

9.1 ISSUES

- **Suitability.**

Managing subdivision and development to avoid, remedy and mitigate the effects on natural or physical resources. The risk from natural hazards is a problem within some areas of the District particularly from flooding. The Act requires under Section 106 that land is not or is not likely to be subject to material damage from natural hazard events. Subdivision of undeveloped sites does not necessarily mean development will be subjected to natural hazard events, however, greater caution should be taken to ensure development will not unnecessarily be put at risk from natural hazard events.

- **Natural Features and Heritage Matters.**

Important natural areas and features including heritage features have been identified in the Plan. The act of subdivision can directly affect the protection of these features for example, through the insensitive placement of fences. In addition, following subdivision people assume that they have certain rights for development which could adversely affect natural features and heritage matters.

- **Different Situations Where Subdivision Occurs.**

There are a variety of situations where subdivision will occur. For example, there is subdivision in a greenfield development; subdivision of different floors within the same building; or special cases such as utility structures and boundary adjustments.

The Plan ensures that the type of consent required reflects the scale of effects created.

- **Impact on Infrastructure.**

Generally the act of subdivision does not in itself increase the demand for services for example, roads, sewerage and water. However, the Plan establishes one dwelling per site as a permitted activity which continues the community's desire to avoid unnecessary restriction on development. In order to ensure that infrastructural requirements are met the Plan establishes a mechanism whereby the impact and requirement for infrastructure is dealt with for example, through

financial contributions requirements and meeting specified environmental standards.

9.2 OBJECTIVE

9.2.1 Ensure the act of subdivision and any development meet minimum environmental standards.

9.3 POLICIES

9.3.1 Require subdivision and development in the urban area to connect to the existing infrastructure.

Explanation:

Within the urban area there is existing infrastructure developed to service urban requirements. To achieve efficiencies connection to the existing water and sewerage systems will be required. Connections to other services for example, telephone, electricity, gas, roading and stormwater will also be required.

9.3.2 Ensure servicing is provided as appropriate in rural situations at the time of subdivision and development which avoids, remedies or mitigates adverse environmental effects and protects public health.

Explanation:

In the rural area there is minimal infrastructure. In most situations provisions will need to be made for infrastructural requirements on-site. It is necessary to ensure that in providing these services effects on the environment are avoided, remedied or mitigated.

9.3.3 Particular regard to be given to subdivision and development within areas subject to natural hazards in order to avoid adverse effects.

Explanation:

Where subdivision and development is likely to increase the risk to the environment or

human populations posed by natural hazards controls will be necessary. The controls will ensure the risk is acceptable in terms of effects on both the wider community and the natural environment.

9.3.4 Ensure any subdivision and development protects any identified heritage feature or natural environment feature as identified in Appendix 12A or 13A.

Explanation:

The Plan places particular importance on the retention of certain natural environment and heritage features. Conditions will be imposed at the time of subdivision and development for the protection of these features.

9.3.5 Ensure any subdivision and development does not adversely impact upon the safety and efficiency of existing infrastructure.

Explanation:

Where there is existing infrastructure on site, such as high voltage transmission lines and roads, development should avoid effects on its operation for safety reasons, and in order to ensure the efficient use of the existing resource.

9.4 METHODS

9.4.1 District Plan

- (a) To set minimum standards that must be met by subdividers and developers.
- (b) Where the effects are greater the subdivision will be dealt with through the resource consent process.
- (c) Effects on significant natural features and areas, natural hazard areas and heritage features are also dealt with in separate sections within the Plan.

Reasons

In order to ensure the adverse effects of subdivision and development are avoided, remedied or mitigated appropriate standards have been included in the Plan. These standards relate mainly to technical matters to ensure adequate provision for services is made. Subdivision and development within sensitive areas for example, natural hazard areas needs to be carefully considered to ensure the adverse effects in these areas is not increased.

9.4.2 Annual Plan

The Annual Plan will be used to implement future infrastructure requirements in conjunction with other planning documents that project and plan the future infrastructure requirements of the district.

Reasons

The Annual Plan is the appropriate mechanism for Council to plan for the future demands and needs of the District in terms of infrastructure. Forward planning will ensure that provision is made efficiently and adequately meets demand.

9.4.3 Other Mechanisms

- (a) The use of financial contributions.
- (b) Esplanade reserves.
- (c) Covenants.
- (d) Bonds.

Reasons

Financial contributions can be used as a means to avoid, remedy and mitigate adverse effects created by subdivision and development and recoup the cost of services.

Esplanade reserves act as a buffer along bodies of surface water and thereby assist in the mitigation of the adverse effects of increased density of development resulting from subdivision.

Covenants are a useful means of ensuring that for example, significant stands of indigenous vegetation are protected. They can be useful at the time of subdivision.

Bonds are a means of ensuring compliance with certain requirements.

9.5 ANTICIPATED ENVIRONMENTAL RESULTS

The implementation of the policies and methods is expected to result in the following outcomes:

- (a) The adverse effects of on-site provision of infrastructure will be avoided, remedied or mitigated.
- (b) The efficient use of Council infrastructure.

9.6 DISTRICT RULES

[Refer to the relevant zones and Part B (District Provisions) for the category of consent required for subdivision. The specific information requirements are contained in Chapter 1, Introduction]

[Refer to Chapter 8, Financial Contributions]

9.6.1 Permitted Activity Conditions:

Every activity shall comply with the following conditions:

9.6.1.1 Water Supply

All allotments that are intended to accommodate residential dwellings or other human occupation (including rural farm allotments) shall be capable of being provided with or connected to a supply of potable water.

All activities shall be provided with a supply of water adequate for the domestic, commercial, or industrial consumption needs of that activity, and for fire fighting.

Where water is likely to be used for human consumption all lots in urban subdivisions shall connect to the urban water supply.

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

[Note: Additional and separate resource consents may be required from other authorities for the taking of water where no reticulated system is available.]

9.6.1.2 Sewage

All allotments within urban areas shall be connected to a public sewerage system, and

All other allotments that are capable of accommodating residential dwellings or other human occupation (including rural farm allotments) shall be capable of providing for the collection, treatment, and disposal of all sewage wastes that are generated on the allotment.

The developer shall provide for the treatment and disposal of sewage wastes from all activities where such wastes are generated.

The sewerage system shall be designed to serve the expected load from the upstream catchment area of the proposed development. All land owners will be responsible for the ongoing maintenance of the system and associated costs.

Where a drain is to be laid through any other land the developer shall negotiate and create all necessary drainage easements.

Note: The Wellington Regional Council will need to be contacted regarding requirements for any consent for discharges to air, land or water.

9.6.1.3 Surfacewater Disposal

The developer shall provide a satisfactory system for the collection and disposal of surfacewater from all activities, buildings, allotments, roads, access ways, private ways, and private roads or development. Such provision shall avoid creating or worsening any ponding or inundation.

The stormwater collection 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, as appropriate.

Where a drain is to be laid through any other land the developer shall negotiate and create all necessary drainage easements.

Note: The Wellington Regional Council will need to be contacted regarding requirements for any consents for any diversion, damming or discharge of surfacewater or for discharges to air, land or water

9.6.1.4 Electricity Supply

All allotments capable of accommodating residential dwellings or other human occupation shall be provided with a connection to the reticulated electricity supply.

Electricity supply shall be reticulated underground.

Where the supply is to be laid through any other land the developer shall negotiate and create all necessary easements.

9.6.1.5 Telecommunications

All allotments capable of accommodating residential dwellings or other human occupation shall be provided with a connection to a reticulated telecommunications network.

Telecommunication connections shall be underground.

Where any telecommunication connection is to be laid through any other land the developer shall negotiate and create all necessary easements.

9.6.1.6 Earthworks and Foundation Development

Resource consents may be required from the Wellington Regional Council for any activities involving soil disturbance.

9.6.1.7 Developer To Be Responsible For All Services

The developer will be required to undertake or provide all required engineering services specified in the Plan.

The developer shall make all arrangements with the appropriate authorities for the supply and installation of electric power, street light reticulation and lamps, and telecommunication services.

Provision shall be made for ducts or conduits to be installed across roads and vehicle crossings as necessary to enable the authorities to install their cables/pipes.

9.6.1.8 Reticulated Services to Be Underground

All services in urban areas are to be underground.

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

In submitting any application for subdivision or resource consent, the developer is required to provide documentary evidence that the proposed layout is sufficient for reticulation by other utility service authorities.

Adequate provision shall be made for transformer sites, junction boxes and other special needs of these authorities. Street lighting on proposed public roads shall comply with the requirements of NZS 6701 Code of Practice for Road Lighting 1983 and the developer will be required to confirm in writing that these lighting standards will be met.

9.6.1.9 Approval Required Before Commencement of Work

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

- (a) the developer has confirmation that the proposed work is permitted in terms of this Plan and other requirements; and
- (b) the developer has lodged the necessary engineering information with the Council as required in section 1.6(k).

9.6.1.10 Connection to Existing Streets 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. This work shall include the provision of common stormwater disposal for the new intersection. The cost of connecting to existing roads and services shall be borne by the developer and will not be a charge against Council or other road controlling authority.

9.6.1.11 Easements for Access or Services

In any case where the subdivision or development of land gives rise to the necessity to obtain easements for access or servicing over adjoining land, the developer or subdivider shall obtain all the necessary consents and have these consents registered on the respective certificates of title.

9.6.1.12 Maintenance

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

9.6.1.13 Damage to Existing Streets, Services, and Property

Provision shall be made for 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 interests of traffic safety.

9.6.1.14 Certificates on Plans

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

9.6.1.15 Testing

Where any work is required to be tested by the Council or in the presence of a Council representative the developer shall ensure the work is capable of

satisfying such test before requesting a Council test.

9.6.1.16 Bonds for Uncompleted Works

Where, in the opinion of Council it is desirable, the Council may approve a request from a subdivider to complete any required works following approval of a survey plan and provided a bond is lodged with the Council as guarantee against completion of the works.

The subdivider shall forward to the Council a schedule of the quantities and contract cost for completion of the works. The Council will make its own assessment of the value of the uncompleted work and will require a bond guarantee against completion of the required work, to be registered against the certificate(s) of title for the affected land. The maximum amount of the bond shall not exceed 100% of the estimated value of the uncompleted work.

The subdivider 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 necessary.

9.6.1.17 Provision for Road Access and Future Road Pattern in the Urban Area

Where it is proposed to subdivide urban land, provision shall be made for the proposed vehicle access to connect all allotments with public road(s), including the proposed roading pattern for any balance area. The future roading pattern to be established on the balance area shall be both safe and practical. Indicative road patterns and subdivision proposals should be in accordance with the permitted activity conditions for transport as set out in Chapter 15 (and should include reference to the roading hierarchy set out for Carterton District).

9.6.1.18 Provision for Pedestrians and Non-Motorised Road Users

Provision for pedestrian access routes shall be made to connect residential areas, schools, shopping centres, recreation reserves, and public transport collection points and terminals.

Bicycle traffic should be provided for within road carriageways. Road design will be required to 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 desirable.

9.6.1.19 Allotment Area and Shape

Each allotment should be of sufficient size and shape to accommodate any existing or new buildings or activities on the site; and to accommodate any of the permitted activities listed for the zone.

9.6.1.20 Road Names and Road Signs

The developer should include, in the subdivision application, suggested road names for consideration by the Council.

9.6.1.21 Easements

Easements may be required in respect of any shared access way or utility service. The extent and terms of those easements will depend on the particular circumstances.

9.6.1.22 Council May Undertake Certain Development Works

The Council may undertake certain development work on the developer's behalf with their agreement and will require reimbursement from the developer equal to the cost of the work.

9.6.1.23 Access to and Protection of Riparian Margins

The provisions of Chapter 7, Water Margins need to be met.

Explanation:

The conditions ensure that all subdivision and development meets certain requirements which avoid, remedy or mitigate adverse effects.

9.6.2 Controlled Activities : Standards and Terms

Controlled activities shall meet all of the conditions outlined above.

Information Requirements:

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 Operators
- (b) Telecommunications Network Operators
- (c) Transit New Zealand
- (d) The Department of Conservation
- (e) Iwi
- (f) New Zealand Historic Places Trust
- (g) New Zealand Railways Corporation
- (h) The Wellington Regional Council

Where appropriate in the circumstances of the proposed subdivision or development, the developer shall consult with those organisations and persons.

Details of the persons consulted and the findings resulting from that consultation shall be included with any application for resource consent. Transit New Zealand should be consulted on all activities, subdivision and developments adjacent to, or with vehicle access to, the state highway. Details of consultation and outcomes should be given.

Explanation:

Where the effects of a subdivision or development impact on other authorities it is important that the authorities are informed of the proposal in order to avoid, remedy or mitigate likely adverse effects.

9.6.2.1 Subdivision

Any application for subdivision on land crossed by an existing high voltage transmission line should show the location of the line on the plans. The subdivision should be designed so that there will be no need to erect residential dwellings within 40m of the centre line on each side of high voltage transmission lines. It should also be demonstrated that the setback provisions for high voltage transmission lines 110KV and over, as specified in Part A, Zoning, will be able to be complied with. The separation distance is sought in order to ensure access to transmission lines and for safety reasons. Where possible, the subdivision should also be designed so that it facilitates building

platforms for residential dwellings where the main living area will not face the transmission lines.

9.6.3 Discretionary Activities : Matters for Council to Regard**Information Requirements:**

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 Operators
- (b) Telecommunications Network Operators
- (c) Transit New Zealand
- (d) The Department of Conservation
- (e) Iwi
- (f) New Zealand Historic Places Trust
- (g) New Zealand Railways Corporation
- (h) The Wellington Regional Council

Where appropriate in the circumstances of the proposed subdivision or development, the developer shall consult with those organisations and persons. Details of the persons consulted and the findings resulting from that consultation shall be included with any application for resource consent. Transit New Zealand should be consulted on all activities, subdivision and developments adjacent to, or with vehicle access to, the state highway. Details of consultation and outcomes should be given.

9.6.4 Council may have regard to the following matters:**9.6.4.1 Natural Hazards**

Any application for subdivision must demonstrate that the land is not, or is not likely to be, subject to material damage resulting from erosion, falling debris, subsidence, slippage, or inundation from any source. The Council may require the developer to provide technical evidence to demonstrate the suitability of the land or to undertake works on the land to avoid or minimise any such hazard damage.

Where such land is likely to contain a future dwelling or dwellings, and any land the subject of the application is or 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.

The Council may require each such suitable building site to be indicated on the application plan and may require the application to be supported by a geotechnical report prepared by a Registered Engineer able to supply an opinion as to the suitability of the land.

9.6.4.2 Protection of Natural and Heritage Features

Where the subdivision includes any land or feature having significant natural values, vegetation, natural landscape, buildings or sites of historic or archaeological or other significance, or wildlife habitats, the Council may require the alteration of the design of any aspect of the subdivision in order to protect that land or feature or value. Additional requirements may include the planting of trees or shrubs or the creation or enhancement of wildlife habitats. In making these requirements the Council may require the developer to enter into a bond.

It should be noted that where preparatory work is agreed to 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.

The Council may also require that the subdivision or development be designed to complement the existing and surrounding landscape, and may require the blending of land forms, the preservation of existing natural vegetation and other features.

9.6.4.3 Traffic Impacts on the State Highway

Where the subdivision or development fronts the State Highway the Council may require the alteration (including location, design and whether or not the access may require upgrading to an intersection) of access points to remedy any potential adverse effects on the safety of the traffic using the State Highway.

9.6.4.4 Coastal Management Area (Refer to the particular requirements of the Coastal Management Area rules in Chapter 13, Natural Environment)

Where the subdivision or development is within the coastal management area consideration will be given to the impact on the amenity of the coastal area and any increased risk to development from coastal hazards like erosion and inundation.

9.6.4.5 Transmission lines

Any application for subdivision on land crossed by an existing high voltage transmission line should show the location of the line on the plans. The subdivision should be designed so that there will be no need to erect residential buildings within 40m of the centre line on each side of high voltage transmission lines. It should also be demonstrated that the setback provisions for high voltage transmission lines 110KV and over, as specified in the zoning chapters, will be able to be complied with. The separation distance is sought in order to ensure access to transmission lines and for safety reasons. Where possible, the subdivision should also be designed so that it facilitates building platforms for residential dwellings where the main living area will not face the transmission lines.

9.6.4.6 Other

- (a) Provision for access to all lots
- (b) The provision of sewage and stormwater disposal which will not adversely affect public health and the environment.
- (c) The provision and availability of adequate and potable water supply
- (d) Whether there may be cumulative effects on the roading network and utility services.
- (e) Whether subdivision not meeting the minimum lot size requirement of the zone provisions will increase the density of development and reduce the open rural amenity.

- (f) Provision is made as required for esplanade land. (Refer to Chapter 7, Water Margins).
- (g) Whether the adverse effects of the proposed subdivision can be remedied in terms of natural hazard areas (Refer to Chapter 10, Natural Hazards).
- (h) That the design of a proposed subdivision avoids, remedies or mitigates any adverse effect on existing transmission lines.

Explanation:

The effects of activities on natural hazards, natural and heritage features and state highways needs to be avoided, remedied or mitigated. The discretionary activity category enables Council to consider these effects on a case by case basis.