Activity in respect of financial contributions towards sanitary sewage systems; or
- 1.4.4 has access to a road which is not formed to the standards specified in Rule 8.2.2 shall be a Controlled Activity in respect of financial contributions towards road widening, construction and/or formation.
- 1.4.5 is located on a site which adjoins a lake or river to which Section 230(4) applies, shall be a Controlled Activity in respect of esplanade provisions.

This Site standard shall not apply in relation to water supply, stormwater, sewerage or roading where connection charges can be taken for the relevant service under the Council's Long Term Council Community Plan.

1.5 Residential Activity resulting in more than one residential unit on a site – Site Standard

Any residential activity that will result in more than one residential unit being located on any one site and which:

- 1.5.1 requires a connection to a Council reticulated water supply system, shall be a Controlled Activity in respect of financial contributions towards water supply systems; or
- 1.5.2 will discharge stormwater from a site to a Council stormwater system, shall be a Controlled Activity in respect of financial contributions towards stormwater treatment, collection and disposal systems; or
- 1.5.3 requires a connection to a Council reticulated sewerage system, shall be a Controlled Activity in respect of financial contributions towards sanitary sewage collection, treatment and disposal systems; or
- 1.5.4 has access to a road which is not formed to the standards specified in Rule 8.2.2 shall be a Controlled Activity in respect of financial contributions towards road widening, construction and/or formation including footpaths.

This Site standard shall not apply in relation to water supply, stormwater, sewerage, and roading where connection charges can be taken for the relevant service under the Council's Long Term Plan.

1.6 Water Supply and Sanitary Sewage and Stormwater Treatment and Disposal – Site Standard

- 1.6.1 Where any connection to an existing urban water supply or sanitary sewer or stormwater treatment and disposal system is available to serve a subdivision or development the maximum contribution payable shall be the full and actual cost of:
- all necessary reticulation within the subdivision or development for each allotment, site or building, plus
 - connections between the reticulation in the subdivision or development and the existing water or sanitary sewer or stormwater treatment and disposal system, plus
 - any additions, modifications or upgrading to the existing water or sanitary sewer or stormwater treatment and disposal system to provide for the expected effects of the subdivision or development on the systems, plus
 - an equitable share of the cost of the existing water supply and sanitary sewage or stormwater treatment and disposal systems where additional capacity has been created in anticipation of future development in an area
 - When calculating c and d above Council shall give consideration to whether any part of the cost of any addition, modification or upgrading of the existing systems should be borne by the Council or other subdividers or developers and whether the subdivision or development benefits the present residents of the community or District to a degree that some or all of the cost of the existing systems need not be charged.
- 1.6.2 Where a connection to an existing water supply of sanitary sewage or stormwater treatment and disposal system is not able to be made to the subdivision or development the maximum contribution payable shall be the full and actual cost of
- all necessary reticulation within the subdivision or development for each allotment, site or building, plus
 - providing water supply or sanitary sewage disposal or stormwater treatment and disposal for the subdivision or development including the upgrading or extension of existing systems necessary to serve the subdivision or development, plus
 - an equitable share of the cost of a new water supply or sanitary sewage or stormwater treatment and disposal system where additional capacity will be required by the cumulative effects of the development of the area. The share will be calculated on the proportion of the additional capacity required by the subdivision or development.
- 1.6.3 For the purpose of this rule “development” means any sites or buildings intended for human habitation or occupation or for commercial or industrial activity.

1.7 Roads and access – Site Standard

- 1.7.1 Where any subdivision and development has frontage to a legal road the maximum contribution payable shall be the full and actual cost of
- all the necessary roads and access, including cycleways and walkways within the subdivision or development for each allotment, site or building, plus
 - crossings between the lots, sites or buildings in the subdivision or development and the road or access, plus
 - providing a road to the subdivision (including footpaths) where the existing road does not meet the standards specified in 9.2.2, to the extent that the road benefits the subdivision or development, plus
 - an equitable share of the cost of the existing road where the road has been formed or upgraded in anticipation of future development in an area.
 - The above contributions are not required for lots created for network utilities.
 - For the purpose of this rule development means any sites or buildings intended for human habitation or occupation.

2. GENERAL PROVISIONS APPLICABLE TO ALL SUBDIVISION ACTIVITIES

2.1 Definition of Subdivision of Land

The definition of subdivision of land shall be as set out in Section 218 of the Resource Management Act 1991.

2.2 Sections of the Act

All applications are subject to the requirements set out in the Act, with particular reference to Sections 106, 219, 220 and 230-237G.

2.3 Code of Practice for Subdivisions

The Council has adopted NZS4404 Land Development and Subdivision Engineering (and any amendments) as its Code of Practice for Subdivision. This Code is referred to in the assessment matters for resource consents, relates to engineering requirements and is not a part of the District Plan.

2.4 Legal Access

All allotments shall comply with Section 321, Local Government Act 1974.

2.5 Esplanade Reserves or Strips

- a. Where an esplanade reserve is to vest, the adjoining bed of rivers shall vest in the Council, if in the ownership of the vestee.
- b. Where an esplanade strip is to be created, the adjoining bed of the river shall not be vested in the Council.

2.6 Accidental Discovery Protocol

An Accidental Discovery Protocol with local iwi may be required for any earthworks associated with the subdivision.

3. PERMITTED ACTIVITIES - SUBDIVISION

3.1 No subdivision shall be a Permitted Activity.

4. CONTROLLED ACTIVITIES - SUBDIVISION

Any subdivision which complies with all Zone and Site Subdivision Standards shall be a Controlled Subdivision Activity in respect of the following matters:

4.1 Allotment Size and Dimensions

- a. Allotment size and dimensions of subdivisions in the Business Zones
- b. Size and dimensions of allotments for access, utilities, reserves and roads.

4.2 Subdivision Design

- a. Relationship and orientation of allotments;
- b. The location of walkways and cycleways;
- c. The provision and/or use of natural stormwater channels and wetland areas.
- d. The connectivity of proposed roads, cycleways and/or walkways with the surrounding area

- e. The location and/or protection of any high voltage transmission lines in relation to sensitive activities and activities that could adversely impact on the operation of the national grid.

4.3 Property Access

- a. The location, alignment and pattern of roading or service lanes;
- b. The location and provision of access to allotments for vehicles, cycles and pedestrians;
- c. Any financial contributions to be made by the applicant;
- d. Road reserves and provision for future subdivision on adjoining land;
- e. The standard of construction required for property access;
- f. Street lighting;
- g. Naming of private vehicular access.

4.4 Hazards

- a. Provision of works, the location and type of services, building location, and location and quantity of filling and earthworks that could be affected by the following natural hazards or which could affect the impact of those natural hazards on the site or other land in the vicinity.
- b. Erosion
- c. Flooding and Inundation
- d. Landslip
- e. Rockfall
- f. Alluvion
- g. Avulsion
- h. Unconsolidated Fill
- i. Soil Contamination
- j. Subsidence
- k. Earthquake

4.5 Water Supply

- a. The supply of water within the Waimate Urban reticulated water system.
- b. Within the Waimate Urban reticulated water system, adequate access and availability of water supplies for fire fighting purposes.
- c. The standard of water supply infrastructure installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
- d. Any financial contributions including connection fees required in respect of water supply;

4.6 Stormwater Disposal

- a. The capacity of existing and proposed stormwater infrastructure and disposal systems;
- b. The effectiveness and environmental impacts of any measures proposed for mitigating the effects of stormwater run-off, including the control of water-borne contaminants, litter and sediments;
- c. The location, scale and construction of stormwater infrastructure;
- d. Any financial contributions including connection fees required in respect to stormwater disposal;
- e. The impact of climate change on the intensity of rainfall and duration of rain events.

4.7 Sanitary Sewage Disposal

- a. The method of sewage disposal where a public reticulation and treatment system is not available;
- b. The capacity of, and impacts on, the existing reticulated sewage disposal system;
- c. The location and environmental effects of the proposed sanitary sewage system;

- d. Any financial contributions including connection fees that may be required in respect of sanitary sewage provision;
- e. The need to have all new residential subdivisions in the Waimate Urban area connect to future reticulated sewage disposal systems.

4.8 Trade Waste Disposal

- a. Disposal of trade waste within Business Zones.

4.9 Energy Supply and Telecommunications

- a. The adequacy and standard of electrical utility installation
- b. The adequacy and standard of telecommunications installation

4.10 Vegetation and Landscape

- a. The preservation of vegetation and landscape, and archaeological sites;

4.11 Easements

- a. The need to create easements for any purpose

4.12 Building Location

- a. The location of buildings

5. RESTRICTED DISCRETIONARY ACTIVITIES - SUBDIVISION

- 5.1** Any subdivision which complies with all the Zone Subdivision Standards but does not comply with any one or more Site Subdivision Standards shall be a Restricted Discretionary Activity, in respect of the applicable matter.

6. DISCRETIONARY ACTIVITIES - SUBDIVISION

- 6.1** Any subdivision within the following areas shall be a Discretionary activity:
- a. within 100m of the line of permanent vegetation along the coast,
 - b. within any seawater inundation area identified in the Regional Coastal Environmental Plan for the Canterbury Region; or
 - c. within any area shown on the Planning Maps as "Flood Area"
- 6.2** Any subdivision of any site within the Residential and Business Zones, which contains a Heritage Item listed in the Heritage Items Schedule in Section 8 and shown on the Planning Maps shall be a Discretionary Activity.

7. NON-COMPLYING ACTIVITIES - SUBDIVISION

- 7.1** Any subdivision which does not comply with one or more Zone Subdivision Standards shall be a Non-Complying Activity.

8. ZONE SUBDIVISION STANDARDS

8.1 Allotment Size

- 8.1.1 The minimum net allotment areas in Residential 1 zones where connection to reticulated sewerage disposal is available shall be 450m², except as provided for in a, b and c below.

Refer Site Subdivision Standard 9.1 for Minimum Allotment Size in the Rural Zone (other than in Outstanding Natural Landscape areas) and in those parts of the Residential Zone which are not serviced by a reticulated sewerage disposal system.

a. Boundary Adjustments

Notwithstanding 8.1.1 above, where there are two or more separately saleable existing allotments, which have separate Certificates of Title, any adjustment of the boundaries shall be such that the resultant allotments are not less than the smallest that existed before subdivision. The allotments shall be contiguous or separated only by a road.

b. Building Commitment

Notwithstanding 8.1.1 above, in the Residential 1 zone, where an allotment is to be created after the erection of a building, or where the subdivision and building consents are issued in conjunction, the respective minimum net allotment areas, are reduced to 360m², where public sewage reticulation and treatment is available, provided all relevant rules applicable within the zone are complied with or building and/or resource consents are obtained in relation to those rules that are not complied with.

Where the allotment is not being created after the erection of a building, a condition will be imposed on the subdivision consent and a Consent Notice pursuant to Section 221 registered against the Certificate of Title, to the effect that any building erected on the allotment shall be in accordance with the building consent issued at the time of the subdivision consent.

c. Access, Utilities, Roads and Reserves

Notwithstanding 8.1.1 above, there shall be no specified minimum allotment sizes in any zone for allotments for access, utilities, reserves, roads and scheduled activities.

- 8.1.2 The minimum net allotment area in Residential 2 zones shall be 3000m².

- 8.1.3 The minimum net allotment area in Residential 3 zones shall be 5000m².

- 8.1.4 The minimum net allotment area within Outstanding Natural Landscapes and Features in the Rural Zone identified on the Planning Maps shall be 200 hectares.

8.2 Water Supply

- 8.2.1 All new allotments in the Waimate Residential and Waimate Business zones, other than allotments for access, roads utilities and reserves, shall be provided with a water supply laid to the road boundary of the net area of the allotment and connected to the Waimate Urban Water Supply where available, or in the Residential 3 zone connected to the Waimate Urban or Hook Water Supply.

8.3 Sanitary Sewage Disposal

- 8.3.1 All allotments within the Waimate Urban Area Residential Zones shall be connected to a public reticulated sewerage disposal system where available. Some lots may be required to pump sewage to the mains.

- 8.3.2 All allotments in the Waimate Residential and Business Zones, other than allotments for access, roads, utilities and reserves, shall be provided with a piped sewage outfall for disposing of sanitary sewage laid at least 600mm into the net area of the allotment.

8.4 Energy Supply and Telephone Systems

- 8.4.1 All new allotments in the Residential and Business Zones, other than allotments for access, roads, utilities and reserves, shall be provided with connections to electric supply and telephone systems to the boundary of the net area of the allotment. Refer to Part 11 Utilities Rules for standards relating to lines.

8.5 Preservation of Vegetation

- 8.5.1 Any heritage or notable tree, or group of trees, listed in Heritage Items Schedule in Section 8, shall be preserved and a Consent Notice shall be registered requiring continual preservation as an ongoing condition for approval to the allotment containing such trees.

8.6 National Grid Lines

- 8.6.1 Any subdivision within:

- a. 12m of the centreline of the GNY-TIM-A transmission line; or
- b. 22m of the centreline of the GNY-WTK-A transmission line; or
- c. 14m of the centreline of the BPT-TEE-A or BPD-TEE-A transmission line; or
- d. 32m of the centreline of any other transmission line:

shall identify a practicable building platform for new buildings that is located outside:

- i) 12m of the visible outer edge of a structure (towers and poles) (in any direction); and
- ii) For fixed buildings, 10m of the centreline of a transmission line supported by single poles; and
- iii) For fixed buildings, 12m of the centreline of any other transmission line.

(High Voltage Transmission Lines are shown on the planning maps)

9. SITE SUBDIVISION STANDARDS

9.1 Allotment Size and Dimensions

- 9.1.1 Rural Zone (other than within Outstanding Natural Landscape and Features identified on the Planning Maps) - No allotment created by subdivision, including balance titles, shall have a net area less than **4 hectares** except:
- a. Where an allotment contains a residential unit which existed at 31 December 1999 which unit has a means of effective treatment and disposal of sewage and stormwater within the allotment, or
 - b. Where a Maori reservation or similar holding is created under the Te Ture Whenua Maori Act 1993, or
 - c. Where there are two or more separately saleable existing allotments, which have separate Certificates of Title, any adjustment of boundaries shall be such that the resultant allotments are not less than the smallest that existed before subdivision.
- 9.1.2 Residential Zone - No allotment created by subdivision, including balance titles, within the Hakataramea, Morven, Glenavy, Makikihi and St Andrews Residential Zones, and within the Residential Zone in Waimate Urban Area where public sewage treatment and reticulation is not available, shall have a net area less than 850m² except:

- a. Where an allotment contains a residential unit which existed at 31 December 1999 which unit has a means of effective treatment and disposal of sewage and stormwater within the allotment.

9.1.3 Residential Zone - The dimensions of allotments created by subdivision in Residential Zones shall be such that they can accommodate a rectangle of the minimum dimensions of 15 metres.

9.1.4 Notwithstanding rules 9.1.1, 9.1.2 and 9.1.3 there shall be no minimum allotment dimensions or frontage in any zone, for allotments for access, utilities, reserves and roads.

9.2 Property Access

9.2.1 All allotments created by subdivision shall have legal access to a legal road.

9.2.2 All new roads shall be laid out, constructed and vested in the Council, in accordance with the standards set out in the Table 10.2 below.

TABLE 10.2 - ROADING STANDARDS

Type of Road	Road Width (m)		Carriageway Width (m)		Kerb & Channel	Footpath(s)
	Min	Max	Min	Max		
All Rural Zone Roads	15	20	6.2	6.5	-	-
Arterial Roads	20	20	12	14	Both Sides	Both Sides
Collector Roads - Other Zones	20	20	11	12	Both Sides	Both Sides
Local Roads - Other Zones	16	20	8	9	Both Sides	Both Sides
Cul-de-sac (<100m long) - Other Zones	14	20	6	8	Both Sides	Both Sides
Local Roads in Residential 2 and 3 Zones	16	20	6	8	As agreed with Council	As agreed with Council

9.2.3 The carriageway of all new roads laid out and vested in accordance with Table 10.2 above shall be formed and sealed.

9.2.4 Footpaths shall be constructed as a sealed strip of 1.5m width within the berm. All areas of berms not sealed in footpath are to be formed in grass.

- a. Cul-de-sac shall be constructed with turning heads of the following diameters measured kerb face to kerb face:

Residential Zones:

- 13m where there is no provision for on-street parking;
- 18m where there is provision for on-street parking.

Rural Zones: 18m.

9.2.5 If a corner lot is included in any subdivision, the corner at the road intersection shall be splayed with a diagonal line reducing each boundary by at least 6m from the corner in a Rural or Residential Zone and at least 3m in a Business zone. The corner splay shall be vested in the Council.

- 9.2.6 Where properties adjoin a state highway with a speed limit of at least 100km/h.
- the minimum space between successive accesses onto the state highway shall be 200 metres or more.
 - no vehicle access onto a state highway shall be constructed within 100 metres of a road intersection.
 - and where a side road is used for access, the access shall be at least 30 metres from a state highway boundary.
 - no vehicle access shall serve more than 4 allotments.
- For the purposes of this rule the measurement of the distance to an intersection shall be taken from the intersections of the centrelines of the two intersecting roads.
- 9.2.7 In Residential, Business or other urban zone
- no vehicle access onto a state highway shall be within 15 metres of a road intersection.
 - any vehicle access shall be 15 metres from a state highway boundary where a side road is used for access.
- This distance shall be measured along the boundary parallel to the centre line of the roadway of the frontage road from the kerb line, or formed edge, of the intersecting road.
- 9.2.8 All private accesses shall be located so as to ensure continuous visibility up to the minimum sight distances in the following Table 10.3 are achieved.

TABLE 10.3 MINIMUM SIGHT DISTANCE FROM ACCESS

Posted speed limit (km/hr)	85 percentile operating speed, measured at the site (or if above not known, posted speed plus 10 km/hr)	Minimum sight distance standard (m)
30	40	28
40	50	44
50	60	63
60	70	86
70	80	115
80	90	140
90	100	170
100	110	210

Footnotes:

¹ Based on Minimum Safe Intersection Sight Distances in Austroads Guide to Traffic Engineering Practice Part 5, Interactions at Grade

Sight distances shall be measured as set out in Appendix H.

- 9.2.9 All private vehicular access to allotments or leased premises shall be in accordance with the standards set out in the Table 10.4 below.

TABLE 10.4 PRIVATE VEHICULAR ACCESS

Zone	Potential No of Lots	Length	Legal Width	Carriage-way Width	Turning Area	Passing Bay	Footpaths
Residential	0-2	All lengths	3.5	3.0	Required	Optional	Optional
Residential	3-6	0-50	4	3.5	Required	Required	Optional
Residential	3-6	Over 50	4.5	4.0	Required	Required	Required
Rural	Any No.	All Lengths	5.0	4.0	Optional	Optional	Optional
All Other Zones	Any No.	All Lengths	6.0	4.0	Required	Optional	Optional

9.2.10 Minimum height clearance for private vehicular access shall be 3.5m.

9.2.11 All vehicular crossings/accesses

- a. onto a State Highway used for private access purposes shall be designed and constructed in accordance with Appendix H - Private Access Standards.
- b. onto State Highway 82 south of Waihao Back Road used for retail purposes shall, where vehicle trips exceed 60 vehicles per day, be designed and constructed in accordance with Appendix H. For the purposes of determining the number of vehicle trips per day, the following shall apply:
 - trips shall be averaged over a month
 - one heavy vehicle trip shall be equivalent to 6 vehicle trips.
- c. onto a sealed road, other than a State Highway, shall be formed to an all-weather standard with the first 5.5m of the access (as measured from the carriageway) or the full berm width of the adjoining road, whichever is the greater, being formed and sealed or paved to ensure that material such as mud, stone chips or gravel is not carried on to the sealed road.
- d. for 10 or less residential units or activities which generate fewer than 100 "normal" car traffic movements per day, shall have standard vehicle culverts and crossings to carry car traffic.
- e. for drive-in accesses and other activities shall have heavy duty vehicle culverts and crossings shall be constructed to carry all types of road traffic.
- f. in any other case vehicle crossings/accesses shall be constructed pursuant to Council standards, from the roadway to the road or service lane boundary of the site.
- g. all vehicular crossings/accesses shall be at the owners expense.

9.2.12 Land described as Sections 3, 4, 5, 93, 104 and Part Section 105, Reserve 1644 Lot 1 DP 5664, Lot 1 DP 43398 and RS 41445 Blk XIV Waitaki SD located in the Glenavy township, regardless of proposed section size, shall not be subdivided for any use where land use is solely dependent on direct access to and from State Highway 1. Access to such land shall be from local roads and where appropriate, an internal roadway network to serve each lot will be required.

9.2.13 All new roads vested upon subdivision of land shall be given distinctive names not already in use with the area covered by the District Council. The name shall be agreed to by the Council.

9.2.14 Where any new road or road extension is to be vested in the Council or a named private access is provided, the applicant shall pay to the Council a financial contribution for the manufacture and erection of all necessary name plates which must be displayed at the intersections of all other roads. The financial contribution shall be the actual cost of the name plate.

- 9.2.15 Where any new lot abuts a State Highway, alternative access to any other road shall be used, unless it is impracticable for physical or traffic management reasons.

9.3 Esplanade Provision

- 9.3.1 Except as provided for in 9.3.2 below, in Rural zones an esplanade strip of up to 20 metres shall be created along the bank of the waterway, lake or coast in accordance with Section 232 of the Act whenever any subdivision occurs of areas adjacent or adjoining the following:
- Hakataramea River (both sides)
 - Pareora River (south side) from the Upper Dam to Holme Station Road
 - Wainono Lagoon
 - The Dead Arm of the Waihao River/Wainono Lagoon
 - North Branch Waihao River
 - South Branch Waihao River
 - Stoney Creek
 - Waihao River from Waihao Forks to the Coast
 - Waikakahi Stream
 - The Coast from mean high water springs
- 9.3.2 Notwithstanding 9.3.1, above, where a subdivision is:
- for a minor adjustment to an existing cross-lease or unit title due to the increase in the size of the allotment by alterations to the building outline or the addition of accessory buildings;
 - for a minor adjustment to an allotment involving an alteration of no more than 10% of the allotment area; or
 - solely due to land being acquired or created for a road designation, public utility or reserve;
- no esplanade strip shall be required when a subdivision occurs of areas marked on the Planning Maps as "Proposed Esplanade Strip".
- 9.3.3 Except as provided for in 9.3.1 above the Council may require an esplanade strip or reserve of up to 20 metres to be created in accordance with Section 232 of the Act where an allotment of 4ha or more is subdivided along the mark of mean high water springs of the sea and along the bank of any river or along the margin of any lake. In considering such a strip the Council shall take into account the purposes of esplanade strips and reserves contained in Section 229 of the Act.
- 9.3.4 Section 230(3) of the Act which provides for the vesting of esplanade reserves 20 metres in width along mean high water springs of the sea and along the bank of any river or along the margin of a lake shall apply only to the following extent:
- It shall only apply within the Rural Zone
 - The esplanade provision shall generally be by way of esplanade strip.

9.4 Water Supply

- 9.4.1 Refer to Rule 1.6 for financial contribution requirements for water supply.

9.5 Sanitary Sewage Disposal and Stormwater Treatment and Disposal

- 9.5.1 Refer to Rule 1.6 for financial contribution requirements for sanitary sewage disposal.
- 9.5.2 Within Morven, Glenavy, Hakataramea, Makikihi and St Andrews and those parts of Waimate urban area where public sewage treatment and reticulation is not available subdivision shall be a Restricted Discretionary Activity with the Council's discretion restricted to:
- All the matters listed in Subdivision Rule 3 for Controlled Activities
 - Provision of sustainable and effective sewage treatment and disposal.
 - Provision of sustainable and effective stormwater treatment and disposal.

Note: Council will require confirmation that any proposed sewage treatment and disposal system has been approved by Environment Canterbury and/or a Certificate of Compliance provided as part of any application.

Note: Council will require a land use application for residential use of any unserviced property (refer Residential Zone Site Standard 6.13 Unserved Land) to be lodged with any subdivision consent application for unserved land within a Residential Zone.

9.6 Provision of Land for Open Space and Recreation

9.6.1 Refer to Rule 1.3 for the Open Space and Recreation Contributions requirements.

9.7 National Grid

9.7.1 All allotments created by subdivision, including the balance allotment, are greater than 32m from the centreline of a National Grid line.

10. NON-NOTIFIED RESOURCE CONSENTS

10.1 Any subdivision requiring consent under Zone Standard 8.6.1 or Site Standard 9.7.1 shall not be publicly notified and need not be notified to any affected party other than Transpower New Zealand Limited.

11. REASONS AND ASSESSMENT MATTERS FOR SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS RULES

11.1 Status of Subdivision Activities

Reasons: Because of the location and great variety of site characteristics of subdivision, both man-made and natural, it is not considered possible to predetermine what conditions may need to be applied to any subdivision. All subdivisions therefore are at least controlled activities. Failure to meet specific site or zone standards will require a restricted discretionary or non-complying subdivision, respectively.

11.2 General Purpose of Subdivision Control

Reasons: As subdivision is often the basis for land development it is logical, in relation to the provision of services, that this provision be co-ordinated at the time of subdivision to avoid piecemeal provision of services upon individual properties being developed. Co-ordinated and standardised servicing of subdivisions ensures that the purchasers of sections and the community can expect and achieve an acceptable level of services and amenity and protection of the natural and physical resources. Rules for subdivision have as far as possible been written to address effects, not the type of tenure chosen.

11.3 Relationship with Code of Subdivision

Reasons: Engineering standards are set out in a separate code of subdivision of the Council. It is considered inappropriate and cumbersome to incorporate detailed standards in a document such as the District Plan. Generally the relationship with the subdivision rules is that compliance with the Code is deemed to be an acceptable (but not the only means) of compliance with the rules on provision of services within subdivisions.

11.4 Allotment Size and Dimensions

Reasons: The minimum area requirements for Residential Zones are addressed in the objectives and policies for these areas. In general, the lot size aims to maintain the character of previous development and enable a variety of complying development. However, in

recognition that many sites are subdivided and built on simultaneously, and that therefore the siting of the buildings is finalised at the subdivision stage, the rules permit a reduction in minimum area in the Residential 1 Zone where there is a building commitment and that building will comply with all relevant standards for the zone.

A larger minimum area for unserviced lots will be required to enable sewage to be adequately collected and disposed on-site.

A minimum allotment size has been set for the Rural area to ensure sewage disposal within sites is possible and to mitigate potential adverse effects of neighbouring activities on new allotments.

No standards have been included neither for Business Zones nor for access, utilities, roads and reserves, to allow the assessment of any particular proposal in terms of the likely use of the land.

The boundary adjustment provisions recognise that the effects of such alterations are minor provided no additional allotments are created.

Further subdivision of the hut settlements is not provided for due to a combination of several factors at each of these settlements; including significant risks from natural hazards, sewage disposal limitations, lack of public open space and desire to maintain their small-scale character, and a need to protect the natural character of their coastal, lakeside or riverside settings.

Allotment dimensions are specified to ensure that, in residential areas in particular, allotments are of a shape that permits some flexibility in placing a complying building on-site at a later stage.

Assessment Matters – Rural Zones, Residential Zones (St Andrews, Makikihi, Glenavy, Morven and Hakataramea only):

- a. Whether the allotment is of a sufficient size to provide for disposal of sewage by an on-site system.
- b. The operational efficiency, maintenance and legal implications of having part of a treatment and disposal system for sewage beyond the allotment.
- c. Any commitment to an on-site sewage disposal system, other than a field disposal system, that would provide future owners with an effective long term system of sewage treatment and disposal.
- d. Potential impacts of neighbouring land uses on the proposed subdivision and future land uses and any consequential reverse sensitivity effects.
- e. Loss of rural character and amenity.
- f. Adverse effects on values of natural landscapes and features, in particularly those of Outstanding Natural Landscapes and Features.
- g. Adverse effects on efficiency and functioning of roading services.
- h. Impact on maintenance of roading and services.
- i. Reduce the life supporting capacity of the soil.
- j. Adverse impact on the low density residential character of the township.

Assessment Matters – Business Zones, Access, Utilities and Roothing

- a. Whether the allotment is of sufficient area and dimensions to effectively fulfil the intended purpose or land use, having regard to the rules for the relevant zone;
- b. Whether the proposed allotment sizes and dimensions are sufficient for operational and maintenance requirements;
- c. The relationship of the proposed allotments and their compatibility with the pattern of the adjoining subdivision and land use activities, and access arrangements.

Assessment Matters – Allotment Dimensions

- a. Whether the proposed allotment sizes and dimensions are sufficient to establish a complying dwelling;

11.5 Subdivision Design

Reasons: The purpose of controls on subdivision design are to ensure that allotments are appropriately located in relation to each other and to available sunshine for energy conservation purposes, that walkways provided logical links with adjacent areas, that buildings are located where there is the minimum risk of damage from natural hazards, and that natural stormwater channels and wetland areas are used for the benefit of both residents and the natural values of the area.

Assessment Matters:

- a. The relationship and size of the allotments in terms of their solar advantage including the alignment and layout of the allotment, the location of building platform, relationship to adjoining lots.
- b. The provision for and practicality of walkways and cycleways, and the relationship of these to reserves (existing or proposed), access to the waterways, etc.
- c. The provision for and practicality of using natural stormwater channels and wetland areas.
- d. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

11.6 Property Access

Reasons: The rules specifying widths for roads and the assessment matters regarding roads are to ensure that all new roads and property access are created with the capacity to provide access for residents of the area and link up with the adjoining road network safely and efficiently, avoiding congestion, and providing for on-street parking and pedestrian/cycle movement.

The rules for private vehicular access are to ensure the accesses can adequately cater for likely anticipated volumes of traffic. Provision for turning areas and passing bays also relate to the likely number of users and have the purpose of avoiding hazardous and inconvenient reverse manoeuvres. Footpaths are required to promote pedestrian safety. Where more than 10 residential units is likely to be served a road is considered necessary to ensure safe and efficient vehicle movement.

Corner roundings are required to facilitate pedestrian movement and safety. Naming of streets is provided to enable ready identification and efficient delivery of services to all properties including emergency services.

Road upgrading costs have the purpose of ensuring that costs of providing roads of an acceptable standard is apportioned in accordance with the demands placed on those roads by development of subdivisions. Point strips can ensure that contributions to roading will be made in the future as required.

Where new allotments adjoin State Highways minimum distances between access points onto the state highway and minimum sight distances are specified to enable good visibility to and from accesses. The location of accesses from intersections on state highways is controlled to ensure adequate spacing and sight distances are available for all vehicle movements such that the function of through roads is not impaired.

Assessment Matters:

- a. Whether the frontage road is of sufficient width to cater for the expected traffic generated by the possible land uses that will be established on the allotments being created, and whether there is any need to widen and/or upgrade the frontage road.
- b. Where any proposed subdivision in any zone has frontage to any existing road(s) that is/are not constructed to the standards set out in Rule 9.2.2 above and/or where road widening is required; whether the land uses that will be established on the proposed allotments will increase the use of that road(s) to the extent that forming or upgrading the existing road(s) is required and, therefore, whether there is any need for the applicant to pay to the Council a financial contribution towards the forming or

upgrading of the road(s). Such financial contribution shall not exceed the extent to which the road(s) serves or is intended to serve the subdivision. The maximum cost of providing carriageway formation and widening, berm formation, footpaths, kerb and channel, as the case may be, shall be assessed in accordance with the relevant construction price index.

- c. Where any proposed subdivision in any zone has frontage to any existing road(s) that has/have been formed or upgraded by the Council or other landowner within the previous 10 years, using financial contributions from an adjoining landowner paid to the Council; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council or other landowner in forming or upgrading the frontage road(s). Such financial contribution shall not exceed the amounts specified in b above.
- d. Any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties;
- e. The effect of any new intersections or accesses created by the subdivision on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.
- f. The provisions of the Council's Code of Practice for Subdivision;
- g. The application of the requirements of Section 321, Local Government Act, 1974, to any subdivided allotment;
- h. The need for and practicality of providing vehicular access to all allotments, and the practicality of providing elsewhere for vehicles.
- i. The provisions of the roading hierarchy, the account taken of pedestrian movement, provision of space for cyclists, amenity values of the street, opportunities for tree planting in the open space of the road to enhance the character and identity of the neighbourhood;
- j. The need to provide cycleways or pedestrian access in circumstances where the roading network does not supply sufficient or direct routes through the locality;
- k. The degree to which proposed new roads make adequate provision for vehicle movements, car-parking and property access;
- l. The need to provide alternative access for car-parking and vehicle loading in Business Zones by way of vested service lanes at the rear of properties having regard to alternative means of access and performance standards for activities within such zones;
- m. Any need to require provision be made in a subdivision for the vesting of road reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land, or planned road links that may need to pass through the subdivision and the practicality of creating such easements during the time of subdivision application in order to facilitate later development.
- n. Any need to require subdividers to enter into agreements that will enable the Council to require the future owners to form and vest roads when other land becomes available;
- o. Any need for construction standards and on-going maintenance for private vehicular access, including access to individual allotments, whilst ensuring that access is practical, convenient and safe.
- p. Whether vehicular crossings/accesses comply with the design guidelines as specified in "Appendix H - Commercial Access Guidelines" and "Appendix H - Rural Service Stations and Truck Stop Guidelines".
- q. The need to provide for appropriate standards of street lighting or private vehicular access lighting having regard to the classification of the road or the access and the guidelines of the New Zealand Transport Agency
- r. The need to provide distinctive names for private vehicular accesses. The name is to be agreed to by the Council.
- s. The need for and extent of any financial contribution to achieve the above matters.
- t. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

11.7 Water Supply

Reasons: To ensure that a safe and adequate supply of potable water is available, all allotments in or adjoining areas with Council reticulated water supplies will be required to connect to such supplies whenever water is available. Financial contributions towards water supply upgrading or the provision of new water supply infrastructure ensure that the costs of maintaining or extending water supplies of an acceptable standard are apportioned according to the demands placed on water supplies by new subdivisions and developments. The assessment matters enable the consideration of the adequacy of water supply provision on any subdivision for reasons of public health, convenience and efficient use of supply infrastructure.

Assessment Matters:

- a. The suitability of the proposed water supply for fire fighting purposes; (The Council may obtain a report from the Chief Fire Officer).
- b. The provisions of the Code of Practice in respect to installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, sub-mains, service mains and fire hydrants;
- c. Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
- d. Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increasing pipe sizes leading to the subdivision in existing streets, or providing new headworks and new pumping units;
- e. Whether, because of increased demand that the potential land users may impose upon the system, an upgrading contribution should be made towards a programmed plan for installation of new headworks and pumping units;
- f. Where any proposed subdivision in any zone is to be connected to a water supply system that has been constructed or upgraded by the Council within the previous 5 years, using financial contributions from an adjoining landowner paid to the Council in accordance with these subdivision rules; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in constructing or upgrading the water supply system. Such financial contribution shall not exceed the extent to which the water supply system serves or is intended to serve the subdivision.
- g. The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility.
- h. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

Note: The Downlands Water Supply Scheme currently has a capital contribution payable for all new connections and/or all additional water required.

11.8 Stormwater Disposal

Reasons: The controls on the disposal of stormwater have the primary purpose of avoiding adverse effects of stormwater on adjacent land. Stormwater can also impact on the quality of surface water. In general these concerns are most relevant within settlement areas where the density of development can result in stormwater flowing onto adjacent land, or more rapid or contaminated run-off into natural watercourses. Financial contributions towards stormwater disposal system upgrading or the provision of new stormwater infrastructure, ensure that the costs of maintaining or upgrading stormwater systems to an acceptable standard are apportioned according to the demands placed on stormwater disposal by new subdivisions and developments.

Assessment Matters:

- a. The provisions of the Council's Code of Practice for Subdivision;

- b. The adequacy of any proposed means of disposing of collected stormwater from the roofs of all buildings and impermeable surfaces.
- c. The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas and of siltation;
- d. The ability to retain open natural waterway systems for stormwater disposal in preference to piped or canal systems and any adverse impacts on existing waterways;
- e. The availability of an approved outfall where stormwater can be directed, whether such an outfall is capable of absorbing increased run-off and the need for and desirability of requiring a connection to such an outfall.
- f. Whether the existing stormwater disposal systems, to which any connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the subdivision, in addition to installing the extensions of the supply within the subdivision.
- g. Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off;
- h. Any necessity to provide on-site retention basins to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before subdivision takes place;
- i. Any adverse effects of the proposed subdivision on drainage on, or from, adjoining properties and mitigation measures proposed to control any adverse effects;
- j. For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user;
- k. Where it is not possible to dispose of stormwater by way of gravity pipelines, due to topography, the adequacy of alternative pumping systems;
- l. Where stormwater disposal cannot be obtained by gravity outfall, the necessity for land to be filled against the fall of the country, solely to obtain such an outfall, and whether it is practical to provide easements through adjoining owners' land to other frontage outfall systems;
- m. The need for and extent of any financial contribution to achieve the above matters.
- n. Where any proposed subdivision in any zone is to be connected to a stormwater disposal system that has been constructed or upgraded by the Council within the previous 5 years, using financial contributions from an adjoining landowner paid to the Council in accordance with these subdivision rules; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in constructing or upgrading the stormwater disposal system. Such financial contribution shall not exceed the extent to which the stormwater disposal system serves or is intended to serve the subdivision.
- o. The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for stormwater disposal purposes.
- p. Whether or not climate change may have an impact on the capacity of the stormwater disposal system proposed.
- q. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

11.9 Sanitary Sewage Disposal

Reasons: The subdivision rules on sanitary sewage disposal complement the Canterbury Regional Council controls which have the purpose of protecting the quality of ground and surface water. In the settlement areas where Council reticulated disposal systems are available the subdivision rules require that all lots be provided with a means of disposal, being a minimum diameter piped outfall connection to the Council system. Financial contributions towards sewage disposal system upgrading or the provision of new sewage disposal infrastructure, ensure that the costs of maintaining or upgrading sewage systems to an

acceptable standard are apportioned according to the demands placed on sewage disposal by new subdivisions and developments.

In the rural area and in unserviced residential areas minimum site areas are specified to ensure that, in general, lots are created which have the ability to dispose of sewage on site. This approach gives future purchasers the ability to put a dwelling, or other buildings or activities requiring ablution facilities onto the lot. A discharge permit from the Regional Council may be required.

Assessment Matters:

- a. The capacity, availability, and accessibility of the reticulated system to serve the proposed subdivision;
- b. Whether the existing sanitary sewage disposal systems, to which the outfall will be connected, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
- c. The installation of all new reticulation, and the provisions of the Code of Practice;
- d. Where it is not possible to provide a reticulated system with a gravity outfall, the feasibility of individual pump connections with their private rising mains, or new pumping stations, complete pressure, or vacuum systems.
- e. The relevance of any existing cost sharing scheme and whether the proposed reticulation will benefit other property owners;
- f. Where a reticulated system is not available, or a connection is impractical, provision of septic tank or other disposal systems in accordance with either Regional Rules or a discharge permit issued by the Canterbury Regional Council;
- g. Where a reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems;
- h. Provision made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from septic tank or other disposal systems, together with any consent notices to ensure compliance;
- i. The extent of the Headworks Contribution, taking account of the likely sewage disposal from the subdivision and the potential land use activities that could be permitted on the land;
- j. The need for and extent of any financial contribution to achieve the above matters;
- k. Where any proposed subdivision in any zone is to be connected to a sanitary sewage disposal system that has been constructed or upgraded by the Council within the previous 5 years, using financial contributions from an adjoining landowner paid to the Council in accordance with the subdivision rules; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in constructing or upgrading the sanitary sewage disposal system. Such financial contribution shall not exceed the extent to which the sanitary sewage disposal system serves or is intended to serve the subdivision.
- l. The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for sanitary sewage disposal purposes.
- m. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

11.10 Energy Supply and Telephone Systems

Reasons: The rules require that as a minimum all lots, other than in Rural Zones, have the ability to connect to an electric supply and telephone system at the boundary of the site. This requirement ensures that services expected by subsequent owners will be available. In addition, the adequacy of the standard of energy and telecommunications installations and their co-ordination can be ensured by conditions on the subdivision.

Assessment Matters:

- a. Where the subdivision involves construction of new roads or formed rights of way, the installation of an extended reticulation system (at the subdividers responsibility) having regard to the Code of Practice and the networks operators requirements;

- b. The adequacy of the proposed reticulated system to be installed by the subdivider;
- c. The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility.
- d. The proximity and layout of the subdivision in relation to existing or proposed transmission lines which have a voltage at/or exceeding 110KV.

Refer to Section 11 Utilities Rules for standards relating to lines.

11.11 Trade Waste Disposal

Reasons: No standards for trade waste disposal are specified. However, the Council has the power to place conditions on subdivisions which set standards for such disposal to avoid contamination of ground or surface water and to maintain the efficiency and capacity of general sewage treatment and disposal systems of the District.

Assessment Matters:

- a. Whether any proposal to create allotments for any business activity or other activity generating trade wastes will have the potential to discharge to outfall trade wastes;
- b. Whether the volume or type of trade waste generates a need for appropriate outfalls to be provided;
- c. Where a reticulated system is not available, any consents that may be required for discharge of permits from the Canterbury Regional Council in conjunction with the subdivision consent;
- d. The provisions of the Council's Code of Practice for Subdivision in respect of the installation of trade waste sewers;
- e. The need for and extent of any financial contribution to achieve the above matters.

11.12 Vegetation and Landscape

Reasons: The purpose of rules requiring on-going conditions on subdivision preserving notable or significant trees or vegetation is to protect key natural or physical features within a proposed subdivision.

Assessment Matters:

- a. Whether any landscape features or vegetation on the site is of a sufficient amenity value that they should be retained;
- b. Whether a local purpose reserve should be set aside and vested in the Council to preserve any natural feature, vegetation or conservation value on the site;
- c. Where a reserve is set aside under b above, then the value of the land so reserved shall be off-set against the cash contribution to be paid for land for open space and recreation purposes.
- d. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

11.13 Hazards and Building Location

Reasons: The controlled activity provision enables the Council to place conditions on the need for works, the location of services, earthworks and the location of buildings, with the purpose of limiting likely damage from hazards such as erosion, flooding, landslip and unconsolidated fill. This provision is needed to enable the extent of hazards to be fully ascertained for each site at the time of subdivision as this information is not always available at the time the District Plan is prepared. Within areas of high flood risk or high risk of coastal erosion, the discretionary activity provision, enables the Council to assess the effect of the subdivision in increasing the amount of property at risk from natural hazards or in increasing the severity of the hazard.

Assessment Matters:

- a. Any information held on the Council's Hazard registers;
- b. Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications;

- c. The applicant's or their Consultant's report, detailing the measures that have been or will be taken to avoid, remedy, or mitigate any hazard that may occur on the property;
- d. Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities;
- e. In relation to inundation from any source:
 - The effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
 - The erection of stopbanks and their environmental effects;
 - Any proposed boundary drainage to protect surrounding properties;
 - The adequacy of existing outfalls and any need for upgrading;
 - Any need for retention basins to regulate the rate and volume of surface run-off;
 - The need or merit of flood hazard mitigation by raising floor levels.
- f. In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the allotment's Certificate of Title.
- g. In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title.
- h. In relation to a contaminated site, any soil tests, establishing suitability, and methods to avoid mitigate or remedy the effects, including removal to approved disposal points;
- i. In relation to land filling and excavation operations, the following factors:
 - The effects on surrounding properties;
 - The natural pattern of surface drainage;
 - The type of and placement of fill material;
 - Mitigation, or avoidance, of adverse effects caused by dust or siltation affecting neighbouring properties;
 - Remedies necessary during emergencies;
- j. The likelihood of the proposed subdivision, including the establishment of potential assets such as residential units, being threatened by inundation, coastal erosion or other natural hazards.
- k. The ability of any buildings on the land being subdivided to be relocated, the estimated cost of the relocation, and the possible destination of a relocated building.
- l. The impact climate change may have on the level of risk and potential loss of life and/or damage to property and infrastructure.
- m. The local ground conditions or the situation applying to the allotment and the suitability of the site of the building.
- n. Whether or not an allotment should be restricted from development on parts of the site.
- o. The minimum floor height for buildings in situations where inundation is likely and damage to structures could occur, but the land may not necessarily be filled.

11.14 Esplanade Provision

Reasons: The Act contains specific provisions which places an onus on the Council to make provision for esplanades. In addition, the subdivision rules in the Plan require esplanade strips or reserves to be created along specified lakes and rivers. This provision is to enable the public to gain access to these areas for recreation and general enjoyment and also to assist in the protection of the natural character and values of these areas. The rules for the Rural Zones relating to riparian areas provide additional protection to the values of these areas and are considered by the Council to be the principal means of protecting natural conservation values along riparian margins in rural areas.

Assessment Matters:

- a. The purposes for the creation of esplanade reserves or strips set out in Section 229 of the Act, and the provisions of Section 6 of the Act;
- b. The appropriateness of creating an esplanade reserve or strip in relation to security or public safety concerns;
- c. The inappropriateness of esplanade provision where the subdivision is a minor boundary adjustment; or is a further subdivision for a cross lease or unit title due to an

- increase or additions to existing units; or reallocation of accessory buildings; or the erection of garages where these have been indicated on earlier survey plans;
- d. The extent to which the natural functioning of the water body, water quality, and land and water based habitats will be affected by the creation of an esplanade reserve or strip, or the reduction or waiver of esplanade requirements.
- e. The extent of the public's ability to obtain access to and along the margin of the water body.
- f. The extent that recreational use will be assisted or hindered.
- g. The compatibility of the proposed reserve or strip with physical characteristics of the land.
- h. The extent to which the natural character and visual quality of the area will be preserved.
- i. The extent to which natural hazards will be mitigated.
- j. The extent to which the purpose of the reserve or strip could be achieved through some other means such as conservation covenants or consent notices.

11.15 Provision for Open Space and Recreation

Reasons: The financial contributions for residential units and subdivision for residential purposes (both in the Rural and Residential Zones) enable the Council to provide for the anticipated increased demand for recreation and open space, as well as for increased use, and therefore maintenance of, existing facilities. This increased demand can be in terms of availability, quality and amount of recreation and open space areas and facilities. Without this contribution there is potential for there to be:

- a lack of local neighbourhood parks in new subdivisions
- an inadequacy of local neighbourhood parks in areas with growing numbers of units/townhouses, where infill housing and redevelopment is taking place; and
- lack of visual amenity from local and district parks in areas where new subdivision is occurring.
- lack of passive and active recreational opportunities.

Some contribution is also necessary to ensure that new open space areas can be developed to a useable state.

Contributions by large-scale residential, industrial, service commercial community, visitor accommodation and utility activities have the purpose of mitigating actual or potential effects of development, including:

- To provide conveniently located open space and recreation facilities for construction and permanent workers/staff associated with developments/utilities.
- To provide open space and recreation facilities for visitors to an area where the development/utility is related to the attraction of those visitors.
- To mitigate or off-set the effects of development/utility on the quality and amenity values of existing open space or recreation values, whether temporary or permanent.
- To provide open space and recreation facilities to compensate for the loss of actual or potential recreational and open space opportunities resulting from the development/utility which loss cannot be dealt with satisfactorily by conditions relating to the development site.

All contributions to the Council are to be in cash and any land purchases for reserves negotiated with the Council, to ensure that any land set aside for open space and recreation is in accordance with the Council's policy for land acquisition.

A contribution of 5% of the average value of the allotments in the subdivision, is equivalent to 30m² of land for the average residential allotment created in the District of 600m². This is the contribution considered necessary to provide for neighbourhood reserves and their development, for each household capable of accommodating 3 people. As some contributions will be in cash and some as negotiated land acquisition, a 5% contribution would give a mix of land for neighbourhood reserves and cash for development works or land purchase in areas where reserves cannot be acquired on subdivision.

Assessment Matters:

- a. The extent to which the provision for land for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision and diversity of open spaces and recreational facilities.
- b. The extent to which the provision of land and/or cash contributions towards land for open space and recreation is consistent with the objectives and policies of the District Plan relating the requirements for reserve contributions from subdivision; the acquisition of land for public open space and recreation; and the use of cash received as contributions.
- c. Whether the intended land use of the allotments being created is for the housing of the elderly, and whether a reduction in the contribution assessment is, therefore, reasonable.
- d. Where the contribution towards the provision of land for open space and recreation is not to be paid to the Council before a Conditions Certificate is issued pursuant to Section 224 of the Act, a requirement for the applicants to enter into a bond.
- e. Whether the undertaking of works, including the planting of trees or the regrading or levelling of reserve land that will vest in the Council, or the setting aside of a reserve to protect any natural features, should be taken into account when assessing the value of the contribution towards land for open space and recreation.
- f. The extent to which a development is likely to result in a need or desirability for land and/or facilities for open space and recreation for workers, residents or visitors to the area.
- g. The extent to which additional workers, residents or visitors to the area will increase the use of and/or need for maintenance of open space and recreational areas and facilities.
- h. The extent to which additional or replacement open space and recreation facilities could compensate for the loss or reduction in open space quality or recreational opportunities resulting from the development.

11.16 Heritage Items

Reasons: The subdivision of land surrounding listed heritage items can significantly affect the character of the heritage item and its environs, its important features, the reasons for its listing and the ability of the public to enjoy and appreciate its features. The discretionary activity provision for such subdivision enables the Council to assess the effect of the subdivision on these features and values.

Assessment Matters:

- a. The effect of the subdivision on the character of the heritage item and its environs, its important features, the reasons for its listing, and the ability of the public to enjoy and appreciate its features.
- b. Any ability by the applicant to retain the essential character of the site of the heritage item.
- c. The ability of the applicant to develop the site of the heritage item without adversely affecting the character of the heritage item and its environs.
- d. Any incentives available to retain the site of the heritage item.
- e. Impact on any archaeological site.
- f. The need for an Accidental Discovery Protocol for any excavations required by the subdivision

11.17 EasementsAssessment Matters:

- a. Whether there is a need for easements
 - where a service or access is required by the Council,
 - for stormwater passing through esplanade reserves where drainage will be to the river,
 - to meet network operator requirements,
 - in respect of other parties in favour of nominated allotments or adjoining Certificates of Title,

- for private ways,
- for stormwater, sanitary sewer, water supply, electric power, gas reticulation, telecommunications,
- party walls and floors/ceilings,
- for servicing with sufficient width to permit maintenance, repair or replacement.

11.18 Financial Contributions for Subdivision and Development

Assessment Matters:

- a. The respective assessment matters for financial contributions on subdivision activities relating to servicing.

11.19 National Grid

Reasons: The restricted discretionary activity provision for subdivisions within 32m of the centreline of a transmission line enables the Council to give effect to the National Policy Statement on Electricity Transmission (policies 10 and 11) and manage the adverse effects of and on the transmission network.

Assessment Matters:

- a. The proximity and layout of the subdivision in relation to existing or proposed transmission lines which have a voltage at/or exceeding 110kV
- b. The extent to which the subdivision design mitigates the effects on the lines, for example through the location of roads and reserves under the line, or lot layout;
- c. The ability for maintenance and inspection of the transmission line, including ensuring access for the same;
- d. The extent to which the design and development will minimise risk or injury and/or property damage from such lines;
- e. The extent to which potential adverse effects including visual impact are mitigated, for example through the location of building platforms, landscape design;
- f. The location of any building platforms;
- g. Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and its successors
- h. The outcomes of any consultation with the affected utility operator