

28.0 Standard Requirements for Subdivision and Development

28.1 Information to be Supplied with Applications for Subdivision Consent

28.1.1 Requirements for all Applications

Every application for subdivision consent shall contain the following information in the format prescribed:

28.1.1.1 Size

All plans should be on standard metric sheets. Preferred size is A3.

28.1.1.2 Copies

All plans must be capable of being photocopied in black and white.

28.1.1.3 Scale

Every plan should be drawn at a scale to clearly illustrate the proposal. A minimum scale of 1:500 is preferred for urban subdivision proposals. Where photofoil presentation is used an approximate scale will be accepted.

It is preferred that all subdivision plans be orientated to north and show a north point and a New Zealand Grid Reference (at centroid of largest parcel being created). The centroid is to be confirmed on a copy of the survey plan.

28.1.1.4 Plan Information

The following particulars shall be shown on the Subdivision Plan:

- a) Legal description;
- b) Certificate of Title reference (noted 'Limited' where applicable);
- c) Land district, survey district and block number, local authority districts and their boundaries where applicable;
- d) The scale of the plan and any diagrams;
- e) Registered owner's name (as set out in section 270 of the Act);
- f) Total area;
- g) Name of applicant, and surveyor or firm;
- h) Any covenants affecting the land;
- i) Reference or identification number used by the applicant;
- j) Zone boundaries, designations, roads and service lanes and the proposed status of all land to be vested; and
- k) A locality diagram to assist in identifying any rural property, and in other cases, where additional locational cues are necessary.

28.1.1.5 Details of jointly owned access lots and details of the proposed shared ownership shall be provided.

- 28.1.1.6 Amalgamation: In the case of any subdivision which requires an amalgamation condition to be included in its approval, the surveyor shall show this on the subdivision plan and indicate which provision in section 220(1)(b) of the Act will apply to those circumstances.
- 28.1.1.6.1 Legible copies of Certificates of Title for all land concerned shall be supplied.
- 28.1.1.6.2 It is essential that underlying lots and titles are shown on the face of the subdivision plan to assist in formulating appropriate conditions of amalgamation. In particular, titles 'limited as to Title or Parcels' should be identified.

28.1.2 Site Details - General

The following general details shall be included in every application for subdivision consent:

- 28.1.2.1 The position of all proposed new boundaries.
- 28.1.2.2 Every allotment shall be given a lot number and shall show its area in metric terms.
- 28.1.2.3 New roads shall be shown as "road to vest" or "road to be constituted" as appropriate. **New road names are not to be shown on any subdivision plan unless it is a natural extension of a road already named.**
- Service lanes and accessways shall be shown simply as 'service lane to vest' or (pedestrian) 'accessway to vest' as the case may be.
- 28.1.2.4 The nominal width of all roads, service lanes and accessways shall be shown.
- 28.1.2.5 A status comment on the position of any existing and proposed road formation in relation to boundaries shall be provided.
- 28.1.2.6 The purpose of every reserve shall be shown on the plan, being one of the categories specified in sections 17 to 23 of the Reserves Act 1977. In the case of a Government Purpose Reserve or Local Purpose Reserve, the specific purpose shall be shown, eg; "Local Purpose (Esplanade) Reserve".
- 28.1.2.7 All land below Mean High Water Springs and the beds of rivers and lakes required to vest in the Crown shall be clearly identified.
- 28.1.2.8 Where known, easements existing or easements to be created shall be shown on the plan with the purpose nominated. Document numbers shall be provided.
- 28.1.2.9 Adequate contour or heighting information to illustrate the existence on each allotment of a suitable building platform, drainage, waste disposal and access and to enable the gradients proposed for roads, rights of way and accessways to be assessed. For two or three lot subdivisions, Council may accept spot levels in terms of a recognised local datum.
- 28.1.2.10 Landscape works proposed on road reserves.
- 28.1.2.11 Road lighting and the proposed location and type of power and telephone services.
- 28.1.2.12 Details of any limited access road.

28.1.3 Site Details - Other Factors

The following details shall be included where applicable:

- a) Contours or spot heights, where possible in terms of a recognised local datum (including DOSLI datum); if that is not practicable, then an assumed datum should be used. (See Standard 28.1.2.6);
- b) Vegetation covering the land, particularly significant trees;
- c) Foreshore, rivers and lakes;
- d) Stream pattern with width of streams and limits of any tidal influence;
- e) Existing drains, piped or open;
- f) Wetlands;
- g) Areas subject to flooding or inundation, including by the sea;
- h) An activity description of existing buildings;
- i) Unstable areas, including geological fault lines;
- j) Details of the method of managing domestic wastewater, including reasons why the proposed method is the best practicable option;
- k) Details of stormwater drainage;
- l) Details of quantity and quality of water supply;
- m) Details of electricity/telecommunications reticulation, provided that reticulation for electricity/telecommunications shall not be required in the Sounds Residential or Rural Zones;
- n) Details of proposed access from a road (including width, gradient, formation) and compliance with location requirements;
- o) Any other physical feature of the land which is or may be relevant to the subdivision or approval conditions, particularly physical features that may be of national or regional importance. For example, any registered archaeological site;
- p) Plan shape factor provisions;
- q) Optional easements (including rights of way);
- r) Conditional easements;
- s) Existing Building Line Restrictions with document number;
- t) Any proposed reserves contribution; and
- u) Any site contamination.

28.1.4 Required Site Details - Urban Subdivisions

28.1.4.1 Topographical Detail

Generally topographical detail need only be shown on that part of the land where new building sites and lot boundaries are proposed or the degree of subdivision is intense (approaching minimum lot size requirements). It does not need to be shown over large lots which are balance areas, unless it is necessary to be shown as the basis for possible future extensions to the subdivision or unless in specific cases the Council requests it.

28.1.5 Required Site Details - Rural Subdivisions

28.1.5.1 Topographical Detail

Generally topographical detail need only be shown on that part of the land where new building sites and lot boundaries are proposed or the degree of subdivision is intense (approaching minimum lot size requirements). It does not need to be shown over large lots which are balance areas, unless it is necessary to be shown as the basis for possible future extensions to the subdivision or unless in specific cases the Council requests it.

The topographical detail shown on a Rural Subdivision Plan does not need to be as detailed as that required for an urban subdivision. Sufficient data of the same nature as the categories listed under Standard 28.1.3 should be shown if relevant to the task of identifying proposed boundaries on the ground and establishing any necessary conditions of approval.

Aerial photographs, where available, may be used to supplement topographical data, provided they are of sufficient scale and clarity to be readily interpreted and shall have the boundaries of the proposed subdivision clearly indicated thereon.

The circumstances of each case will determine the extent and the detail of topographical information which should be shown but the Council may ask for more information where it is necessary to assist the processing of any application.

28.1.5.2 Suitable Building Site

Each proposed allotment and balance parcel must provide for a building site. Complying building sites on each lot shall be indicated on the subdivision plan and supported by a geotechnical report, where necessary, prepared by a registered engineer or geotechnical specialist, who has established credentials with the Council, for the purpose of supplying opinions as to the stability of land.

Council will provide a format for the preparation of such reports. Allotments on flood prone land shall similarly have flood-free (1 in 50 year return period floods as delineated by the Building Act 1991) building sites identified on the subdivision plan and be supported by catchment analysis prepared by a registered engineer, who has established credentials with the Council, experienced in flood hydraulics.

If it is proposed to create an allotment in the Rural Zone without a complying building site, then a consent notice will be applied to the newly created title, to the effect that no building will be allowed unless the standard requirements for subdivision are met in full, including the provision of a geotechnical report and satisfactory water supply, waste disposal and geotechnical information is provided.

A Discretionary Land Use Activity Resource Consent will be required to remove or partially remove the title notation in the event building is proposed. The related application shall validate any proposed buildings site in accordance with the requirements of the Plan.

28.1.5.3 Water Supply

All applications for consent to subdivide in a rural situation shall provide details of proposed water supply to serve all allotments, including balance land. Both the quantity and quality of the supply should be addressed.

28.1.6 Written Report

- 28.1.6.1** In addition to the other information required, the following report shall also be lodged with all applications:
- a) An assessment of effects on the environment as prescribed in the Fourth Schedule of the Act;
 - b) A statement of compliance with the allotment design, access and visibility requirements of the Plan;
 - c) A comment on any other resource consents required. (eg; land disturbance, stormwater discharge);
 - d) Services, reticulation and connections (stormwater, water supply and sanitary sewer);
 - e) Any effects on or discharges to natural waterbodies and tidal waterways and details on the design capacity and projected volume of discharge;
 - f) Road construction effects (both temporary construction effects and long term effects);
 - g) Proposed new road names;
 - h) Impacts on water for irrigation;
 - i) Proposed earthworks (cutting and filling and vegetation removal);
 - j) Impacts on native bush or other significant features;
 - k) Any proposal for encumbrances on potential building sites;
 - l) Land stability; and
 - m) Any effects on special site conditions, features, or buildings.
- 28.1.6.2** Reports by geotechnical, forestry, iwi, heritage, archaeological, ecological or other consultants.
- 28.1.6.3** A summary of the results of any consultation undertaken with other organisations or persons likely to be affected by the proposed subdivision.
- 28.1.6.4** The signatures, signed on a copy of the subdivision plan and on the Council's formal consent form, of any affected persons as required by the Council in terms of section 94 of the Act.
- 28.1.6.5** Where it is expected that any effects arising from the subdivision, or work associated with the subdivision, will require ongoing monitoring the report should include a description of how those effects will be monitored and by whom and how the cost of monitoring will be met.

28.1.7 Applications for Rights of Way

The creation of 'stand alone' rights of way under the Local Government Act 1974 is beyond the scope of the Plan. Section 348 of the Local Government Act 1974 applies in this instance.

28.1.8 Additional Documents to be Submitted

As a condition of its approval of the subdivision application and completion, the Council may require additional documents to be submitted. These additional documents comprise:

- 28.1.8.1 Engineering drawings, specifications and where required, calculations covering the following sections of the work to be carried out:
- a) Site regrading;
 - b) Roading and access;
 - c) Drainage (stormwater and sanitary);
 - d) Water supply and other services; and
 - e) Geotechnical Engineer’s report on the suitability of the land for subdivision.

28.1.8.2 ‘As-Built’ plans, to a minimum scale of 1:500.

28.1.8.3 A certificate stating that the works have been carried out under the control of and to the satisfaction of the certifying professional.

28.1.9 Numbers of Copies of Documents Required

Unless otherwise specified, the number of copies of documents required to be submitted to Council shall be as follows:

| | |
|---|---|
| Subdivision Plan | 3 |
| Engineering drawings/specifications | 2 |
| ‘As-Built’ plans | 1 |
| Survey Plans | 3 |

28.1.10 Requirements of Authorities other than Council

Without limiting the requirements of the Act, the following organisations or persons may have an interest greater than the general public in any proposed subdivision or development:

- Electricity Network Operators;
- Telecommunications Network Operators;
- Transit New Zealand;
- The Department of Conservation;
- Iwi;
- New Zealand Historic Places Trust;
- Tranz Rail Ltd;
- Aviation Authorities; and
- Nelson Marlborough Fish and Game Council.

Where appropriate the developer shall consult with those organisations and persons.

28.1.11 Developer’s Agent

The developer may appoint a representative or representatives to undertake the responsibilities of:

- 28.1.11.1 Design of the subdivision including preparation of plans and documents;

- 28.1.11.2 Supervision of the works;
- 28.1.11.3 Certification upon completion that the works have been carried out in accordance with the documents and sound engineering practice.

The Council may require the developer to appoint a representative as a condition of approval of the subdivision or development plan. The representative shall establish a level of experience and accreditation acceptable to the Council in subdivisional work and/or development prior to works commencing.

28.1.12 Land Stability

- 28.1.12.1 All applications to subdivide land are required to demonstrate that subdivision and any subsequent activities are not likely to accelerate, worsen, or result in material damage to that land, other land, or structure, by erosion, falling debris, subsidence, slippage, or inundation from any source.
- 28.1.12.2 Where proposed allotments might reasonably be expected to accommodate a future dwelling or dwellings, and any land is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation, the application shall demonstrate that each such allotment has within it a suitable building site. Each such suitable building site shall be indicated on the subdivision plan and the application shall be supported by a geotechnical report prepared by a professional in the related field (who has established credentials with the Council) able to supply an opinion as to the stability of land, which includes threat to that land from beyond the site/property. Also, include the siting of onsite disposal of sewage effluent and stormwater disposal systems.
- 28.1.12.3 The Council will require all applications in the Rural and Sounds Residential Zones to be accompanied by a report from a registered engineer, with expertise in soils, detailing the nature of any site inspections and findings; certifying that any proposed earthworks or foundations are suitable for their intended purpose; and specifying the extent of any particular requirements or further investigations required. In particular the report should specify the soil structure and stability, and that the land will, following the earthworks proposed, be stable in terms of expected settlement, bearing capacity, soil shrinkage and expansion, slope and compaction. The Council reserves the right to require this report in other zones where slope and land stability factors apply.
- 28.1.12.4 All earthworks proposals and operations shall minimise dust nuisance to adjoining properties. Areas of exposed soil shall be minimised and shall be revegetated as soon as practicable. In dry and windy conditions exposed soils may be required to be watered or otherwise stabilised. Earthworks proposals and operations shall also meet the specific controls for the zone in which the subdivision or development is located.

28.1.13 Minimum Requirements

- 28.1.13.1 **Developer to be Responsible for all Services**
- 28.1.13.1.1 The developer will be required to undertake or provide all required engineering services specified in the Plan. The Council may, in some circumstances, undertake the work and require a contribution, equal to the cost of the work, from the developer.

28.1.13.1.2 The developer shall make all arrangements, as required by the Plan, with the appropriate authorities for the supply and installation of electric power, road light reticulation, and telecommunication services.

28.1.13.1.3 Provision shall be made for ducts or conduits to be installed under roads and private roads and private access if the authorities are unable to install their cables/pipes at the appropriate time.

28.1.13.2 Reticulated Services to be Underground

28.1.13.2.1 All services in urban areas are to be underground unless otherwise authorised by the Council.

28.1.13.2.2 Where the removal of existing poles or underground cables is necessary for the construction of new roads or services, the cost of such removal and reinstatement shall be borne by the developer.

28.1.13.2.3 In submitting any subdivision plan for approval, the developer shall provide evidence that the general layout will enable reticulation by all utility service authorities.

28.1.13.2.4 Adequate provision shall be made for such services as transformer sites, junction boxes and other special needs of all authorities. Road lighting shall comply with the requirements of AS/NZS 1158, 1997 Road Lighting and the developer's agent will be required to confirm in writing that these lighting standards will be met.

28.1.13.3 Standard of Workmanship Required

28.1.13.3.1 Council's Code of Practice for Subdivision and Land Development or authorised alternatives shall be used for all facets of workmanship. Alternative materials, construction procedures or production methods outside the scope of the Code of Practice for Subdivision and Land Development may be approved by the Council.

28.1.13.3.2 The developer shall be responsible to ensure that work is carried out in accordance with the complying documents and sound civil engineering practice.

28.1.13.4 Approval Required Before Commencement of Work

Work shall not commence on the engineering construction of any subdivision unless:

28.1.13.4.1 The Council has granted a subdivision consent, and, if required;

28.1.13.4.2 The developer has lodged a design certificate stating that the works have been designed in accordance with the Council's Code of Practice for Subdivision and Land Development along with the engineering drawings, specifications and calculations for the specific work that is required.

28.1.13.5 Engineering Drawings

The following documents and plans, shall be submitted:

28.1.13.5.1 Earthworks

Engineering drawings detailing the following earthworks proposals:

- Original and final contours;
- Areas of cut and fill;
- Subsoil drainage; and
- Silt control.

28.1.13.5.2 Roads and Services

- a) Plans showing the roads including everything that is to be located within the street or within the subdivision (eg; carriageways, kerbing, footpaths, berms, trees, water mains, sanitary sewers, pump stations, stormwater drains, manholes, sumps, electric power, road lights, telecommunication cables and junction boxes and transformer sites). Plans shall also show the limit of all work proposed to be done by the developer and its relationship to adjacent existing works or property;
- b) Longitudinal sections of every road including levels. Longitudinal sections of sanitary sewers and stormwater drains, including pipe sizes and types, design flows, manholes, and also underground services which cross the line of the longitudinal section, to show calculated clearances;
- c) Detailed typical road cross-sections showing the location of all features described in this document including engineering services, road formation, subgrade drainage, metalling, kerb and channelling, sealing or paving, footpaths and other walkways, berms and planting areas;
- d) Details showing how roads and services are to be connected to existing roads and services;
- e) Details showing underground cabling and services provided by others;
- f) Plans shall provide levels to the recognised local datum; and
- g) The developer is responsible for the testing and certification of water, sewerage and stormwater services. (Certification to be lodged with the Council).

28.1.13.6 'As-Built' Plans

Upon completion of construction, copies of 'As-Built' plans are to be submitted by the developer showing the following details:

- a) **Sanitary drainage reticulation** - including the measured positions of manholes and manhole invert levels; measurements to house connections, referred to the centre of the downstream manhole cover and the length, position and depth of laterals referred to the site;
- b) **Stormwater drainage reticulation** - details as for sanitary drainage reticulation (refer above). The plans shall also show subsoil drainage and floodpath level information;
- c) **Water reticulation** - including the position of mains, location of hydrants, valves, tees and connections;
- d) **Areas of filling** - showing the total depth of fill (certification of compaction shall be provided at the time 'As-built' plans are lodged);
- e) **Ducts** - measurements to ducts installed for telephone, power and cable television reticulation; and
- f) **Road names** - as suggested by the owner and as approved by Council.

28.1.13.7 Connection to Existing Roads and Services

At the intersection of a new road with an existing road, the formation, metalling, kerb and channelling, footpaths, etc., shall be extended beyond the site to connect the new road with the existing road to Code of Practice for Subdivision and Land Development requirements. The cost of connecting to existing roads and services shall be borne by the developer.

28.1.13.8 Maintenance

The developer shall maintain all new engineering works within the subdivision or development until they are formally taken over by the Council or to a date specified in a bond for completion of uncompleted works.

28.1.13.9 Relationship to Code of Practice for Subdivision and Development

28.1.13.9.1 The Council's Code of Practice for Subdivision and Land Development is not, in a statutory sense, a part of the Plan. The Code provides a means for subdividers and land developers to meet the general standards described in the Plan. The code sets out in more specific terms the standard expected from each phase or type of land subdivision and development.

28.1.13.9.2 Compliance with the methods or standard practices of the Code in respect of any prescribed requirement of the Plan or of any condition of consent, shall be deemed to be compliance with that requirement or condition.

28.1.13.9.3 If the developer proposes an alternative means of compliance, to a requirement of the Plan or a condition of consent, that may be met by compliance with the Code, then the alternative proposal is required to be submitted to the Council and accompanied by a detailed report from a Registered Civil Engineer. The engineering report lodged with the Council is required to have been the subject of peer review and a related report by a Registered Civil Engineer or other expert, who has established credentials with the Council. The peer review report is to corroborate and accompany the alternative proposal.

28.1.13.9.4 If the developer proposes an alternative means of compliance for meeting noise standards for electrical transformers, then the alternative proposal is required to be submitted to the Council and accompanied by a detailed report from an acoustic consultant approved by Council, to demonstrate compliance with the relevant standard.

28.1.14 Roads and Access

28.1.14.1 Compliance with Roding Hierarchy

All proposed new roads shall connect with and be compatible with the Council's roading hierarchy. (Refer Table 28.1 following.) The classification, width and pavement structure are included in that Table.

- a) Notwithstanding the minimum road width limitations prescribed in the following table, local roads may be approved at, or reduced to, a width of not less than 6 metres;
- b) Minimum street widths are based on a standard berm width of 4.5 metres. Alternative design may incorporate a greater or lesser berm width;

- c) Recommended pavement structure is based on the subgrade having a minimum strength of soaked CBR of 7. Subgrade improvement may be necessary to achieve this strength;
- d) Where **adequate test information** is available, the Council may accept other designs for the road structure when supported by adequate engineering justification;
- e) Where adequate provision is made for separate pedestrian traffic, and passing and road parking, lesser carriageway width may be acceptable;
- f) Where carriageway width of two lanes only is provided, careful design of parking is required. (Refer Code of Practice for Subdivision and Land Development);
- g) Acceptable guides to road design are: State Highway Pavement Design and Rehabilitation Manual 1989 (SHPDRM); and Rural Road Design - Guide to the Geometric Design of Rural Roads - Austroads 1989; and
- h) 'Recommended carriageway width' is the sealed width of traffic lanes. A seal widening of at least 0.3 metres on each side is generally desirable.

28.1.14.2 Provision for Pedestrians and Non-Motorised Road Users

- 28.1.14.2.1 The design of subdivisions and developments should incorporate pedestrian access routes connecting residential areas, schools, shopping centres, recreation reserves, and public transport collection points and terminals.
- 28.1.14.2.2 Bicycle traffic should be provided for within road carriageways and should ensure adequate and safe lane width and riding surfaces to incorporate both bicycles and vehicles. Separate bicycle tracks, not forming part of a road carriageway, may be provided where, for reasons of shorter distance or safety, it is unreasonable to incorporate bicycle traffic on the road carriageway. In general, bicycle traffic will be included within the road carriageway.
- 28.1.14.2.3 Pedestrian footpaths should be provided separate from the road carriageway. Public footpaths should be constructed to have permanent concrete or asphaltic surfaces and should be designed to minimise any surfacewater flow across the footpath which would be an impediment or hazard to pedestrians.
- 28.1.14.2.4 It is preferred that the longitudinal profile of footpaths should not be depressed by vehicular crossings.
- 28.1.14.2.5 Pram and wheelchair crossings shall be provided in pedestrian footpaths at road intersections.
- 28.1.14.2.6 Footpath gradients should not exceed 1 in 6 and where this gradient is exceeded, steps or other safety measures may be required.
- 28.1.14.2.7 Where footpaths or accessways are intended to be used by both cyclists and pedestrians some form of separation of the two users should, for safety reasons, be provided.
- 28.1.14.2.8 All pedestrian accessways should be bounded by a fence.

**Table 28.1:
Road Classification and Pavement Structure**

| Classification | Type of Road | | Traffic Volume (v.p.d.) or dwelling units (du) | Design Speed (km/hr) (metres) | Recommended Carriageway Width (metres) | | | Recommended pavement structure. Two layer basecourse construction. Depth (mm) and aggregate type code (See Code of Practice for Subdivision and Land Development D3.2.4, D3.2.5) | |
|--|--------------|---------------------------|--|-------------------------------|--|-----------|-------|--|-------------|
| | | | | | Parking | Traffic | Total | Lower layer | Upper layer |
| Local Roads | Urban | Short cul-de-sac (<100 m) | <20 | 40 | 1 x 2.0 m | 1 x 3.5 m | 5.5 | 100 SBAP60 | 100 GAP 40 |
| | | Long cul-de-sac (> 100 m) | >20 | | 1 x 2.0 m | 1 x 4 m | 6 | | |
| | | Minor access | <100 | | 2 x 2.0 m | 1 x 3.5 m | 7.5 | | |
| | Rural | | <200 | | - | 1 x 3.5 m | 3.5 | Use SHPDRM design method | |
| Collector Roads | Urban | | 400 - 1000 | | 2 x 2.25 m | 1 x 3.5 m | 8.0 | 200 SBAP60 | 100GAP40 |
| | Rural | | 200 to | *100 | - | 2 x 3.0 m | 6.0 | | |
| | Industrial | | 1000 | 50 | 2 x 2.5 m | 1 x 3.5 m | 8.5 | Use SHPDRM design method | |
| | Urban | | 800 to | *100 | 2 x 2.0 m | 2 x 3.5 m | 11 | 200 GAP 40 150 TNZ AP40 | |
| | Rural | | 3000 | 50 | - | 2 x 3.5 m | 7.0 | | |
| | Industrial | | >1000 | 50 | 2 x 2.5 m | 2 x 3.5 m | 12 | SHPDRM use design method | |
| Arterial Routes | Rural | | 1000 - 4000 | *100 | - | 2 x 3.5 m | 7 | Use SHPDRM design method | |
| | Urban | | Over 3000 | 50 | Specific design | | | | |
| * Wherever practicable but not less than 70 km/hr unless topography constrains to a lower speed value. Appropriate controls are then required. | | | | | | | | | |

28.1.14.3 Road Design and Construction

28.1.14.3.1 All proposed allotments shall have access to a road where appropriate.

28.1.14.3.2 The developer shall form and construct safe and efficient roads, shared accessways, private ways, and private roads. In urban areas the surface of such roads, accessways, and private ways shall be sealed to an all-weather hard surface standard. In rural areas a lesser standard of surface may be permitted in accordance with the expected volume of vehicle traffic.

28.1.14.3.3 All public road carriageways shall provide for two lanes of moving traffic except for short local roads where traffic volume is insufficient to warrant two lanes, in which case liaison will be required between the developer and the Council over permission and Code of Practice requirements.

28.1.14.3.4 All public road reserves shall be of sufficient width to provide for vehicle carriageway, footpaths (as required), road lighting, reticulated services, berms and landscaping, roadside vehicle parking and all road markings (where required).

28.1.14.3.5 The vertical alignment of all roads should be such that inclines can be negotiated during all weather conditions and sight distances are adequate for road safety.

28.1.14.3.6 All cul-de-sacs should be provided with an area where light vehicles may turn without reversing manoeuvres. Cul-de-sacs should also be of such design and dimension to enable larger vehicles to or reverse safely.

28.1.14.3.7 Vehicle crossings shall be provided between the kerbline and the boundary of each property and should not adversely affect the safety of pedestrians using any footpath.

28.1.14.5 Road Intersections

All road intersections shall meet General Rule 26.2.5.

28.1.14.6 Road Pavement Construction

All roads shall have the pavement structure specified in the Code of Practice for Subdivision and Land Development.

28.1.14.7 Excavation and Land Disturbance

All proposed earthworks, excavation, vegetation clearance and land disturbance shall comply with the requirements for the zone in the Plan.

28.1.14.8 Lighting of Roads and Accessways

Roads, private roads, accessways, cycle ways and pedestrian footpaths shall be provided with overhead lighting in order to enhance safety, security and convenience for users.

28.1.14.9 Road Drainage

Adequate provision shall be made for the drainage of surfacewater from all roads, private roads, accessways and pedestrian footpaths. In some areas it may be acceptable for the road to function as part of a secondary flow path.

28.1.14.10 Road Landscaping

Proposals for landscaping, including tree planting and variation of the treatment of paved surfaces and lighting, will be considered by the Council on merit as Discretionary Activities, and evaluated under the following criteria:

- a) **Existing features** - a plan and photographs shall be supplied showing the location of any significant features, eg; trees, vistas, waterbodies etc. that exist. Prior to any work being undertaken an on-site inspection will be made;
- b) **Functional value** - screening of undesirable views, wind protection or to assist with soil conservation;
- c) **Recreational value** - existing or potential public spaces, picnic areas;
- d) **Historical significance** - commemorative, earliest known plantings, plantings associated with notable people;
- e) **Scenic attributes** - contribute to the visual amenity of a street/ neighbourhood, beautify the landscape;
- f) **Scientific value** - rare or unusual, of which form, interesting or unique associations in conjunction with other plant or animal life or which represent prime specimens; and
- g) **Plant species** - a list of plants to be used shall be submitted for the Council's approval. Plant numbers and size at planting shall be included. (Refer Code of Practice for Subdivision and Land Development).

(Where trees or planted areas are proposed, provision should be made for the ongoing maintenance and irrigation of planted trees, until the works are formally taken over by the Council).

Advisory Note:

Methods of implementation to enable compliance are detailed in the Council's Code of Practice for Subdivision and Land Development.

28.1.14.11 Road Name Signs

The developer will be required to provide and erect road signs to the established standard identifying the approved names of new roads within the subdivision or development.

28.1.14.12 Access to Other Land

In designing any subdivision consideration shall be given to the future development of adjoining land. The Council may, in considering sustainable use of land resources, as a condition of consent, require the creation of road reserve and/or the formation of roads to or near the boundary of adjoining land.

28.1.17 Easements for Access

In any case where the development of land gives rise to the necessity to obtain easements for access over adjoining land not covered by the subdivision, the developer will be required to obtain all the necessary documents and to have these consents registered on the respective titles subject to requirements of the District Land Registrar.

28.1.18 Stormwater Drainage

- 28.1.18.1** The developer shall provide a satisfactory system for the collection and disposal of stormwater, from all allotments, roads, accessways, private ways, and private roads, connecting to a stormwater drainage system.

- 28.1.18.2 The stormwater drainage system shall provide for the collection and control of all stormwater within the land being developed or subdivided together with drainage from the entire catchment upstream of the proposed subdivision or development.
- 28.1.18.3 Where a drain is to be laid through any other land the developer shall provide evidence that the drain or watercourse intended to receive the discharge is adequate for that purpose.
- 28.1.18.4 The developer shall negotiate and arrange all necessary drainage easements.
- 28.1.18.5 Where on-site disposal is proposed the developer shall submit with the application full engineering design for the stormwater disposal system.
- 28.1.18.6 In cases where substantial costs are likely to be incurred in providing extended stormwater drainage or upgrading undersize stormwater lines that will not exclusively serve the subdivision or development under consideration the Council may contribute towards these costs and may recoup the cost by way of contributions from future developers of the land so served by the extended service.

28.1.19 Treatment and Disposal of Sewage Wastes

- 28.1.19.1 The developer shall provide means for the satisfactory disposal of sewage wastes from all allotments and from all buildings where such wastes are to be generated.
- 28.1.19.2 Unless unreasonable in the circumstances the sanitary drainage system shall be designed to serve the expected load from any further subdivision or development from the upstream catchment area.
- 28.1.19.3 In cases where substantial costs are likely to be incurred in providing extended sewer lines or upgrading undersize sewer lines that will not exclusively serve the subdivision or development under consideration the Council may contribute towards these costs and may recoup the cost by way of contributions from future developers of the land so served by the extended service.
- 28.1.19.4 The developer shall negotiate and arrange all necessary sewerage easements.

28.1.20 Council Ownership of Drains

Upon completion of the maintenance period for sanitary and stormwater reticulation works and certification by the Engineer, the Council will accept responsibility, by accepting easements over approved drains. Existing drains through the subdivision may be accepted for responsibility by the Council on the creation of the appropriate easements.

28.1.21 On-site Management of Domestic Wastewater

Where proposed allotments are to be serviced by on-site wastewater management systems, the allotments are to be subject to specific investigation to confirm that on-site management is the best practicable option, and that the contaminants within the domestic wastewater will be effectively treated and contained on-site. The investigation will require an on-site assessment of the site conditions and constraints, particularly soil properties. The Council has released the document "Guidelines for new on-site wastewater management systems" in July 2005 to assist professionals to undertake such an assessment.

Any application for subdivision consent must be supported by a Site and Soil Evaluation Report prepared by a professional who has established credentials with the Council. The report should outline the nature of the investigation and provide detail about on-site wastewater management systems that are appropriate for the proposed allotments.

As the actual wastewater loading will not be known at the time of subdivision, the specific size of the land application area is difficult to determine. For this reason, the sizing of the land application area should be based on the loading from at least a four bedroom residential unit (full time occupancy). Parts of the allotments appropriate to be used as land application areas should be shown on the subdivision plan.

28.1.22 Water Supply

- 28.1.22.1** The developer shall make provision for the supply of water adequate for reasonably expected domestic, stock, commercial, or industrial consumption. Where a reticulated supply is available, provision shall be made for fire-fighting purposes, as appropriate. Water intended for human consumption is to be of potable quality.
- 28.1.22.2** All urban subdivisions and developments will be required to connect to the water supply system, where a connection is available.
- 28.1.22.3** Where a water supply line is to be laid through any other land the developer shall negotiate and arrange all necessary easements.

28.1.23 Electricity Supply and Telecommunications

28.1.23.1 Subdivision

- 28.1.23.1.1** The developer shall supply low voltage electricity and telecommunications to all allotments, other than allotments located in Rural, Sounds Residential, Marina, Coastal Marine, Conservation, District Recreation or Local Recreation Zones.
- 28.1.23.1.2** At the time of application, the developer is required to confirm to the Council that adequate provision has been made for low voltage electricity reticulation and that telecommunications are available. Low voltage reticulation is defined as below:
- Urban Residential Zone - 230 volts or 400 volts, as required
 - Commercial - 400 volts
 - Rural Township - 400 volts
 - Industrial - 400 volts
 - Port - 400 volts
 - Marina - 400 volts
- 28.1.23.1.3** Low voltage electricity supply and telecommunications are to be provided at the boundary of each allotment, including 'balance land.'
- 28.1.23.1.3.1** The subdivider shall ensure electrical transformers servicing subdivisions, are installed in a manner that meets the noise standards prescribed in the relevant zone, when operational.

Advisory Note:

The Code of Practice provides methods for mitigating the noise generated from transformers - see Rule 28.1.13.9.4.

- 28.1.23.1.4 Confirmation** as to the adequate provision of local reticulation shall be a formal written statement from an electricity supply and or telecommunications Network Utility Operator.
- 28.1.23.1.5** Electricity supply/telecommunications shall be reticulated underground in urban areas including low voltage supply from the boundary to any building. Any proposal for overhead provision of electricity supply and telecommunications will be considered by the Council as a Discretionary Activity, which will be subject to evaluation under the following criteria:
- a) **Presence of other overhead lines in the immediate vicinity:**
(The extent of existing lines is to be shown by photographic evidence. Photographs are to be accompanied by a formal statement from a Network Utility Operator commenting on the adequacy of any existing overhead lines).
 - b) **Potential detriment to land stability from trenching:**
(An opinion is required from a Registered Civil Engineer, who has established credentials with the Council, to corroborate any claims in this regard).
 - c) **Topographical constraints:** eg; significant rock outcrops, access difficulties for trenching machinery.
(Report from Network Utility Operator required).
 - d) **Presence of registered archaeological sites.**
(Formal evidence required).
- 28.1.23.1.6** If the application is not able to meet one or more of the criteria or if the proposal is based upon a claim of unreasonable cost, it will be considered as a Non-Complying Activity.
- 28.1.23.1.7** Where necessary, easements are to be created to cover all new electrical and telecommunications reticulation alignments.
- 28.1.23.2 Development**
- 28.1.23.2.1** The developer shall make all arrangements for the supply of electricity/telecommunications to all buildings, as required.
- 28.1.23.2.2** Electricity supply and telecommunications shall be reticulated underground, as for Standard 1.22.1.5 above.
- 28.1.23.2.3** The developer shall ensure electrical transformers servicing developments, are installed in a manner that meets the noise standards prescribed in the relevant zone, when operational.

Advisory Note:

The Code of Practice provides methods for mitigating the noise generated from transformers - see Rule 28.1.13.9.4.

28.1.24 Financial Contributions

28.1.24.1 Development Levies

28.1.24.1.1 (Applies in all Zones)

All developments other than residential zones are defined as:

'Constructing, erecting or altering any one or more buildings intended to be used solely or principally for Commercial, Industrial, Port, Marina or Rural Township purposes where the value of the construction, erection or alteration will exceed \$250,000.'

Contribution required:

- 28.1.24.1.2 The developer to pay to the Council an amount not exceeding 0.5% of the value of the development or, if the Council's policies for reserve land acquisition can be satisfied, provide;
- 28.1.24.1.3 An area of land to be set aside as public reserve of value equal to the amount otherwise payable in Rule 28.1.24.1.2 above, or
- 28.1.24.1.4 The Council and the owner may agree to a combination of Rules 28.1.24.1.2 and 28.1.24.1.3 if appropriate. The total contribution in land or money or both by the developer cannot exceed 0.5% of the value of the development. (Where it is negotiated that the vesting of **additional land** in the district is appropriate then the Council will pay the related compensation).
- 28.1.24.1.5 For the purpose of acquiring esplanade reserves and strips development has the same status as subdivision.
- 28.1.24.1.6 Council will waive or reduce contributions in relation to any particular proposal where the subdivider/developer suggests alternatives to avoid, remedy or mitigate the adverse effects of that proposal.
- 28.1.24.1.7 If a developer can provide documentary evidence that a Reserve Fund Contribution has been paid for a particular property under the Local Government Act 1974, or other provisions contained in this Plan then the levy paid will be credited against any development levy contribution for development of that property.

28.1.24.2 Development for Residential Purposes (Applies to Residential Zones)

Residential Development is defined as:

'Constructing, erecting or altering any one or more buildings for the purpose of providing one or more additional household units.'

Contribution required:

- 28.1.24.2.1 An area of land to be set aside as public reserve, if appropriate in terms of the Council's policies for reserve land acquisition, being not more than 20m² for every additional household unit, or
- 28.1.24.2.2 The owner to pay to the Council an amount sufficient to purchase an area, within the land on the development plan, that would be otherwise required under Rule 28.1.24.2.1 above, or

28.1.24.2.3 The Council and the owner may agree to a combination of Rules 28.1.24.2.1 and 28.1.24.2.2 the value of the total contribution, in land or money or both, cannot exceed the amount specified in 28.1.24.2.1 above.

Where the developer carries out work on the land to be set aside as reserves, as a requirement of Council, the value of that work will be offset against the area to be set aside as reserves.

In the case of development for residential purposes 'credits' will be allowed for the number of units, that each underlying parcel could contain in terms of the Plan and for which there would be no contribution payable.

28.1.25 Reserve Fund Contributions

Contribution Required

28.1.25.1 Cash up to the maximum percentage specified below of the value of additional lots created with credit to each existing title. The amount required shall be determined in accordance with criteria set out below.

| | | |
|---|---|------|
| Rural zone where residential lots of 1ha or less are created. Where subdivision occurs under the Special Provision to protect large lots (Rule 27.3.3.2, Subdivision Section) | } | 4% |
| Sounds Residential Zone | | |
| Urban Residential Zone | } | 7.5% |
| Town Commercial Zone | } | 10% |
| Rural Township Zone | | |
| Urban Industrial Zone | | |
| Port Zone | | |
| Marina Zone | } | 0% |
| Other Zones | } | 0% |

and/or, if land proposed to vest is in accordance with the Council's policies for reserve land acquisition;

28.1.25.2 Land (maximum amounts and excluding any esplanade reserves required by the Act and the Plan).

28.1.25.2.1 For lots up to 1ha in size - An area of 5% of the lot(s) created or 150m² whichever is the greater.

28.1.25.2.2 Where the developer carries out work on the land to be set aside as reserves, as a requirement of Council, then the value of that work will be offset against the area to be set aside as reserves.

28.1.25.2.3 Where the development provides the equivalent of private open space or community facilities (eg; golf driving range or private stadium), then the Council may require a contribution less than that specified.

- 28.1.25.3** If a developer can provide documentary evidence that a Development Levy has been paid for a particular property under the Local Government Act 1974, or other provisions contained in the Plan then the levy paid will be credited against any reserve fund contribution for subdivision of that property.

28.1.26 Esplanade Reserves and Esplanade Strips

28.1.26.1 Subdivision of Allotments of 4 hectares or more

In respect of any subdivision of land in which any allotment of four or more hectares is created (exclusive of balance land), the following provisions shall apply.

28.1.26.1.1 Circumstances In Which Esplanade Reserves or Esplanade Strips may be Created

An esplanade reserve or esplanade strip may be required in regard to any subdivision of land which includes or adjoins any part of a river, lake or the coast, (river and lake are defined as for sections 2 and 230 (4) of the Act) or at the time of road stopping.

Esplanade reserves or strips may be taken as part of other contributions, as a condition of consent. Matters that will be taken into account in assessing the need for esplanade reserves or strips for rivers and lakes will be:

- a) Connections to other public land;
- b) Access to rivers, lakes, wetlands and the coast;
- c) Recreation potential of the site;
- d) Visual and scenic characteristics of the waterway or coast;
- e) Spiritual or traditional use values important to local Maori;
- f) Existence of any historic sites;
- g) Important habitats for flora and fauna;
- h) The need for a buffer for protection of water quality, erosion control and also to reduce flood hazard;
- i) Effects on downstream or adjacent areas;
- j) Instream values;
- k) Riparian strip management; and
- l) Values listed in Appendix I - Schedule of Water Bodies for Riparian Management purposes.

28.1.26.1.2 Circumstances Where Council Will Impose a Condition of Consent for an Esplanade Reserve or Esplanade Strip Include:

- a) Where public access to/along the river, lake or area of coast is unlikely to be facilitated or promoted by the creation of an esplanade strip;
- b) Where there is public recreational use of the area in question;
- c) Where the conservation values of the area would be better maintained or enhanced by the creation of an esplanade reserve;
- d) Where it is not desirable for the landowner to own the land to maintain or promote that landowner's access to the river or lake as part of the landowner's operations or livelihood; and

- e) Where flood hazard and erosion control is a significant concern.

28.1.26.1.3 Width of Esplanade Reserves or Esplanade Strips

Esplanade reserves and strips will be 20 metres unless varied by condition of a resource consent, with the exception of the Picton Marina southern shoreline where a 3 metre maximum will apply.

The width of an esplanade reserve or esplanade strip may be varied under the following circumstance where:

- a) Special ecological or conservation values warrant a wider or narrower esplanade reserve or esplanade strip;
- b) Topography or the siting of any building or other feature renders the 20 metre width inadequate or excessive in regard to meeting the purpose of the esplanade reserve or strip;
- c) Access to an existing or potential future reserve or feature of public significance would be enhanced by a variation of width;
- d) The land is in a natural hazard area; and
- e) Where the creation of a 20 metre wide esplanade reserve or esplanade strip would create risks to public safety or to security of plant, machinery, stock or other property.

28.1.26.1.4 Compensation (for Subdivisions over 4 hectares)

Compensation for esplanade reserves and esplanade strips as determined by a professional valuation, the related share of survey costs and the valuation fee will be paid by the Council. (If a developer wishes to challenge the valuation provided then any related cost is to be met by the developer).

28.1.26.1.5 Creation of Esplanade Reserves and Esplanade Strips as a Condition of Land Use Consent

Where a land use consent application is by definition a 'Development' (refer Chapter 25 Definitions) and the related site adjoins or includes part of a waterbody, a condition of consent may be imposed requiring an esplanade reserve or esplanade strip if not already existing.

The creation of an esplanade reserve or strip as a condition of land use consent shall be taken as part of any financial contribution for the related development levy.

28.1.26.1.6 Circumstances in which an Access Strip would be Appropriate

Access strips may be sought where they contribute to specified access strategies and where they provide public access to waterbodies, heritage features, reserves, recreational areas or viewpoints, and maintenance access to rivers and streams.

28.1.26.2 Subdivision of Allotments of less than 4 Hectares

In respect of any subdivision of land in which any allotment of less than 4ha is created, the following provisions shall apply:

28.1.26.2.1 Circumstances in which Esplanade Reserves or Esplanade Strips may be Created

Esplanade reserves and esplanade strips will generally be required in regard to any subdivision of land which includes or adjoins any part of a river, lake or the coast (rivers and lakes shall be as defined in sections 2 and 230(4) of the Act), except where the objectives of restricted access are better achieved by taking no action.

Esplanade reserves and strips shall be of a width of 20 metres unless varied by a condition of a resource consent in accordance with the matters set out in 28.1.26.1.3 above.

28.1.26.2.2 Creation of Esplanade Reserves and Esplanade Strips as a Condition of Land Use Consent

Where a land use consent application is by definition a 'Development' (refer Chapter 25 Definitions) and the related site adjoins or includes part of a waterbody, a condition of consent may be imposed requiring an esplanade reserve or esplanade strip if not already existing.

The creation of an esplanade reserve or strip as a condition of land use consent shall be taken as part of any financial contribution for the related development levy.

28.1.26.2.3 Circumstances in which an Access Strip would be Appropriate

Access strips may be sought where they contribute to specified access strategies and where they provide public access to waterbodies, heritage features, reserves, recreational areas or viewpoints, and maintenance access to rivers and streams.

28.1.26.2.4 Creation of Esplanade Reserves and Esplanade Strips on Road Stopping

An esplanade reserve no greater than the area of the road shall be required where any road or any part of a road is stopped, pursuant to section 345(3) of the Local Government Act, where the road:

- a) Is along mean high water springs of the sea;
- b) Is along the bank of a river or margin of a lake; or
- c) Facilitates access to existing or proposed reserves, lake or river margin.

28.1.26.2.5 Compensation (for Subdivisions less than 4 hectares)

No compensation is available, in accordance with statutory provisions where allotments are less than 4ha and the esplanade strip or esplanade reserve is 20 metres wide or less.

28.1.26.2.6 Exceptions

The following specific 'Esplanade Reserve/Strip' requirements or exemptions apply:

- a) Waikawa Stream: From Waikawa Road road bridge to the stream outlet: complete waiver;
- b) Waikawa Marina: For the Waikawa Marina, operated by Port Marlborough NZ Ltd: complete waiver; and

- c) Picton Marina: Three metre esplanade reserve/reserve required along the southern residential/commercial shoreline and complete waiver for the balance of the Marina shoreline.

28.1.27 Financial Contributions for Services

28.1.27.1 Subdivision

The special contribution amounts referred to in this section are subject to construction cost index adjustment and apply at September 2001, when the construction cost index was 4,340. All monetary contributions are GST inclusive.

Note: The contributions specified in Rules 28.1.27.1.1 b), c) and d) and 28.1.27.1.2 b), c) and d) are for guidance only. All subdivision applications received post September 2001 will be adjusted to the most recent construction cost index.

28.1.27.1.1 Financial Contributions for Extension to Sewerage Reticulation, Sewage Treatment and Disposal Systems

The Council may as a condition of subdivision consent require the developer to pay to the Council an amount towards the following costs:

- a) The full cost of trunk sewer mains or lateral connections to connect the subdivision sections to an existing sewerage reticulation system, or, alternatively, install the mains and laterals required;
- b) In the Urban Residential zone within the Waikawa area, northeast and east of the southwest boundary of Queen Charlotte College, properties being subdivided to connect to the Picton sewer system will be required to pay a contribution of \$6,701.82 per hectare of land being subdivided toward the upgrading of trunk sewer reticulation within the Picton area;
- c) Where a property is being subdivided and the sections will connect to the Picton sewer system an additional maximum contribution of \$708.55 per additional lot being created; and
- d) When a property is being subdivided and sections will connect to the Havelock sewer system an additional maximum contribution of \$591 per additional lot created. (Note: This contribution no longer applies)

28.1.27.1.2 Financial Contributions for Connection to or Extension to Water Supply Systems

The Council may as a condition of subdivision consent require the developer to pay to the Council an amount towards the following costs:

- a) The full cost of trunk watermains or lateral connections to connect the sections in the subdivision to the existing water supply system or, alternatively, install the mains or services required;
- b) When a property is being subdivided and sections will connect to the Havelock water supply system an additional maximum amount of \$1150.94 per additional lot created;
- c) When a property is being subdivided and sections will connect to the Okiwa (Tirimoana) water supply system an additional maximum amount of \$711.00 per additional lot created; and (Note: This contribution no longer applies)

- d) When a property is being subdivided and sections will connect to the Picton water supply system an additional maximum amount of \$642.61 per additional lot.

28.1.27.1.3 Financial Contributions for Connection to an Extension of Stormwater Collection and Disposal Systems

The Council may, as a condition+ of subdivision consent, require the developer to pay, to the Council an amount towards the following costs:

- a) The full costs of any main trunk stormwater lines and individual lateral connections to sections for stormwater disposal; and
- b) The costs involved in upgrading an existing stormwater system to cater for the additional flows created by the subdivision.

In all cases the maximum contribution shall be the full cost of the work involved or, alternatively, the developer may install the mains or laterals required.

28.1.27.1.4 Financial Contributions for Road Upgrading

Where as a result of subdivision, the Council has upgraded or extended, or expects to have to upgrade or extend, any existing road or road formation the Council may, as a condition of subdivision consent, require the developer to pay, or enter into a binding contract to either:

- a) Fully develop any new road involved or pay to the Council the full cost of the formation of that new road;
- b) Pay to the Council up to 75% of the cost of upgrading the road where this is required as a result of the subdivision;
- c) Pay the full cost of seal widening where this is required and where required, meet the cost of carriageway parking to serve the subdivision;
- d) Pay to the Council up to 75% of the cost of kerb and channel on the frontage of the subdivision where this provides amenity value and stormwater drainage for the subdivision;
- e) Pay to the Council up to the full cost of any construction or levelling or sowing of grass berms on the frontage of the subdivision;
- f) Pay to the Council up to the full cost of any footpath required based on pedestrian traffic resulting from the subdivision;
- g) Pay to the Council the full cost of all vehicle crossings required to service individual sections in the subdivision;
- h) Pay to the Council up to 50% of the cost of sealing a gravel road adjoining the frontage of the subdivision;
- i) Vest in the Council an area of land for road widening; or
- j) Comply with any reasonable combination of the above conditions relating to roading.

28.1.27.2 Development

Where consent is granted for a land use activity that anticipates connection to existing services and roads and the site of the activities is outside the area served by the established servicing infrastructure then consent conditions shall require that:

- a) The installation of all trunk mains required to connect to existing services or, alternatively, pay to the Council an amount to cover the value of such work;
- b) A capital contribution for the right to utilise the existing water, sewerage or stormwater system;
- c) A capital contribution towards the upgrading of existing roads which will service the development; and
- d) Any values determined at the time of consent will remain fixed for a period of two years from the date of consent and will be adjusted accordingly where the scope of the consent extends beyond two years.

28.1.27.3 Works Arising from Financial Contributions

- a) **Roading** - works to be carried out within two years of payment;
- b) **Trunk mains** and or development - works to be carried out at the time of the project or within one year of payment; and
- c) **Servicing infrastructure** - the contribution is to acquire the right to use the capital asset of the existing services. Funds will be spent at an appropriate future date, to upgrade, or extend these particular services.

28.1.28 Fencing Covenants Adjacent to Reserves

The developer shall enter into a registrable covenant, binding on the developer and successors in Title of the Developer, to be registered against the titles of the subdivision adjoining the reserve whereby Council shall not be liable to pay for or contribute towards the expense of erection or maintenance of any fence between the property and any contiguous land of the Council. All documentation shall be prepared or approved by the District Solicitor. All costs involved in the completion and registration of the covenant (including where necessary any approval by the District Solicitor) will be the responsibility of the developer.

28.1.29 Subdivision Design Innovation

The Council welcomes innovation in the design of subdivisions. Without limiting any other requirement of the Act or the Plan, the Council will reserve its control or discretion over the following matters or design of subdivisions:

- a) The orientation of future house sites;
- b) Maximising opportunities for incorporating efficient solar energy design in future buildings;
- c) The provision of safe and convenient pedestrian and cycle access;
- d) Recognition, provision, and protection of natural features and landscapes within subdivisions;
- e) The provision of a variety of allotment sizes and shapes;
- f) Strategies for the creation of wetlands in the context of stormwater management;
- g) The creation of vegetation corridors linking to or with potential to link to other vegetation corridors, reserves or open space; and

h) Strategies for the restoration of natural habitats.

(Developers may choose to submit proposals for innovative solutions/methods not listed).

28.1.30 Preservation of Natural Features

As a condition of its approval of the subdivision plan, the Council may require the developer to make provision for the preservation of natural landscape, trees, areas of trees or bush, buildings or sites of historic or archaeological or other significance, or wildlife habitats. Additional requirements may include the planting of trees or shrubs or the creation of wildlife habitats. In making these requirements the Council may require the developer to enter into a bond in accordance with the provisions of sections 108 and 220 of the Act. It should be noted that where preparatory work is agreed to on the subdivision prior to the subdivision consent being granted, such approval cannot be taken to authorise the destruction of any of the features referred to in this section.

Every effort shall be made by the developer to ensure that the subdivision is in harmony with and complements the existing and surrounding landscape, including the blending of land forms and the preservation where appropriate of existing natural vegetation and other features.

28.1.31 Damage to Existing Streets, Services and Property

All damage to existing roads, services or private property, or any disturbance of survey boundary marks due to or caused by any new works, shall be the liability of the developer. All damage must be repaired by the developer as soon as reasonably practicable.

Where damage is considered by the Council to be a serious hazard to the public the Council may arrange for the necessary work to be carried out and charged to the developer. The provision includes the removal of mud and debris from existing roads in the vicinity of the subdivision. Daily removal of such debris may be necessary in the interest of traffic safety and the effective functioning of stormwater systems.

28.1.32 Certificates on Plans

The format of the certificates used on the face of any survey plan or copy of the survey plan shall comply with the current requirements of the District Land Registrar.

28.1.33 Administrative Fees and Charges

The Council may recover from the developer part or all of the cost of administering any application for subdivision consent, in accordance with the formal schedule of fees administered by the Council.

28.1.34 Uncompleted Works Bonds for Roads

Where the Council agrees that it is acceptable that uncompleted work may be completed after approval of the survey plan the developer may obtain 'vesting under bond'. The minimum standard required by the Council before accepting a bond is that earthworks have been completed, all underground services, including power and telephone, have been installed and kerbing and channelling and basecourse metal been laid in all roads to vest as public roads, and that there is vehicle access available to all allotments, with timber edging and metalling completed in rights of way or private accesses.

When applying for vesting under bond, the developer shall forward a schedule showing quantities and contract prices for the uncompleted work. The Council will make its own assessment of the value of the uncompleted work and the developer will be required to enter into a bond for the completion of these works in an amount equal to 200% of the assessed value, plus GST. The developer shall bear the cost of preparation and execution of the bond which shall be for such period and on such terms as the Council deems suitable.

Where the second coat seal is required by the Council, the developer may carry out the work or pay a cash payment to Council equal to 105% of the assessed value of the work (plus GST). The Council shall arrange to carry out the second coat seal as required. The Council will, as a general policy, agree to such vesting under bond provided that the uncompleted works will be completed before the subdivision could be occupied; or that the non-completion will not cause any inconvenience or risk to the occupants of the subdivision.

In all cases, the bond shall be for the minimum reasonable period, but this shall not preclude the developer being granted an extension upon application provided that the time taken by the Council to consider this application or the failure of the Council to grant an extension shall not in any way extend the time for the bond. The Council will charge an administration fee for any such bond.

