

# 29.0 Standard Requirements for Subdivision and Development

## 29.1 Information to be Supplied with Applications for Subdivision Consent

### 29.1.1 Requirements for all Applications

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

#### 29.1.1.1 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.

#### 29.1.1.2 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 shall be shown.
- e) Registered owner's name (as set out in Section 270 of the Resource Management Act 1991).
- f) Total area.
- g) Name of surveyor or registered survey 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.
- k) A locality diagram to assist in identifying any rural property, and in other cases, where additional locational cues are necessary.

#### 29.1.1.3 Details

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

#### 29.1.1.4 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.

Legible copies of Certificates of Title for all land concerned shall be supplied.

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.

#### 29.1.2 Site Details - General

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

- a) The position of all proposed new boundaries.
- b) Every allotment shall be given a lot number and shall show its area in metric units.
- c) 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. The nominal width of all roads, service lanes and accessways shall be shown.

A status comment on the position of any existing and proposed road formation in relation to boundaries shall be provided.

- d) 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, e.g.; 'Local Purpose (Esplanade) Reserve'. All land below Mean High Water Springs and the beds of rivers and lakes required to vest in the Crown shall be clearly identified.
- e) Where known, easements existing or easements to be created shall be shown on the Plan with the purpose nominated. Document numbers shall be provided.
- f) Adequate contour or height 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, the Council may accept spot levels in terms of a recognised local datum.
- g) Landscape works proposed on road reserves.
- h) Road lighting and the proposed location and type of power and telephone services.
- i) Details of any Limited Access Road.

### 29.1.3 Site Details - Other Factors

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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 29.1.2.f).
- 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 sewage disposal (position of existing septic tank and effluent soakage fields) and any pertinent field data for each allotment, e.g.; strata, soakage etc.
- k) Details of stormwater drainage.
- l) Details of quantity and quality of the water supply.
- m) Details of electricity/telecommunications reticulation.
- n) Details of proposed access location (including distance from adjacent and opposite accesses and intersections) and design (including width, gradient, formation).
- 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.
- 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.
- u) Any site contamination.
- v) Engineering drawings detailing the following earthworks proposals:
  - Original and final contours;
  - Areas of cut and fill;
  - Subsoil drainage;
  - Silt control.
- w) Details of the location of any high voltage transmission lines (110kV or greater).

## 29.1.4 Required Site Details - Urban Subdivisions

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### 29.1.4.1 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.

## 29.1.5 Required Site Details - Rural Subdivisions

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### 29.1.5.1 Topographical Detail

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 Rule 29.1.3 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.

### 29.1.5.2 Suitable Building Platforms

Each proposed allotment and balance parcel must provide for a building site. Complying building platforms on each lot shall be indicated on the subdivision plan and supported by a geotechnical report prepared by a Chartered Professional Engineer or a professional in the related field, for the purpose of supplying opinions as to the stability of land.

The 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 required by the Building Act 1991) building platforms identified on the Plan and be supported by catchment analysis prepared by a Chartered Professional Engineer experienced in flood hydraulics.

If it is proposed to create an allotment in a Rural Zone without a complying building platform, then notation shall be required on the newly created titles to the effect that building will not be permitted unless the matters required by the standard requirements for subdivision and developments are met in full.

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 platform in accordance with the requirements of this Plan.

### 29.1.5.3 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.

### 29.1.6 Written Report - General

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In addition to the other information required, a report shall also be lodged with all applications to include the following information where applicable:

- a) An assessment of effects on the environment as prescribed in the Fourth Schedule of the Resource Management Act 1991.
- b) A statement of compliance with the allotment design and access requirements of the Plan.
- c) A comment on any other resource consents required. (e.g. Land Disturbance, Stormwater Discharge etc.)
- d) Services, reticulation and connections (stormwater, water supply and sanitary sewer).
- e) Any effects on or discharges to streams 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) Potential irrigation requirements resulting from subdivision.
- 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 platforms.
- l) Land stability.
- m) Any effects on special site conditions, features, or buildings.
- n) Reports by geotechnical, forestry, viticultural, iwi, heritage or other consultants.
- o) A summary of the details and results of any consultation undertaken with other organisations or persons likely to be affected by the proposed subdivision.
- p) The signatures of affected parties/persons, signed on a copy of the Plan and on the approval form, as required by the Council in terms of Section 94 of the Act.
- q) 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.

### 29.1.7 Additional Documents to be Submitted

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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:

- a) Engineering drawings, specifications and where required, calculations covering the following sections of the work to be carried out:
  - Site regrading
  - Roading and access
  - Drainage (stormwater and sanitary)
  - Water supply and other services
  - Geotechnical Engineer's report on the suitability of the land for subdivision.
- b) 'As-Built' plans, to a minimum scale of 1:500.
- c) A certificate stating that the works have been carried out under the control of and to the satisfaction of the certifying professional.

### 29.1.8 Numbers of Copies of Documents Required

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

Subdivision Plan.....	3
Engineering drawings/specifications .....	2
'As-Built' plans.....	1
Survey Plans .....	3

### 29.1.9 Requirements of Authorities other than Council

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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:

- a) Electricity Network Operators.
- b) Telecommunications Network Operators.
- c) New Zealand Transport Agency.
- d) The Department of Conservation.
- e) Iwi.
- f) New Zealand Historic Places Trust.
- g) Archaeological Association.
- h) New Zealand Railways Corporation.

- i) Aviation Authorities.
- j) Nelson Marlborough Fish and Game.

### **29.1.10 Developers Agent**

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

- a) Design of the subdivision including preparation of plans and documents;
- b) Supervision of the works;
- c) 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.

### **29.1.11 Land Stability**

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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.

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 and proposed effluent disposal and drainage field. 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.

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.

## **29.2. Requirements for Subdivision and Development**

### **29.2.1 Developer to be Responsible for all Services**

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The developer will be required to undertake or provide all required services specified in this Plan. The Council may, in some circumstances, undertake the work and require a contribution, equal to the cost of the work, from the developer.

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

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.

## **29.2.2 Reticulated Services to be Underground**

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

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.

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

Adequate provision shall be made for such services as transformer sites, junction boxes and other special needs of all authorities. Road lighting will be of a satisfactory standard if it is in accordance with NZS 6701 Code of Practice for Road Lighting (or any subsequent standard) or Marlborough District Council's Code of Practice for Subdivision and Land Development (i.e. these are "means of compliance"), or equivalent standard certified by a registered electrical engineer.

All new roads to have sub-surface reticulation. All new and upgraded street lighting shall be of a satisfactory standard if it is in accordance with NZS 6701 Code of Practice for Road Lighting (or any subsequent standard) or Marlborough District Council's Code of Practice for Subdivision and Land Development (i.e. these are "means of compliance"), or equivalent standard certified by a registered electrical engineer.

Selected rural flag lighting will comply if it is in accordance with either NZS 6701 Code of Practice for Road Lighting (or any subsequent standard) or Marlborough District Council's Code of Practice for Subdivision and Land Development (i.e. these are "means of compliance"), or equivalent standard certified by a registered electrical engineer.

## **29.2.3 Approval Required Before Commencement of Work**

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

- a) The Council has granted a subdivision consent, and, if required, the developer has lodged a design certificate stating that the works have been designed in accordance with sound professional engineering practice, along with the engineering drawings, specifications and calculations for the specific work that is required. One method of achieving compliance is meeting the stipulations of the Council's Code of Practice for Subdivision and Land Development.

## **29.2.4 'As-Built' Plans - to be Supplied**

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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.
- f) Road names - as suggested by the developer and as approved by the Council.

### **29.2.5 Connection to Existing Roads and Services**

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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. The cost of connecting to existing roads and services shall be borne by the developer.

### **29.2.6 Maintenance**

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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.

### **29.2.7 Relationship to Code of Practice for Subdivision and Development**

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The Council's 'Code of Practice for Subdivision and 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 standards expected for each phase or type of land subdivision and development.

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.

If the developer proposes an alternative means of compliance, to a requirement of this Plan or a condition of consent, that may be met by compliance with the Code of Practice, then the alternative proposal is required to be submitted to the Council and accompanied by a detailed report from a Chartered Professional Engineer. The engineering report lodged with the Council is required to have been the subject of peer review and a related report by a Chartered Professional Engineer or other professional in the related field. The peer review report is to corroborate and accompany the alternative proposal.

## 29.2.8 Roads and Access

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### 29.2.8.1 Compliance with Roading Hierarchy

All proposed new roads shall connect with and be compatible with the Council's roading hierarchy. (Refer Table 29.2.8.1) The classification, width and pavement structure are included in that Table. An exemption from compliance with table 29.2.8.1 will apply where provided for in Appendix G.

### 29.2.8.2 Limited Discretionary Activities

- a) Notwithstanding the minimum road width limitations prescribed in Table 2.8.1, local roads may be approved at, or reduced to, a width of not less than 6 metres.
- b) Standard berm width is 4.5 metres. Alternative design (for maximum and minimum road reserves) may incorporate a greater or lesser berm width from 0 to 6 metres.

Notes:

- a) 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.
- b) Where **adequate test information** is available, the Council may accept other designs for the road structure when supported by adequate engineering justification.
- c) Where adequate provision is made for separate pedestrian traffic, and passing and road parking, lesser carriageway width may be acceptable.
- d) Where carriageway width of two lanes only is provided, careful design of parking is required. (Refer Council's Code of Practice for Subdivision and Land Development).
- e) 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.
- f) '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.

### 29.2.8.3 Provision for Pedestrians and Non-Motorised Road Users

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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.

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.

Pedestrian footpaths should be provided separate from the road carriageway. Footpaths should be constructed to have permanent concrete or asphaltic surfaces and should be designed to minimise any surface water flow across the footpath which would be an impediment or hazard to pedestrians.

It is preferred that longitudinal profile of footpaths should not be depressed by vehicular crossings.

Pram and wheelchair crossings shall be provided in pedestrian footpaths at road intersections.

Footpath gradients should not exceed 1 in 6 and where this gradient is exceeded, steps or other safety measures may be required.

Table 29.2.8.1: Road Classification and Pavement Structure

Classification	Type of Road		Traffic Volume (v.p.d.) or Dwelling Units	Design Speed (kph) (m)	Minimum Road Width	Recommended Carriageway Width (m)			Recommended pavement structure. Two layer basecourse construction. Depth (mm) and aggregate type code (See Code of Practice D3.2.4, D3.2.5 which details means of compliance)	
						Parking	Traffic	Total		
Local Roads	Urban	Short cul-de-sac (<100 m)	<20 du	40	12	1 x 2.0 m	1 x 3.5 m	5.5	100 SBAP60	100 GAP 40
		Long cul-de-sac (> 100 m)	>20 du		14	1 x 2.0 m	1 x 4 m	6		
		Minor access	<100 du		15	2 x 2.0 m	1. x 3.5 m	7.5		
	Rural	<200	*100	15	-	1 x 3.5 m	3.5	Use SHPDRM design method		
Collector Roads	Urban	400 - 1000	50	15	2 x 2.25 m	1 x 3.5 m	8.0	200 SBAP60	100GAP40	
	Rural	200 to	*100	15	-	2 x 3.0 m	6.0			
	Industrial	1000	50	17.5	2 x 2.5 m	1 x 3.5 m	8.5	Use SHPDRM design method		
	Urban	800 to	*100	20	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	20	2 x 2.5 m	2 x 3.5	12	SHPDRM use design method		
Arterial Routes	Rural	1000 - 4000	*100	20	-	2 x 3.5 m	7	Use SHPDRM design method		
	Urban	Over 3000	50	20	Specific design					

\* Wherever practicable but not less than 70 kph unless topography constrains to a lower speed value. Appropriate controls are then required.

#### **29.2.8.4 Road Design and Construction**

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

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.

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 recommendations.

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).

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.

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 back up or reverse safely.

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.

#### **29.2.8.5 Road Corner Splays**

If a corner lot is included in any subdivision the corner must be rounded off to a radius of not less than 6 metres or provided with a corner splay to give the equivalent sight distances.

#### **29.2.8.6 Sight Lines at Road Intersections**

All proposed new road intersections shall be located and constructed so as to achieve the sight lines for approaching traffic detailed in Rule 27.2.

Where no corner splay exists, every developer of a corner site, on the frontage or frontages of which live fences or hedges or shrubs are growing, shall on each road frontage from the corner point to a distance of 4.5 metres therefrom and in the triangle thereby enclosed keep such live fences or hedges or shrubs trimmed to a height not exceeding 0.9 m from the level of the footpath; and no person shall construct on any such frontage or triangle any fence, gate or other structure of a greater height than 0.9 m above the level of the footpath.

#### **29.2.8.7 Road Pavement Construction**

All roads shall have an appropriate pavement structure. Council's Code of Practice for Subdivision and Land Development provides methods which are one "means of compliance"

#### **29.2.8.8 Excavation and Land Disturbance**

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

### **29.2.8.9 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.

### **29.2.8.10 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, e.g.; trees, vistas, waterbodies 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, or plants which form, interesting or unique associations in conjunction with other plant or animal life or which represent prime specimens.
- 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).

(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).

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

### **29.2.8.11 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.

### **29.2.8.12 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.

## **29.2.9 Design and Formation Standards for Vehicle Access**

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### **29.2.9.1 General**

Where the carriageway margin provides, or is intended to provide kerb or kerb and channel, access from the carriageway to property shall be gained by channel and crossing, except that, in the case of major developments a developer may wish to negotiate with the Council for access to be a continuation of the carriageway kerb into the property. This latter form of access is known as a drive-in access.

There are two types of channels and crossings: residential (built to carry car traffic) and other (built to carry heavier traffic). "Crossing" means the pavement or footpath between the carriageway channel and the property boundary, while "Channel" means the part of the carriageway channel which is crossed for access purposes. The Code of Practice provides for methods of compliance and this is particularly pertinent for access to rural property.

### **29.2.9.2 Residential Standards**

For front and corner lots the minimum width of each crossing shall be 3 metres.

Limitations: Each site is entitled to crossing widths equal in total to one quarter ( $\frac{1}{4}$ ) of frontage.

### **29.2.9.3 Standards for Other Crossings**

Where vehicle access is required to properties with other than residential activity, this shall be by means of channel and crossing constructed to a commercial standard. The minimum width of crossing is 4 metres. This may be increased to 5 metres, where local traffic conditions or the type of vehicle commonly used to serve the property justify this increase. Each site is entitled to crossing widths equal in total to one quarter ( $\frac{1}{4}$ ) of its frontage on that road, or one third ( $\frac{1}{3}$ ) in the case of a site fronting a street having a carriageway width of less than 9 metres.

Where a property fronts on to more than one street, and subject to satisfying all other requirements, a developer may amalgamate all or part of his crossing entitlement for each frontage. The location of the access so created shall be at the discretion of the Council.

### **29.2.9.4 Distances of Access from Intersections**

No access to any property shall be sited closer to any intersection than the minimum distance specified in Rule 27.2.4.6.

All rural vehicle entrances shall be constructed to an all-weather standard, viz, metalled or sealed, to the same standard as the adjoining road. In urban areas all entrances shall be constructed in permanent materials consistent with the standard in the immediate locality.

All vehicle entrances which cross waterways and drains shall be constructed in accordance with professional engineering standards, to incorporate culverts and crossings appropriate to the maximum traffic load expected to use the crossing in the normal course of events. The Council's Code of Practice for Subdivision and Land Development also provides methods to enable compliance.

#### **29.2.9.5 Sight Lines at Accesses**

All proposed vehicle entrances shall be located and constructed so as to achieve sight lines for approaching traffic. The minimum sight lines to be achieved are set out in Rule 27.2.4.7

#### **29.2.9.6 Visibility from Access**

No access to any property shall be designed or located so that it fails to comply with Rule 27.2.

#### **29.2.10 On-Site Turning and Manoeuvring Space**

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All parking and loading areas shall be designed to Building Act 1991 or Transit New Zealand Standards to ensure that vehicles are not required to reverse either on to or off the site except:

Loading areas with access to secondary collector and local roads or services lanes where loading docks may be provided.

Parking spaces for a single residential unit on a front site on roads other than State Highways, primary and secondary arterial roads.

#### **29.2.11 Easements for Access**

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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 consents and to have these consents registered on the respective titles.

#### **29.2.12 Stormwater Drainage**

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

The stormwater drainage system shall provide for the collection and control of all stormwater within the land being developed or subdivided together with the potential drainage from the entire catchment upstream of the proposed subdivision or development.

Where a drain is to be laid through any other land the developer shall provide evidence that the river or drainage channel intended to receive the discharge is adequate for that purpose. The developer shall also negotiate and arrange all necessary drainage easements, and other access arrangements for future maintenance.

The developer should negotiate and arrange all necessary drainage easements.

Where on-site disposal is proposed the developer shall submit with the application full engineering design for the stormwater disposal system.

A secondary overflow shall be identified to cope with stormwater in excess of the pipe design standard.



The developer shall obtain resource consents necessary to discharge into the receiving river or drainage channel.

### **29.2.13 Treatment and Disposal of Sewage Wastes**

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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.

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.

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.

The developer shall negotiate and arrange all necessary sewer line easements.

Where a subdivision is to rely upon on-site disposal of sewage and greywater all allotments are to be the subject of a specific engineering design to confirm the lot's capability of meeting the needs of a typical 180 m<sup>2</sup> dwelling house (occupied full-time) and satisfying all the standards for discharge for sewage and greywater set out in this Plan.

### **29.2.14 Council's Responsibility for Piped Drains**

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Upon completion of the maintenance period for sanitary and piped 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.

### **29.2.15 Water Supply**

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The developer shall make provision for the supply of water adequate for reasonably expected domestic (must be of potable quality), 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.

All urban subdivisions and developments will be required to connect to the water supply system, where a connection is available.

Where a water supply line is to be laid through any other land the developer shall negotiate and arrange all necessary easements.

## 29.2.16 Electricity Supply and Telecommunications

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### 29.2.16.1 Subdivision

The developer shall supply low voltage electricity and telecommunications to all allotments, other than allotments located in Rural, Lake Grassmere Salt Works, Coastal Marine, Conservation, District Recreation and Local Recreation Zones.

At the time of application, the developer is required to confirm to the Council that adequate provision has been made or adequate provision is practicable for the supply of low voltage electricity reticulation and telecommunications. Low voltage reticulation is defined as below:

- Residential Zones - 230 volts or 400 volts as required
- Business Zones - 400 volts
- Industrial Zones - 400 volts
- Rural Township Zone - 400 volts

Low voltage electricity supply and appropriate telecommunications systems are to be provided at the boundary of each allotment.

Acceptable confirmation as to the adequate provision of local reticulation shall be a formal written statement from an electricity supply or telecommunications network utility operator, as applicable.

Electricity supply shall be reticulated underground including low voltage supply from the boundary to any building. Telecommunications shall be reticulated underground or provided by way of a wireless system. Any proposal for provision of electricity supply and telecommunications through overhead lines 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 Chartered Professional Engineer, who has established credentials with the Council, to corroborate any claims in this regard).
- c) Topographical constraints: e.g. significant rock outcrops, access difficulties for trenching machinery.  

(Report from network utility operator required).
- d) Presence of archaeological sites.  

(Formal evidence required).
- e) Visual/Landscape effects.

All assessment criteria apply to non-complying subdivision activities.

Easements are to be created to cover all new electrical reticulation alignments.

### **29.2.16.2 Development**

The developer shall make all arrangements for the supply of electricity/telecommunications to all buildings, as required.

Electricity supply and telecommunications shall be reticulated underground, as for Rule 29.2.16.1 above.

## **29.2.17 Site Development - Control of Adverse Effects of Construction**

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The construction phase of subdivision or development involves site investigation through to completion /commissioning.

### **29.2.17.1 Scope**

This rule applies to development, as defined in Rule 29.2.19.2 and subdivision, from investigation to commissioning

### **29.2.17.2 Application**

A Controlled Activity resource consent application is required where development occurs within the scope defined above.

The resource consent application shall be lodged prior to or at the time a building consent is applied for.

If a building consent application is not required, then the construction phase element of the proposed development shall become a separate component of the related resource consent.

The application shall include the following information:

- a) Site Management Strategy;
- b) Assessment of Environmental Effects;
- c) Scale drawings of the proposal.

### **29.2.17.3 Site Management Strategy**

The size and scope of the Site Management Strategy will directly reflect the size of the project and its potential impact.

The Site Management Strategy shall address the following matters, in order, and shall be endorsed by the principal of the company making the application:

- a) A commentary on the proposed construction management infrastructure and how and by whom the project's impact will be effectively supervised and controlled to manage and monitor potential detrimental effect.
- b) Confirmation that the staff appointed to control adverse effects of construction are trained to monitor environmental matters.
- c) A detailed commentary on proposed site investigation activity.
- d) A time line programme showing key target dates and highlighting the occurrence of activities with particular potential threat to the environment.

- e) A time table for periodic review of progress and changes to the anticipated outcome to ascertain whether there is a need for consequent changes to the supervision/monitoring regime.
- f) Detail on the scale of water supply, discharge and waste disposal needs (solid and liquid) for the project.
- g) Identification of site access points and projected frequency of use.
- h) Possible social impacts, e.g. housing needs for out of district workers; access impediments to properties in the vicinity.

#### **29.2.17.4 Assessment of Environmental Effects**

An assessment of environmental effects shall be provided in accordance with the Fourth Schedule of the Act and shall include:

- a) Recognition of the combined investigation, construction and completion/commissioning time frame.
- b) Impacts generated by access to and from the site by personnel, vehicles and equipment and impacts on the traffic infrastructure.
- c) Days and hours of operation.
- d) Noise, dust, vibration and glare.
- e) Visual impact.
- f) Public safety.
- g) Properties beyond the site potentially affected by the proposal.
- h) Construction phase information signs.
- i) Waste disposal: discharges and solid/liquid/waste disposal and deposition of waste at site periphery and beyond, e.g., detritus on road reserve land; wind blown rubbish.
- j) Measures to avoid, mitigate or remedy potential adverse effects.

#### **29.2.17.5 Scale Drawings of the Proposal**

- a) Location plan/map.
- b) Site plan - minimum scale 1:500.
- c) Working drawings - 1 set.

#### **29.2.17.6 Matters Over Which Council Will Exercise Control**

The Council reserves control over and may impose conditions with respect to:

- a) Retention on site of and staff familiarity with, "the Site Management Strategy".
- b) Hours and days of operation.
- c) Site screening.
- d) Waste disposal, including discharges.
- e) Access to site, on-site parking and manoeuvring and matters relating to the traffic infrastructure.

- f) Noise, dust, vibration and glare.
- g) Construction phase signs.
- h) Development Levies.

## **29.2.18 Esplanade Reserves and Esplanade Strips**

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### **29.2.18.1 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, the following provisions shall apply.

#### **29.2.18.1.1 Circumstances in Which Esplanade Reserves or Esplanade Strips may be Required**

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) respectively of the Resource Management Act 1991).

Matters that will be taken into account in assessing the need for esplanade reserves or strips for rivers, lakes and the coast 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 iwi;
- 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.

Some of these matters may be identified in Appendix A of Volume One of the Plan.

#### **29.2.18.1.2 Circumstances Where Council Will Impose a Condition of Consent for an Esplanade Reserve or an 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.
- e) Where flood hazard and erosion control is a significant concern.
- f) Where an esplanade strip would better achieve the purpose of Section 229 of the Act because there is a high likelihood of fluctuations in the line of mean high water springs or the bed of a river or the shoreline of a lake.

#### **29.2.18.1.3 Width of Esplanade Reserves or Esplanade Strips**

Esplanade reserves and strips will be 20 metres unless waived or reduced/increased in width by condition of a resource consent. An esplanade reserve or esplanade strip may be waived or reduced/increased in width under the following special circumstances:

- a) Special ecological or conservation values warrant a wider 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 in width.
- d) Where the creation of a 20 metres wide esplanade reserve or esplanade strip would create risks to public safety or to security of plant, machinery, stock or other property.

#### **29.2.18.1.4 Compensation (for Subdivisions over 4 ha)**

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

#### **29.2.18.2 Allotments of less than 4 Hectares**

(Rivers and lakes shall be as defined in Section 230(4) of the Resource Management Act 1991). In respect of any subdivision of land in which any allotment of less than 4 ha is created, the following provisions shall apply:

##### **29.2.18.2.1 Esplanade Reserves or Esplanade Strips will be Required**

Esplanade reserves and esplanade strips will be required in regard to any subdivision of land which includes or adjoins any part of a river, lake or the coast.

Esplanade reserves and strips shall be of a width of 20 metres unless waived or reduced/increased in width by a condition of a resource consent in accordance with the matters set out in Rule 29.2.18.1.3 above.

##### **29.2.18.2.2 Compensation (for Subdivisions less than 4 ha)**

With the exception of esplanade reserves or esplanade strips in excess of 20 metres, no compensation is available, in accordance with statutory provisions, where allotments are less than 4 ha.

Where a condition of a resource consent requires a esplanade reserve or esplanade strip in excess of 20 metres, compensation shall be payable for the portion in excess of 20 metres as set out in Rule 29.2.18.1.4 above.

### **29.2.18.3 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' and the related site adjoins or includes part of a water body, 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.

### **29.2.18.4 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.

### **29.2.18.5 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;
- c) Facilitates access to existing or proposed reserves.

## **29.2.19 Financial Contributions**

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### **29.2.19.1 Scope of Contributions**

#### **29.2.19.1.1 Definition of Cost**

Cost includes all cost associated with the subdivision/development and will incorporate the cost of research and the holding cost of money over time.

For the sake of clarity, all establishment costs shall be the developer's responsibility.

#### **29.2.19.1.2 Maximum Levies Payable**

The financial contributions specified in each case are the maximum levies payable.

#### **29.2.19.1.3 Exclusions**

Financial contributions will not apply to subdivision and development involving utilities as provided for in Rule 27.5.1, roading projects, emergency service activities or the generation of electricity.

### **29.2.19.2 Development Levies for Commercial or Industrial Purposes (Applies in all zones)**

Development is defined as:

‘Constructing, erecting or altering any one or more buildings/structures, intended to be used solely or principally for commercial or industrial purposes where the value of the construction, erection or alteration will exceed \$250,000’.

**29.2.19.2.1** The developer shall 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 an area of land to be set aside as public reserve of value equal to the amount otherwise payable;

OR

A combination of the above.

### **29.2.19.3 Development Levy for Residential Purposes (Applies to Residential Zones only)**

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’.

**29.2.19.3.1** The developer shall meet the requirements of Rule 29.2.19.4 (Reserve Fund Contributions), with each household unit site deemed to be an allotment for this purpose.

**29.2.19.3.2** The following matters shall apply to the development levies specified in Rules 29.2.19.2 and 29.2.19.3

- a) The Council will waive or reduce contributions in relation to any particular proposals where the developer suggests alternatives to avoid, remedy or mitigate the adverse effects of that proposal.
- b) For the purposes of esplanade reserves and esplanade strips ‘Developments’ have the same status as subdivisions.
- c) On receipt of documentary evidence from the developer the Council will credit any residential development levy payable against any reserve fund contribution previously paid.

### **29.2.19.4 Reserve Fund Contributions**

Cash up to the maximum percentage specified below of the value of additional lots created on subdivision/development. The amount required shall be determined in accordance with the table set out below:



Rural Residential	4%	of the
Rural, where residential lots of 1 ha or less are created	4%	land
Urban Residential Zones	7.5%	value
Township Residential/Deferred Township Residential	7.5%	of the
District Recreation Zone	7.5%	newly
Central and Neighbourhood Business Zones	7.5%	created
Industrial and Port Zones	7.5%	allotments
Rural Township Zone	7.5%	
<b>and/or</b> , land to the equivalent value if the land proposed to vest satisfies Council's policies for reserve land acquisition		

29.2.19.4.1 The following matters apply to reserve fund contributions:

- a) The Council will waive or reduce contributions in relation to any particular proposal where the developer suggests alternatives to avoid, remedy or mitigate the effects of that proposal;
- b) If a developer can provide documentary evidence that a Development Levy has been paid for a particular residential property under the Local Government Act 1974, or other provisions contained in this Plan, then the levy paid will be credited against any reserve fund contribution for subdivision of that property.

**29.2.19.5 Financial Contributions for Connection to Sewerage Reticulation, Water Supply Networks and Stormwater Collection and Disposal Systems**

Where connection is required to existing community servicing infrastructure, the Council will require the subdivider/developer to pay to the Council the following costs:

- a) The full and actual cost of trunk sewer, water and stormwater mains or lateral connections to connect the subdivision/development to existing reticulation system(s).
- b) Alternatively, the developer may directly install the mains, laterals and pump stations required to do this.

**Note:**

All works will need to comply with the Council's Code of Practice for Subdivision and Land Development and be certified as such prior to acceptance by the Council for connection to community infrastructure.

**29.2.19.6 Financial Contributions for Extension/Upgrading Community Trunk Sewerage Network, Sewage Treatment and Disposal Systems, Stormwater Collection and Disposal Systems and Water Supply Network**

- a) The Council will, as a condition of resource consent, require the subdivider/developer to pay for the full and actual costs of upgrading main trunk sewerage disposal, water supply and stormwater disposal networks.

b) This includes the cost of the future upgrading of infrastructure where it is necessary to carry out the upgrading earlier than planned to cater for the increased demand created by a subdivision/development.

c) The following formula shall apply.

*Cost of upgrading services*                      (E+D)-C

*for subdivision/development*              (B-A)

E = actual or estimated cost of upgrading services to serve the potential total number of allotments.

D = value of any estimated surplus capacity in existing services over that which is required to serve total number of properties currently in area.

C = estimated cost of upgrading required to existing services to serve total number of properties currently in area.

B = potential total number of lots likely to be in the area to be served by the upgraded service, when the area is fully developed.

A = total number of lots in area which are served by the service.

Note:

The Council's Annual Plan sets out priorities for funding of specific land purchases and also provides the current financial information to enable the services contribution formula to be applied. It also makes provision for accommodating holding costs on a case by case basis where the Council is required to act as interim banker in circumstances where a stage of subdivision/development is beyond the physical reaches of the existing network.

## **29.2.19.7 Financial Contributions for Roading**

### **29.2.19.7.1 Direct and On-Site Roading Requirements**

In the event of subdivision/development where roads, kerb and channel, footpaths, grass berms and vehicle crossings are considered inadequate to service the subdivision/development, the subdivider/developer will be responsible for the following.

- a) Full development of all new roads within the area of subdivision/development or pay to the Council the full cost of the formation of that new road;
- b) Pay the full cost of seal widening, beyond the subdivision/development which is directly attributable to the potential adverse effects generated by the subdivision/development on the existing roading infrastructure, and meet the cost of any carriageway parking;
- c) Pay the cost of the kerb and channel on the frontage of the subdivision/development and stormwater drainage for the subdivision/development;
- d) Pay the cost of any construction or levelling or sowing of grass berms on the frontage of the subdivision/development;
- e) Pay the full cost of footpaths for the frontage of the subdivision/development;
- f) Pay the cost of all vehicle crossings required to service individual sections in the subdivision, where roads are intended to be sealed;

- g) Pay 50% of the cost of sealing a gravel road adjoining the frontage of the subdivision where a sealed road is required;
- h) Vest in the Council an area of land for road widening where required. Compensation for the taking of land for road to vest and the related share of survey costs will be paid as determined by a professional valuation with the related valuation fee being met by the Council. (If a developer wishes to challenge the valuation provided then any related cost is to be met by the developer).

**29.2.19.7.2 Note**

In the event that a subsidy is granted to the Council for any new works undertaken to create facilities or improve existing facilities those subsidies will offset the contributions required.

**29.2.19.7.3 Financial Contributions towards the District Rooding Network**

The Council will require:

- a) A contribution of \$1,000 per new allotment created in every subdivision in Rural or Rural Residential zones;
- b) A contribution of \$500 per new allotment created in every subdivision in Urban Residential, Township Residential, Deferred Township Residential, Central and Neighbourhood Business, Rural Township, Port and Industrial Zones.

**29.2.19.7.4** The Council may waive or reduce the contributions specified in Rule 29.2.19.7.3 in relation to any particular proposal where the subdivider/developer suggests suitable alternatives to avoid, remedy or mitigate the adverse effects of that subdivision/development on the immediate or district rooding network.

**29.2.19.7.5 Note**

**Offsite Rooding Contributions**

The extent of the Council's rooding system coupled with the wide variance in the standard of rooding in particular areas and the diverse spread of the Marlborough population, effectively renders the subdivision of certain rural areas untenable, in terms of the cost to provide access to those areas.

With this in mind, the Council accepts that it would be impractical and uneconomic in many cases to require a developer to meet the full and actual cost of upgrading the access rooding infrastructure to service many subdivisions. Accordingly, the Council will require the payment of a standard financial contribution in money for the off-site actual and potential adverse effects on the district rooding infrastructure generated by the subdivision or development.

**29.2.19.8 Financial Contributions for Extension to Sewerage Reticulation, Water Reticulation, Stormwater Reticulation and Road Upgrading in Northwest Blenheim Area**

For all subdivisions in the Northwest Blenheim area as defined within Zones 1, 2 and 3 as shown in Appendix I, the Council requires as a condition of subdivision consent that the developer pay to the Council the levies as set out in the following table:

Zone	Zone Development Levy
1. Roseneath Lane area	\$ 81,565/ha
2. Colemans/Murphys Roads area	\$ 51,392/ha
3. Rose Street	\$171,370/ha

In addition an “upgrade development levy” will be applied in terms of the formula prescribed under Rule 29.2.19.6

The Zone Development Levy is to provide for the installation of water, sewerage and stormwater mains together with upgrading of roading including kerbing and channelling and footpaths to the existing streets to cater for the property development within the area.

The Council will only extend services in the existing roads to provide development on a successive basis. Where developers wish to subdivide and services have not been provided to the boundary of the adjoining property it will be the responsibility of the developer to make suitable arrangements with adjoining property owners both for roading access and for connection to services if developments are to proceed out of sequence. A **Discretionary Activity** resource consent, in accordance with Subdivision Rule 28.2.4.3 Northwest Periphery, will be required where developments are to proceed out of sequence.

### 29.2.19.9 Development

Where a developer seeks consent to a land use activity that anticipates connection to existing services and roads and the site of that proposal is outside the area served by the established servicing infrastructure, then as a condition of that consent, the Council will require:

- 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 financial contribution for the right to utilise the existing trunk water, sewerage or stormwater infrastructure calculated using the formula specified in Rule 29.2.19.6;
- c) A financial contribution towards the upgrading of existing roads which will service the development.

### 29.2.19.10 Notes

#### Goods and Services Tax

All monetary contributions are exclusive of GST and linked to the Opus Construction Cost Index (CCI).

#### Developments

Because of the unpredictable and diverse nature of development these financial contributions will be calculated based upon the specific adverse effects that may be generated by each unique development, using the principles applied to the financial contributions for subdivision.

#### Contribution Amounts

Contribution amounts for the upgrading of services will be published in the Council’s Annual Plan, along with the parameters used to calculate them.

#### **Life of Contribution Amounts**

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 taking into account the Opus CCI where the scope of the consent extends beyond two years.

#### **Review of Contributions**

The Council will review the financial contributions required for specific developments and subdivisions as part of its annual planning process and provide an indication of the levies to be charged. These levies will be based upon certain assumptions regarding lot sizes, timing of developments in the area and estimates of the cost to upgrade. Confirmation will need to be sought from the Council that the indicated levies are appropriate for the development planned.

### **29.2.20 Fencing Covenants Adjacent to Reserves**

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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 the 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.

### **29.2.21 Preservation of Natural Features**

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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.

### **29.2.22 Damage to Existing Streets, Services and Property**

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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.

### **29.2.23 Certificates on Plans**

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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.

### **29.2.24 Administrative Fees and Charges**

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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.

### **29.2.25 Uncompleted Works Bonds for Roads**

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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, and all works on proposed private property have been completed.

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.