

6 Subdivision

6.1 Activities

6.1.1 Activity Table

KEY						
P	Permitted activity	C	Controlled activity			
D	Discretionary activity	RD	Restricted Discretionary activity			
N/C	Non Complying activity	PRHB	Prohibited activity			
<i>All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for. See Rule 2.1.3 (Page B48).</i>						
Type of subdivision	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
1. Minimum Lot size 350m ² (within 200m of Residential/ Business zone boundary).	N/C	N/C	C	N/C	N/C	N/C
2 (a) Minimum Lot size 500m ² . <ul style="list-style-type: none"> Greater than 200m from a Residential/ Business zone boundary. Within Business zones. Within non-scheduled industrial sites. Provided that within the "Shopping Frontage" character areas there shall be no minimum lot size. 	N/C	N/C	C	C	C	N/C
2 (b) Subdivision of scheduled sites.	N/C	N/C		D		
3. Rural lots.						
3 (a) Minimum lot size 8 ha.	C		N/C	N/C	N/C	N/C
3 (b) Minimum lot size of 5000m ² Class IV - VIII soils.	D	D	N/C	N/C	N/C	N/C
3 (c) One rural-residential lot per title in existence at November 1996 with a minimum lot size of 2500m ² and a maximum of 10,000m ² .	D		N/C	N/C	N/C	N/C
4. Rural-Residential. Minimum area of 2500m ² with a minimum average of 10,000m ² .	N/C	D	N/C	N/C	N/C	N/C
5. Rural lot with a complying dwelling site:						
<ul style="list-style-type: none"> Within 500 metres of an existing intensive farm as at 1 September 2003. 	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> Within 250 metres of an existing litter poultry farm as at 1 September 2003. 	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> Within 300 metres of existing Council effluent treatment plants at Morrinsville, Matamata, Te Aroha, Waihou as at 1 September 2003. 	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> Within 300 metres of the existing Fonterra – (Waitoa) wastewater plant as at 1 September 2003. 	RD	RD	RD	N/C	N/C	N/C
<ul style="list-style-type: none"> Within the Reverse Sensitivity Areas for the Motumaoho Quarry as shown in Appendix 12 as at 13 May 2005. 	RD	RD	RD	N/C	N/C	N/C
Measurement of the separation of Intensive Farming/Litter Poultry Farming is to be from the perimeter of the existing sheds/facilities						

KEY						
P	Permitted activity	C	Controlled activity			
D	Discretionary activity	RD	Restricted Discretionary activity			
N/C	Non Complying activity	PRHB	Prohibited activity			
<i>All activities not listed in the Activity Table are deemed to be non-complying unless otherwise provided for. See Rule 2.1.3 (Page B48).</i>						
Type of subdivision	Zones					
	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
exclusive of spray irrigation areas. See Rule 1.4.27 for Assessment Criteria.						
6. Boundary Adjustment.	C	C	C	C	C	C
7. Bonus Protection Lot.	D	D	D	D	D	D
8. Bonus Reconstituted Lot.	D	N/C	N/C	N/C	N/C	N/C
9. Activities with Resource Consent (excluding dwellings).	D	N/C	D	D	D	D
10. Works and Network Utilities.	C	C	C	C	C	C
<i>Note: Subdivision of land within areas identified as Natural Hazards on the Planning Maps. See Section 11.</i>						

Objectives/Policies		
3.4.2.1	O1, O2, O3	P1, P2, P3

6.1.2 Applicant's representative

Applications for subdivision consent shall be prepared by a registered surveyor or other qualified person and shall be drawn to scale with appropriate key and supporting documentation as specified in General Provisions: Information Requirements, Section 1.

Applications for subdivision consent (i.e. the plans and report) shall be submitted to the Council for consent before any work involving disturbance of the land surface or excavation of the land surface (other than work necessary to prepare the application) is undertaken.

[Should any variations be proposed that are not in accordance with the Development Manual a "Specification Variation Request" should be provided to Council for evaluation and confirmation. The process is outlined within the Development Manual.](#)

Objectives/Policies		
3.4.2.1	O1, O2, O3	P1, P2, P3

6.1.3 Description of subdivision types

- (i) Residential, Business and Industrial (non-scheduled) lot
 - (a) Minimum area of 500m², "exclusive use area" provided that in any subdivision containing five or more lots one half of all lots shall have an area greater than 650m² and a quarter of all lots shall have an area greater than 800m²;
 - (b) Minimum area of 350m² "exclusive use area" in a Residential zone within 200m of a Residential/Business zone boundary.
- (ii) Rural lot
 - (a) Minimum area of 8 hectares;
 - (b) Rural-Residential Lots.

One rural-residential lot per title in existence prior to November 1996 shall have a minimum area of 2,500m² and a maximum area of 10,000m² whereby:

- The performance standards of Section 6.2 are met;
- The balance area shall comply with (a) above;
- Access is provided on to any road other than a state highway.

(iii) Rural-Residential zone

Minimum area of 2,500m² with a minimum average of 10,000m². Access to all lots created from the one title is to be from a new road or, if none is provided for, then from one entranceway off an existing road. No new access is to be created off any state highway.

(iv) Boundary adjustment

- (a) The adjustment of boundaries between any existing allotments which will leave each of the allotments involved with substantially unchanged frontages and areas;
- (b) A variation to an existing cross lease plan that is required to show new building(s) and/or building line extension(s) provided that any new building(s) and/or extension(s) have obtained a building consent.

(v) Works and network utilities

In any zone the minimum size and frontage standards for subdivision shall not apply where a subdivision is required for the purposes of a network utility or public work.

(vi) Activities with resource consents.

An allotment may be created for any activity excluding stand alone dwellings approved by Council via a resource consent. The area and frontage shall be appropriate to the approved activity.

(vii) Bonus protection lots

- (a) Where an identified significant feature registered in the Plan or any other feature proven to be of natural, historical, ecological or cultural significance is to be legally and physically protected in perpetuity, one residential lot may be created from the parent lot where the area to be protected is 1 to 15 hectares in area **provided that:**

One further house site may be permitted where the area to be protected is greater than 15 hectares provided however in both cases the whole of the bush, feature or area worthy of protection on the property must be protected and no area of bush or other feature can be left out or divided for the purposes of obtaining additional lots;

The residential lot created is to have a maximum area of 5,000 m² and a minimum area of 2500 m² exclusive of the area/feature to be protected.

- (b) Other "features of significance" shall require certification from an appropriately qualified person that the feature is of such value that it is in the public interest for the feature to be protected in perpetuity. The feature/area must be fully described and its intrinsic value ranked alongside other similar features;
- (c) The house lot must be on the property which contains the area to be protected but it may be distant from the area to be protected and the area to be protected may remain within the balance lot rather than be within the residential lot;

- (d) The legal protection of the area/feature shall be achieved by way of a condition of the subdivision consent which requires a legal instrument to be registered on the title of the newly created lot. An agreement regarding an encumbrance or covenant must be entered into before the issue of the Section 224 Certificate under the Act;
 - (e) The physical protection of the feature shall be achieved by the erection and maintenance of fencing to a stock proof standard. The area must be kept free of livestock and as far as is practicable pests, plants and animals subject of a Regional Pest Management Strategy, and domestic and feral cats and, if flightless or ground nesting native birds are present, free of dogs. All protected features shall be identified by signs and plaques in an appropriate position. The covenant or encumbrance shall include enforcement and penalty provisions.
- (viii) Bonus reconstituted lot
- A boundary adjustment between two contiguous titles that existed prior to November 1996 where the resultant lot size of one title has a maximum of 5,000m² for one dwelling and the remaining title has a minimum of 8 hectares.

Objectives/Policies		
3.4.2.1	O1	P1, P2
3.3.2.1	O2	P1, P2, P3

Explanation

The minimum Lot size has been defined to retain the open character of the residential and business areas of the District.

It should be noted that for scheduled sites only there is no provision for subdivision to avoid fragmentation and sale of the significant Industrial areas and their associate buffers to other operators.

Council has adopted the rural subdivision minima to protect the high quality soils of the District as expressed in Objective 3.3.2.1 O1 and Policy 3.3.2.1 P2 concerning Sustainable Primary Production and also Objective 3.3.2.2 and associated Policies for Rural Housing. The demand for rural - residential development may be met by the opportunity for dwellings on the 1359 small titles 4 ha. or less that existed in 1994, the bonus protection lot provision and on any property greater than 4 ha. in size. The Bonus Reconstituted Lot provision may also release land for rural-residential use. Council shall monitor the use of such lands over the term of this District Plan.

6.2 Performance standards

The following performance standards shall apply along with those general provisions outlined in Section 1.

6.2.1 New Zealand Urban Design Protocol and Crime Prevention Through Environmental Design

i) This performance standard applies only to subdivisions within the Residential and Rural Residential Zones.

ii) Each application for subdivision shall demonstrate that good quality urban design outcomes will be achieved. Good urban design qualities are taken from the New Zealand Urban Design Protocol and National Guidelines for Crime Prevention through Environmental Design in New Zealand and for the purpose of this performance standard are defined as:

Context: Seeing buildings, places and spaces as part of whole towns by analysing each project in relation to its setting and ensuring that each development fits in with and enhances its surroundings.

Each subdivision should take into account:

- Existing local landmarks and focal points.
- Walking distance to a range of services and amenities.
- Convenient access to public parks, open space and community facilities.

Character: Reflecting, enhancing and protecting the distinctive character, significant cultural and visual landscape features, historic heritage and cultural identity of the urban environment.

When assessing an application against this quality consideration shall be given, but not limited to Part A Section 3.1.2.3(O1, P1-5) 3.5.2.2 (O2 & P3).

In particular the layout should contribute to the local identity of urban areas by:

- Responding to existing site characteristics.
- Responding to the surrounding environment.
- Protecting and enhancing built, cultural and visual landscape features, landforms and significant views.

Connections: Enhancing transportation networks and the links between the different transport modes (pedestrian, cycleway, street, etc) to ensure safe and easy movement for people and the integration of the subdivision with surrounding neighbourhoods through these networks. See Section 6.2.2 (iv).

Custodianship: Ensuring that the design is environmentally and economically sustainable and that publicly accessible open spaces are well overlooked, safe and accessible.

Collaboration: Takes an approach to the design that acknowledges the contribution of different disciplines and perspectives, communicating and sharing knowledge for the integration of landuse, structures and networks.

CPTED: Crime Prevention Through Environmental Design.

In particular this includes:

- Good visibility, sightlines and casual surveillance (overlooking) of public or publicly accessible spaces.
- Safe routes and connections.
- A clear and logical layout.

Each application shall include a statement/evaluation demonstrating how these matters have been considered in preparing the proposal. Compliance with these provisions shall be met by all proposed subdivisions and where available shall comply with an operative structure plan.

iii) To meet the outcomes of 6.2.1(ii) above, a subdivision is required to comply with the following urban design criteria:

- a) The subdivision shall be integrated with the existing urban context.
- b) The layout and pattern of development traditionally representative of the existing urban area shall be continued.

- c) The design shall be highly connected with and between neighbourhoods for cycle, pedestrian and vehicle transport modes as appropriate to the scale of the subdivision.
- d) The subdivision design shall retain key visual linkages within and between neighbourhoods.
- e) Safe pedestrian and cycle routes should be generally integrated within the road reserve and other public open space.
- f) The subdivision shall be representative of street, block and lot layouts and landscape elements that build on and integrate with the existing local residential character.
- g) Public open space should be prominent and accessible, with good road frontage, within the local area.
- h) There shall be a predominance of lots fronting the street.
- i) Rear lot access areas should contain area available for landscaping.
- j) Existing vegetation which contributes to the overall amenity and character of the site and neighbourhood shall where possible be retained or consideration to mitigation is required.
- k) Where there are more than five lots a variety of lot sizes should be provided.
- l) Orientation of lots should maximise solar access.
- m) The design and lot layout should be designed to achieve casual surveillance of public open space.

Note: Council will prepare and make available Urban Design Guidelines advice to assist subdivision applicants with means of compliance with this criteria. Where compliance with the above provisions is not clearly demonstrated the Council may seek an independent peer review by a suitably experienced professional in the urban design field. Any such peer review shall be at the applicant's expense.

<u>Objectives/Policies</u>		
3.4.2	O4	P5

6.2.2 Infrastructure and Servicing

a) Stormwater

That the subdivision and development of land shall be carried out so as to provide for effective stormwater management, having regard to the Development Manual to achieve the performance outcomes set out in Section 6.2.11.

b) Wastewater

Where available within a reticulated area, every allotment or household unit shall be provided with connection to the Council's wastewater reticulation system, having regard to the Development Manual to achieve the performance outcomes set out in Section 6.2.11. Refer also to Section 1.2.2(iii).

c) Water Supply

Where available within a reticulated area every allotment or household unit shall be provided with connection to the Council's water reticulation system, having regard to the Development Manual to achieve the performance outcomes set out in Section 6.2.11.

d) Rooding, access and street lighting

That in any subdivision every allotment shall have access to a formed, legal road having regard to the Development Manual to achieve the performance outcomes set out in Section 6.2.11.

Where a new road is created, street lighting shall be designed and provided having regard to the Development Manual to achieve the performance outcomes set out in Section 6.2.11.

e) Other Reticulation

That telecommunication, electricity, gas reticulation shall be provided at the time of subdivision and in accordance with the requirements of the relevant network utility operator while having regard to the Development Manual to achieve the performance outcomes set out in Section 6.2.11. Refer also to Section 8: Works and Network Utilities.

<u>Objectives/Policies</u>		
<u>3.4.2.1</u>	<u>O1</u>	<u>P1</u>
<u>3.7.2.1</u>	<u>O1</u>	<u>P2, P3</u>

6.2.31 Rooding and access

(i) Road widening

Where part of the land being subdivided is required for road widening or for other street purposes or for other works, the subdivision shall be designed as though such land had been dedicated prior to the time of subdivision.

(ii) Access to be provided

Every owner or occupier shall provide vehicular access to their property for parking and/or loading from a formed legal road or over land by mutual right of way or service lane. ~~For design and location of access points see Transportation: Section 9.~~

Any vehicular access / road that is new or an activity which results in a change in the character, intensity or scale of use of an existing crossing, which are unable to comply with the Minimum Sight Distances and Separation Distances contained in Appendix 3 shall be a discretionary activity.

Any road, private way or access leg that is new or an activity that has resulted in the changed character, intensity or scale of use and unable to comply with the following table, shall be a discretionary activity.

Private

<u>Access Type</u>	<u>Number of Household units served</u>	<u>Minimum reserve width (m)</u>
<u>Residential, Business and Industrial Zone</u>		
<u>Access Leg</u>	<u>1</u>	<u>3.5m access leg</u>
<u>Private Way</u>	<u>2 – 3</u>	<u>5</u>
	<u>4 – 6</u>	<u>6</u>
<u>Rural and Rural Residential Zone</u>		
<u>Access Leg</u>	<u>1</u>	<u>9</u>
<u>Private Way</u>	<u>2 – 3</u>	<u>9</u>
	<u>4 – 6</u>	<u>12</u>

Public

<u>Road Type</u>	<u>Number of Household units served</u>	<u>Minimum road reserve width (m)</u>
<u>Residential, Business and Industrial Zone</u>		
<u>Service Lane</u>		<u>10</u>
<u>Local Road (cul-de-sac)</u>	<u>7 – 25</u>	<u>18</u>
<u>Local Road</u>	<u>>25</u>	<u>20</u>
<u>Collector Road</u>		<u>20</u>
<u>Arterial Road</u>		<u>20</u>
<u>Rural and Rural Residential Zone</u>		
<u>Local Road</u>	<u>< 25</u>	<u>20</u>
<u>Collector Road</u>	<u>25-125</u>	<u>20</u>
<u>Arterial Road</u>	<u>N/A</u>	<u>20</u>

The minimum width, design and construction of any access shall be in accordance with the Development Manual.

(iii) Any new road, access lot or private way shall be designed, constructed and located in accordance with the Development Manual.

(a) — Access lots or private ways;

Rural and Rural Residential zones

The minimum width of any access lot or private way shall be 9 metres provided that Council may require additional width for the provision of drainage or other services and batter slopes if the access is either raised or cut into a hill side.

The carriageway width shall be at least 4.5 metres wide over the full length of the access lot, widening out to 6.0 metres for the first 20.0 metres from the road boundary to facilitate construction of an approved entrance onto the public road to facilitate safe entry/exit to the lots. Construction of the access lot or right of way shall be as approved by Council.

The maximum length of an access strip or a private way shall be 1,000 metres. No access lot or private way shall serve more than six allotments, and if 3 or more lots are served then the access lot or private way shall be sealed.

Residential, Business and Industrial zones

The minimum width of one access lot or private way shall be 3.5 metres. Width requirements for access serving more lots shall be as follows:

~~2 – 3 lots..... 4.0 metres~~

~~4 – 6 lots.....5.0 metres~~

~~More than 6: The minimum requirements shall be in accordance with Appendix 7.~~

Note: The formation and construction of all access lots, private ways and streets shall be in accordance with NZS4404:1981 Code of Practice for Urban Subdivision.

~~(iii) Rooding, access, parking and loading, design and construction – all zones~~

~~See Transportation: Section 9.~~

(iv) Rooding Connectivity

(a) Where appropriate and unless otherwise determined by an operative structure plan, all subdivision shall provide road and/or pedestrian connections between the land being subdivided, existing roads, adjoining properties, and balance lots in accordance with the Development Manual and:

- ~~• Figure 1 10 “Minimum Sight Distances for Regional Arterial Roads and State Highways” in Appendix 3 and~~
- ~~• Appendix 7 “Street Classification and Pavement Structure for Urban Development”.~~

(b) Any connections that are required in (a) above shall be vested as road and designed and constructed within 1m of the boundary.

Advice Note:

The appropriateness of requiring the road connections shall be determined with reference to Objective O8 and Policy P9 in Part A, Section 3.8.3 – Transportation.

Objectives/Policies		
3.4.2.1	O1	P1
3.8.2	O1	P1
3.8.3	O8	P9

6.2.2 Provision of services

~~(i) General~~

~~(a) All utility and amenity services provided for in NZS4404:1981 shall be extended to the proposed lot(s) bearing in mind:~~

~~The capacity for future land uses is available in the catchment being served;~~

~~The availability or adequacy of the existing utility services; and~~

~~The adverse effects on existing infrastructure are minor.~~

~~(b) Council requires that lots be independently served where not presently served where the site is greater than 200 metres from an urban zone (Residential, Business or Industrial zones) or within the Rural Residential zone;~~

~~(c) The location of all utility services which are provided through a network of physical lines shall be within the road or otherwise parallel to common property boundaries wherever practicable. Services located within a Council road shall be at the location and depth required by the street services plans held at Council's offices;~~

~~Services located within a state highway road require the written permission of Transit New Zealand.~~

- ~~(d) Utility services shall be provided in a manner that will ensure that maintenance will avoid, remedy or mitigate any environmental effects that occur during or after their design life;~~
- ~~(e) Connections will be permitted after at least three working days notice is given (or earlier if appropriate) of intention to convert to an existing service, after the new reticulation has passed the necessary testing and any fees are paid;~~
- ~~(f) In Residential, and Business zones all network utility services, conductors or pipes shall be installed underground.~~

~~(ii) Water supply~~

- ~~(a) In the Residential, Business and Industrial zones a system adequate for fire fighting purposes and for estimated consumption shall be provided;~~
- ~~(b) If the land being subdivided or developed lies within an area served by a Council water supply, the water reticulation and water supply for fire fighting purposes shall be provided by the developer to the subdivision in such a manner as to enable each lot to be connected to the Council supply system;~~
- ~~(c) In the Rural zone a system shall be provided that meets the requirements of the intended use. The Council encourages that consideration be given to the "Guidelines for Rural Fire Fighting".~~

~~(iii) Sewage disposal~~

~~If the land being subdivided or developed lies within an area served by a Council sewerage scheme the property shall be provided with the appropriate utilities by the developer.~~

~~See also 1.2.2 (iii).~~

~~(iv) Stormwater reticulation~~

~~All subdivisions shall consider the necessity of providing storage facilities to reduce the demand on Council infrastructure and public waterways during short duration, high intensity rainfalls. Provisions to mitigate, avoid or remedy any resulting adverse environmental effects shall be included in the assessment of environmental effects submitted with the application for subdivision consent.~~

~~(v) Electricity, street lighting, telecommunication and gas reticulation.~~

~~Consideration of the layout of existing reticulation, distribution and transmission lines or pipes.~~

~~See Works and Network Utilities: Section 8.~~

Objectives/Policies		
3.4.2.1	O1	P1
3.7.2.1	O1	P2, P3

6.2.43 Development Contributions

See Development Contributions: Section 7.

The owner shall contribute to the provision of services, reserves and recreation facilities identified as being necessary to serve the anticipated demand resulting from the subdivision of the land.

The developers shall provide any other services required at their own expense.

Objectives/Policies		
3.4.2.1	O1, O2	P1, P2
3.8.2	O7	P9
3.9.2.1	O1, O2	

6.2.54 Esplanades

(i) Esplanade reserves

Where subdivision occurs, creating lots less than 4 hectares or greater than 4 hectares along rivers specified in (d) below, Council shall require esplanade reserves of 20m in width. However in some circumstances it may be appropriate either to increase or decrease the width of the reserve or to establish an esplanade strip as an alternative.

- (a) An esplanade reserve may be reduced below 20m in the following circumstances:
- Where an existing structure is located within the 20m reserve and an appropriately smaller esplanade reserve can be vested;
 - Where a natural hazard protection area is operative on land that would otherwise be an esplanade reserve;
 - Where the topography limits the effectiveness of the reserve.
- (b) An esplanade reserve of a greater width than 20m may be taken in the following circumstances:
- Where the area has significant conservation and heritage values which require protection greater than a 20m reserve can provide;
 - Where the topography requires it to be more effective.
- (c) An esplanade reserve may be waived in the following circumstances:
- Where the land is identified on a Queen Elizabeth II National Trust Protective Covenant, Reserves Act Covenant, Conservation Act Covenant or other Covenant that is in perpetuity;
 - Where by reason of public safety and/or security an esplanade reserve would be inappropriate and security cannot be assured by some other means. For example, where there are defence lands, existing public road, sensitive machinery, irrigation works or activities.
- (d) Where subdivision occurs creating lots 4 hectares or more in size, Esplanade Reserves shall be taken along the following rivers:
- Waihou, Waitoa, Piako, Waitakaruru, Waiomou, Rapurapu, Topehaehae and from land immediately adjoining the Kopuatai Peat Dome;
 - The width of the reserve shall be 20m unless any of the above circumstances (a, b or c) apply.

(ii) Esplanade strips

- (a) An esplanade strip may be established instead of an esplanade reserve in the following circumstances:

- Where significant erosion is known to occur.
- (b) Where an esplanade strip is considered to be more appropriate than an esplanade reserve, the width of that esplanade strip shall be:
- A minimum of 20m where erosion is a known problem;
 - A minimum of 5m where the esplanade strip is established solely for access purposes.

The situations relating to a reduction or increase in width of esplanade reserves shall relate to the physical conditions of the site.

(iii) Access strips

- (a) An access strip may be established instead of an esplanade reserve or an esplanade strip in the following circumstances:
- Where for reasons of public security or public safety restrictions, access is required;
 - Where existing development means that an esplanade reserve or esplanade strip can not practically be established;
 - Where roads are available for the purpose.

Objectives/Policies		
3.4.2.1	O2	P2
3.7.2.3	O1	

6.2.65 Protection and preservation of existing drainage channels

All subdivisions shall be planned, designed and constructed so as to:

- (i) Protect and preserve existing natural or open drainage channels;
- (ii) Ensure all drainage systems do not cause erosion or flooding outside the subdivision to any greater extent that would occur in the absence of subdivision and improvements;
- (iii) Avoid flooding of land;
- (iv) Leave all drainage channels in as natural a condition as possible, enhance fish habitats and water quality with riparian planting where appropriate;
- (v) Provide for crossing of water courses whose bed has an average width of 3 metres or more by spanning so that natural stream beds will not be altered thereby causing adverse environmental damage.

See also Section 8: Works and Network Utilities and Section 11: Natural Hazards.

Objectives/Policies		
3.2.2.1	O1	P1, P2, P3, P4
3.7.2.1	O1	P2, P4

6.2.76 Earthworks

See Performance Standards: Section 5 [and the requirements of the Development Manual](#).

6.2.87 Natural Hazards

See Natural Hazards: Section 11.

6.2.98 Conservation

See Performance Standards: Section 5.

6.2.109 Vesting of beds of rivers

The bed of any river over 3 metres in width included in a subdivision consent shall be vested in the Crown.

6.2.11 Performance Outcomes for Infrastructure and Servicing

The following are the performance outcomes required in relation to infrastructure and servicing. These matters shall be considered in regards to any application for subdivision and evidence of compliance with these required outcomes shall be provided to Council.

a) Stormwater

The design, construction and operation of the stormwater systems should be such as to satisfy the following:

i) Be adequate to meet the maximum potential demand arising from the development and use of the land as allowed in accordance with this District Plan.

ii) The design capacity of any piped stormwater facilities should be sufficient to accommodate the surface water flows resulting from:

• a 10 year storm event in the case of industrial and business zones;

• a 5 year storm event in the case of the residential zone;

and to avoid flood damage to the existing or potential principal buildings on the site, resulting from a 50 year storm event.

iii) Overland flow paths must be able to cater for a minimum of a 1 in 100 year return period storm. Flood paths must be protected by an easement registered against the titles affected throughout their length.

Where flood paths are not feasible the piped system must cater for a minimum of a 1 in 100 year return period storm.

Where disposal is to ground soakage with no flood path, the soakage must cater for a 1 in 100 year return period storm.

iv) Stormwater proposals must take into account the requirements of the Council's current stormwater discharge consents from the Regional Council. All proposals must be consistent with the conditions of this consent including requirements for low impact design principles, stormwater management devices and best practicable options as set out in the consent.

v) Stormwater works should be provided in a manner which avoids excessive modification of natural drainage systems and minimises any detriment to the environment particularly through potential contamination of natural water.

- vi) The integrity of the stormwater system should be maintained and its safe and efficient operation facilitated, while ensuring an adequate level of safety to the public and those operating and maintaining the facilities.
- vii) Any detriment to the enjoyment and development of individual allotments arising from the provision and operation of the stormwater system needs to be minimised.
- viii) The effects of a proposal on climate change and proposals shall be taken into account.
- ix) In terms of operation and maintenance the stormwater system shall be in line with community expectations regarding anticipated performance.
- x) The lifecycle and maintenance costs meet community expectations.

b) Wastewater

The design, configuration and construction of any wastewater works should be such as to satisfy the following:

- i) Be adequate to meet the maximum potential demand arising from the development and use of the land as permitted in accordance with this District Plan.
- ii) Minimise any risk to the environment and to public health particularly through potential contamination of natural water and the ground.
- iii) Maintain the integrity of the wastewater collection and disposal system and facilitate its safe and efficient operation.
- iv) Minimise any detriment to the enjoyment and development of individual allotments.
- v) Provide an adequate level of safety to the public and those operating and maintaining the facilities.
- vi) Should provide for easy operation and maintenance in line with community expectations.
- vii) The lifecycle and maintenance costs meet community expectations.

c) Water Supply

The design, construction and operation of any water system should be such as to satisfy the following:

- i) Be adequate to meet the maximum potential demand arising from the development and use of the land as permitted in accordance with this District Plan.
- ii) The design capacity of any water system should be adequate to meet the maximum potential demand arising from the development and use of the land as permitted in accordance with this District Plan and to provide sufficient water for fire fighting purposes.

iii) Should provide for easy operation and maintenance in line with community expectations.

iv) The lifecycle and maintenance costs meet community expectations.

d) Rooding

i) The width, alignment, structure and formation of any access leg, private way or road should be sufficient to accommodate the volume and type of traffic likely to use it in a safe and efficient manner.

ii) Provision should be made for footpaths/berms sufficient to satisfactorily accommodate reticulated network utility services, street lighting, pedestrian traffic (including vulnerable road users), cyclists and amenity landscaping including street trees.

iii) Appropriate measures should be taken to avoid, remedy or mitigate impacts on the environment arising from the operation of the road.

iv) The costs of cleaning and maintenance are kept to a minimum and that there is consistency with the rest of the rooding network so as to minimise overall maintenance costs.

e) Other Reticulation

i) Such reticulation should be placed underground within the road berms.

ii) Electricity and gas reticulation should be installed in accordance with the relevant Acts.

iii) Whether a particular network utility service can be provided to the land being subdivided.

<u>Objectives/Policies</u>		
<u>3.4.2.1</u>	<u>O1</u>	<u>P1</u>
<u>3.7.2.1</u>	<u>O1</u>	<u>P2, P3</u>

Explanation

Council has implemented the contributions rules to enable the costs associated with new growth to be borne by the new consumers over the ongoing years. In devising the rules, Council has ensured that the calculations fairly and reasonably apply the fees that can be directly attributable to the new population. The District wide apportionate of reserves contributions is based on the understanding that the entire community has the opportunity to benefit from such facilities on a District wide basis. The urban and rural communities are being treated similarly on the grounds that they have similar reserve and recreational needs.

The engineering services fees are charged on a site basis because it is clear who benefits from the services.

Contributions are taken principally at the time of subdivision to enable Council to receive funds in advance of development to assist in the earlier provision of services for the new population.

All fees are based on Council works programmes for the ten year Review period. The detail of the calculations can be found in Council's 1995 discussion documents on the matter. In the event that a works programme or the contributions accounts are reviewed and refinements are necessary a change to the District Plan shall be promoted. To ensure the costs are relative to the rate of inflation the actual contribution values are to be reviewed in the light of the Cost Construction Index as part of the Annual Plan process.