

# SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTION RULES

## 1 General Provisions Applicable To All Subdivision And Development Activities

### 1.a Definition of Subdivision of Land

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

### 1.b Sections of the Act

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

### 1.c Code of Practice for Subdivisions

The Plan makes reference to Council's Code of Practice. This Code is based on the Code of Practice for Urban Land Subdivision based on NZS 4404 1981. This Code is referred to in the assessment matters for resource consents, relates to engineering requirements and is not a part of the District Plan. From time to time the Council will adopt modifications to the Code.

### 1.d Legal Access

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

**Note: *Esplanade Reserves or Strips***

*Section 237A of the Resource Management Act 1991 requires vesting in the Council of any part of an allotment which forms part of a bed of a lake or river and adjoins an esplanade reserve which is also to vest in the Council. This provision does not apply where an esplanade strip is created.*

- 1.e
- Any reference to Residential Zones in these Subdivision Rules shall be a reference to the Residential 1, Residential 2 Zone, and Pukaki Village Zone.
  - Any reference to Business Zones in these Subdivision Rules shall be a reference to the Village Centre, Service, Industrial, Tourist, Tourist G, and Travellers Accommodation Zone.
  - Unless otherwise stated any reference to Rural Zones in these Subdivision Rules shall be a reference to the Rural Zone, the Mackenzie Basin Subzone, any Rural-Residential Zone and the Aoraki/Mount Cook National Park.
  - Any reference to Special Purpose Zones in these Subdivision Rules shall be a reference to the Opuha Dam, Recreation A, Recreation P, Open Space H, Open Space G, Ruataniwha Rowing, Twizel Special Travellers Accommodation, and Airport Zones.

## 2 Permitted Activities - Subdivision

There shall be no **Permitted Activity Subdivision**.

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### 3 Controlled Activities - Subdivision

3a Any subdivision outside the Mackenzie Basin Subzone which complies with all Primary and Secondary Subdivision Standards shall be a **Controlled Activity** in respect of the following matters:

#### Allotment Size and Dimensions

- Allotment size of subdivisions in the Rural Zones.
- Allotment size and dimensions of subdivisions in the Business Zones, and Special Purpose Zones other than the Opuha Dam Zone, the Ruataniwha Rowing Zone and the Twizel Special Travellers Accommodation Zone.
- Allotment size in areas within Residential Zones where public sewage treatment and reticulation is not available.
- Size and dimensions of allotments for access, utilities, reserves and roads.

#### Subdivision Design

- Relationship and orientation of allotments;
- The location of walkways and cycleways;
- The provision and/or use of natural stormwater channels and wetland areas.
- The provision of areas within the Plan Change 16 site for the establishment of substantial clusters of planting, both within sites and in reserve areas, with a preference for native species

#### Property Access

- The location, alignment and pattern of roading or service lanes;
- The location and provision of access to allotments for vehicles, cycles and pedestrians, other than as required by Rule 7.b;
- Any financial contributions to be made by the applicant, other than those required by Rule 7.b;
- Road reserves and provision for future subdivision on adjoining land;
- The standard of construction required for property access, other than as required by Rule 7.b;
- Street lighting;
- Naming of private vehicular access.

#### Esplanade Provision

- Provision of Access Strips and Esplanade Strips;

#### Natural and Other Hazards

- Provision of works, the location and type of services, building location, and location and quantity of filling and earthworks that could be affected by the following natural hazards or which could affect the impact of those natural hazards on the site or other land in the vicinity.
- Erosion
- Flooding and Inundation
- Landslip
- Rockfall
- Alluvion (affect of river wash)

- Avulsion (removal of land by flooding)
- Unconsolidated Fill
- Wind
- Soil Contamination
- Subsidence

#### **Earthworks**

- The volume and area of earthworks
- The methods of excavation and filling
- The size and location of stockpiles
- Avoidance or mitigation of impacts on waterways, ecological and landscape values, heritage, cultural and archaeological values and neighbouring properties
- Methods of controlling stormwater runoff and erosion
- Rehabilitation of disturbed areas

#### **Water Supply**

- The supply of water, other than as required in Rule 6b;
- Water supplies for firefighting purposes;
- The standard of water supply infrastructure installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
- Any financial contributions required in respect of water supply, other than Headworks Contributions;

#### **Stormwater Disposal**

- The capacity of existing and proposed stormwater infrastructure and disposal systems;
- The effectiveness and environmental impacts of any measures proposed for mitigating the effects of stormwater run-off, including the control of water-borne contaminants, litter and sediments;
- The location, scale and construction of stormwater infrastructure;
- Any financial contributions required in respect to stormwater disposal;

#### **Sanitary Sewage Disposal**

- The method of sewage disposal;
- The capacity of, and impacts on, the existing reticulated sewage disposal system;
- The location and environmental effects of the proposed sanitary sewage system;
- Any financial contributions that may be required in respect of sanitary sewage provision, other than Headworks Contributions;

#### **Trade Waste Disposal (Refer Definitions)**

- Disposal of trade waste within Business Zones.

#### **Energy Supply and Telecommunications**

- The adequacy and standard of electrical utility installation;
  - The adequacy and standard of telecommunications installation;
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### Vegetation and Landscape

- The preservation of vegetation and landscape;

### Easements

- The need to create easements for any purpose;

### Building Location

- The location of buildings.

### Design within 20 metres of Transmission Lines

- Subdivision design including the location of roads, reserves, trees and building platforms in relation to existing higher voltage electricity transmission lines.

## 4A Restricted Discretionary Activities - Subdivision in Mackenzie Basin Subzone

4A.a Any subdivision in a Farm Base Area (refer Appendix R) within the Mackenzie Basin Subzone (excluding subdivision within the Ostler Fault Hazard Area) which complies with the Primary and Secondary Subdivision Standards shall be a **Restricted Discretionary Activity** with the Council's discretion limited to the following matters:

- All the matters listed in rule 3a above.
- The effect on the landscape of the subdivision and any associated earthworks, buildings and curtilage.
- Whether the subdivision will provide for the relationship of Ngāi Tahu with their ancestral lands, waters, wāhi tapu or wāhi taonga.

4A.c Any subdivision of the Ohau River Rural-Residential Zone shall be a Restricted Discretionary activity, with the Council's discretion limited to the following matter:

- (i) The matters listed in 3a
- (ii) Subdivision layout and design
- (iii) Location of residential building platforms, including design controls;
- (iv) Restrictions on fencing;
- (v) Approval of Vegetation Management Plan for the Ohau River Rural-Residential Zone addressing:
  - Weed control, including covenants or consent notices to ensure all lot and house owners are jointly and generally responsible for weed management (including the removal of weed species) including over the balance lots; and
  - Management of the arboretum including specification of the implementation methods to achieve this management; and
- (vi) Hazards.

## 4 Discretionary Activities - Subdivision

4.a Any subdivision outside the Mackenzie Basin which complies with all the Primary Subdivision Standards but does not comply with any one or more Secondary Subdivision Standards shall be a **Discretionary Activity**, in respect of the applicable matter.

4.b Any subdivision, which occurs within any area shown on the Planning Maps as "Flood Risk", within a Hydro Electricity Inundation Area in Appendix U or within the Ostler Fault Hazard Area (refer Planning Maps 33, 38, 53 and 55), shall be a **Discretionary Activity**.

Note – The owner of the relevant Hydro- Electric Power Generation Asset will be identified as an adversely affected party for the purposes of considering resource consent applications lodged in relation to Rule 4.b where it is within a Hydro-Electricity Inundation Hazard Area. Except as outlined above, any application under this rule will not require the written approval of other persons or service on other persons and shall be non-notified where it is within a Hydro-Electricity Inundation Hazard Area.

4.c Any subdivision of any site which contains a Heritage Item listed in Schedule A of Section 10 and shown on the Planning Maps, shall be a **Discretionary Activity**.

4.d Any subdivision in the Mackenzie Basin Subzone within the Ostler Fault Area or outside a Farm Base Area which complies with the Primary and Secondary subdivision standards shall be a **Discretionary Activity**

4.e Any subdivision which complies with all the Primary and Secondary Subdivision Standards and where connection to a small diameter pressure sewage system is proposed shall be a **Discretionary Activity**.

4.f Any subdivision in the Pukaki Downs Tourist Zone which:  
a) creates new lots within Development Areas identified in the Pukaki Downs Structure Plan;  
b) retains all land outside Development Areas identified in the Land Management Area of the Pukaki Downs Structure Plan as a single balance lot; and  
c) is applied for simultaneously with the Comprehensive Land Management consent for the relevant Land Management Area

shall be a **Discretionary Activity**.

## 5 Non-Complying Activities - Subdivision

5.a Any subdivision outside the Mackenzie Basin Subzone which does not comply with one or more Primary Subdivision Standards shall be a **Non-complying Activity**.

For the avoidance of doubt all rural-residential zones are outside the Mackenzie Basin Subzone.

5.b Except within defined Farm Base Areas within the Mackenzie Basin Subzone (refer Appendix R), any subdivision on any site within a Lakeside Protection Area, Scenic Viewing Area or Scenic Grassland identified on the Planning Maps shall be a **Non-complying Activity**.

5.c Any subdivision within the Mackenzie Basin Subzone which does not comply with all Primary and Secondary Subdivision Standards or is not listed as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.

- 5.d Any subdivision within the Hocken Lane Rural-Residential Zone shall be a **Non-complying Activity**.
- 5.e Any subdivision within the Ruataniwha Rowing Zone shall be a **Non-complying Activity**.
- 5.f Any subdivision within the Twizel Special Travellers Accommodation Zone shall be a **Non-complying Activity**.
- 5.g Any subdivision, that does not comply with Rule 4.f, within the Pukaki Downs Tourist Zone shall be a **Non-complying Activity**

## 6 Primary Subdivision Standards

### 6.a Allotment Size

#### 6.a.i Sewered Areas

6.a.i.(a) In Residential 1 Zones where public reticulation is available, no allotments created by subdivision (including balance titles) shall have a net area less than

- Front lots – 400m<sup>2</sup>
- Rear lots – 500m<sup>2</sup>

6.a.i.(b) In Residential 2 Zones where public reticulation is available, no allotments created by subdivision (including balance titles) shall have a net area less than 250m<sup>2</sup>.

6.a.i.(c) In Residential 3 Zones where public reticulation is available, no allotments created by subdivision (including balance titles) shall have a net area less than 2000m<sup>2</sup>.

6.a.i.(d) In Residential 4 Zones where public reticulation is available, no allotments created by subdivision (including balance titles) shall have a net area less than 4000m<sup>2</sup>.

6.a.i.(e) In Rural-Residential 1 Zones where public reticulation is available, no allotments created by subdivision (including balance titles) shall have a net area less than 1 hectare.

#### 6.a.ii Unsewered Areas

6.a.ii.(a) In Residential 1 Zones where public reticulation is not available, no allotments created by subdivision (including balance titles) shall have a net area less than 1500m<sup>2</sup>.

6.a.ii.(b) In Rural-Residential–Manuka Terrace Zone no lots created by subdivision (including balance titles) shall have a net area less than 4ha.

6.a.ii.(c) In the Rural-Residential 2 Zone no lots created by subdivision (including balance titles) shall have a net area less than 4 hectares.

6.a.ii.(d) In defined Farm Base Areas in the Mackenzie Basin Subzone (Appendix R), excluding the Ostler Fault Area, a maximum of 10 allotments each having a net area of no more than 1ha may be created by subdivision.

6.a.ii.(e) In defined Farm Base Areas in the Mackenzie Basin Subzone (Appendix R), excluding the Ostler Fault Area, no lots created by subdivision shall have a net area less than 4ha, except as provided for by rule 6.a.11.(d) above.

6.a.ii.(f) In the Mackenzie Basin Subzone outside defined Farm Base Areas (Appendix R), including in the Ostler Fault Area, no lots created by subdivision shall have a net area less than 200ha.

Note: In non-sewered areas a discharge consent may be required from the Canterbury Regional Council and a larger area may be necessary to ensure an appropriate means of sewage disposal is provided for.

Note: All lots sizes referred to in 6.a.i and 6.a.ii above and 6.a.iv below are net areas excluding access trips, rights-of-way and access lots and any parts of allotments which have a width less than 6 metres.

#### 6.a.iii **Boundary Adjustments**

Notwithstanding 6.a.i and 6.a.ii above, where there are two or more separately saleable existing allotments, which have separate Certificates of Title, any adjustment of the boundaries shall be such that the resultant allotments are not less than the smallest that existed before subdivision. In Residential and Rural-Residential Zones the allotments shall be contiguous or separated only by a road.

#### 6.a.iv **Building Commitment**

Notwithstanding 6.a.i above, in the Residential 2 Zones, where an allotment is to be created after the erection of a building, or where the subdivision and building consents are issued in conjunction, the respective minimum net allotment areas, are reduced, as specified below, provided all relevant rules applicable within the zone are complied with by the building and/or resource consents obtained in relation to those rules that are not complied with:

- to 200m<sup>2</sup> in the Residential 2 Zone;

where public sewage reticulation and treatment is available; or

Where the allotment is to be created before the erection of a building, a condition will be imposed on the subdivision consent and a Consent Notice pursuant to Section 221 registered against the Certificate of Title, to the effect that any building erected on the allotment shall be in accordance with the building consent issued at the time of the subdivision consent.

#### 6.a.v **Access, Utilities, Roads and Reserves**

Notwithstanding 6.a.i and 6.a.ii above, there shall be no specified minimum allotment sizes in any zone for allotments for access, utilities, reserves and roads.

### 6.b **Water Supply**

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All new allotments in the Residential, Rural-Residential and Business Zones other than allotments for access, roads, utilities and reserves, shall be provided with a connection to a Council reticulated water supply laid to the boundary of the net area of the allotment, except where:

- 6.b.i there is no Council reticulation network and/or
- 6.b.ii there is no water available from a water scheme to supply the new allotments.

#### 6.c Sanitary Sewage Disposal

All allotments in the Fairlie, Twizel, Lake Tekapo and Burkes Pass Residential, Rural-Residential 1 and Business Zones other than allotments for access, roads, utilities and reserves, shall be provided with a piped sewage outfall for disposing of sanitary sewage laid at least 600mm into the net area of the allotment.

#### 6.d Energy Supply and Telephone Systems

All new allotments in the Residential, Rural-Residential and Business Zones, other than allotments for access, roads, utilities and reserves, shall be provided with connections to electric supply and telephone systems to the boundary of the net area of the allotment. Refer to Part 15 Utilities Rules for standards relating to lines.

#### 6.e Preservation of Vegetation

Any heritage or notable trees, or group of trees in the Protected Trees Schedule in Schedule A, Section 10 shall be preserved and a Consent Notice shall be registered requiring continual preservation as an ongoing condition for approval to the allotment containing such trees.

#### 6.f Concept Plan

For subdivision and development in the Residential 3, Residential 4, Rural-Residential 1 and Rural-Residential 2 zones, a plan shall be provided as part of resource consent applications which shows the overall concept for the development, including addressing the following:

- Principal through roads, connections with the surrounding road network and relevant infrastructure and services;
- Parks and any other land to be set aside for recreation;
- The distribution of different residential densities;
- Pedestrian walkways and cycleways both within and adjoining the area to be developed, and linkages with existing walkways and/or cycleways
- Proposals for stormwater management, including any land required for stormwater treatment, retention and/or drainage paths;
- Areas of landscaping/planting, and/or buffer zones;
- Information regarding staging and/or coordination of the development, if appropriate;
- Any other information which is relevant to an understanding of the development.

#### 6.g Mackenzie Park Concept Plan, Twizel



Any development within the Mackenzie Park Residential 1 & 3, Recreation A & P, and Travellers Accommodation zones shall be in general accordance with the concept plan in Appendix S.

#### 6.h Subdivision within the Ohau River Rural Residential Zone

1.a No more than 50 residential lots shall be created within Ohau River Rural-Residential Zone;

1.b Any subdivision shall identify building platforms subject to the following:

- Within the Ohau River Rural Residential zone no building platforms shall be located within the No-Build Area shown on Planning Map 60
- No more than one building platform can be located on any lot and the maximum total area of that building platform shall be 1000m<sup>2</sup>
- No building platform shall be located within 100m of the waterways, lakes or hydro canals or 50m of a wetland or tarn
- No building platform shall be located within 20m of the Ostler Fault
- No building platform shall be located within 100m of the Conservation Estate or public walkway

#### 6.i West Tekapo Tree Screening

6i.i Prior to the issuing of any titles from the subdivision of land on Lot 2 DP455053 (or any subsequent title created) associated with Plan Change 16 at Tekapo, the first 6m of the 10m setback required by Residential Zone rule 3.1.1.d.ii.(b) shall be planted in Ponderosa pine trees, at a spacing of 7m, underplanted with *Griselinia littoralis*, *Coprosma propinqua* and *Pittosporum tenuifolium* except for any property access. A covenant shall be placed on each title restricting the removal of, and requiring maintenance of, the trees while also avoiding any potential for icing of the adjoining public road (when formed) during the winter.

6i.ii Rule 6i.i shall no longer apply if the Council agree to allow planting within the unnamed legal road as an alternative method of providing screening to and from State Highway 8 in accordance with Residential Zone rule 3.1.1.d.dd.(b).iii.

#### 6j Access to State Highway 8

Subdivision of land within Lot 1 DP 455053, Lot 2 DP 455053, Lot 3 DP 455053 and Lot 4 DP 455053 being land west of the intersection of Lakeside Drive with State Highway 8, shall only obtain vehicular access to State Highway 8 from lakeside Drive; and no direct access shall be permitted from State highway 8.

## 7 Secondary Subdivision Standards

### 7.a Allotment Dimensions

The dimensions of allotments created by subdivision in Residential Zones shall be such that they can accommodate a rectangle of the minimum dimensions of 15m x 15m.

All allotments created by subdivision in Rural and Rural-Residential Zones shall have a frontage with a minimum length of 5m.

Notwithstanding the above, there shall be no minimum allotment dimensions or frontage in any zone, for allotments for access, utilities, reserves and roads.

#### 7.b Property Access

7.b.i All new roads shall be laid out and vested in the Council, in accordance with the standards set out in the table below.

#### ROADING STANDARDS

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

7.b.ii The carriageway of all new roads laid out and vested in accordance with 7.b.i above shall be formed and sealed.

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

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

Residential Zones:

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

Rural and Rural-Residential Zones: 18m.

- 7.b.iv If a corner lot is included in any subdivision, the corner at the road intersection shall be splayed with a diagonal line reducing each boundary by at least 6m from the corner in a Rural, Rural-residential or Residential Zone and at least 3m in a Business zone. The corner rounding or splay shall be vested in the Council.
- 7.b.v All new roads vested upon subdivision of land shall be given distinctive names not already in use with the area covered by the District Council. The name shall be agreed to by the Council.
- 7.b.vi Where any new road or road extension is to be vested in the Council or a named private access is provided, the applicant shall pay to the Council a financial contribution for the manufacture and erection of all necessary name plates which must be displayed at the intersections of all other roads. The financial contribution shall be the actual cost of the name plate.
- 7.b.vii Any subdivision of land within Pt Res 5177 (CT 38B/189) Sec 53 Blk X Tekapo Village, or Lot 1 DP 63170 (Ex MVWD Depot, Lake Tekapo Village) shall provide for a road linking Greig Street and Murray Place which road shall be to the same standard of Murray Place and Greig Street.
- 7.b.viii All subdivisions shall comply with the relevant rules for access in Section 15.
- 7.b.ix Where land to be subdivided with frontage to a State Highway has practical legal access to an alternative road there shall be no access to the State Highway.
- 7.b.x Access to allotments with the potential to accommodate more than 6 residential units shall be provided by way of a public road and not by private way or access lot.

#### 7.c **Esplanade Provision**

- 7.c.i The Council may require an esplanade strip or esplanade reserve of up to 20 metres to be created or vested when an allotment is created along the bank of any river or the margin of any lake. In considering such a strip or reserve the Council shall take into account the purposes of esplanade strips and reserves in section 229 of the Act, Part II of the Act, Objective 4 and the relevant assessment matters.

Any esplanade reserve shall meet the requirements of Section 231 of the Act. The creation of any esplanade strip shall be in accordance with section 232 of the Act.

- 7.c.ii Where a subdivision is:
  - b. for a minor adjustment to an existing cross-lease or unit title due to the increase in the size of the allotment by alterations to the building outline or the addition of accessory buildings;
  - c. for a minor adjustment to an allotment involving an alteration of no more than 10% of the allotment area;
  - d. solely due to land being acquired or created for a road designation, public utility or reserve; or
  - d. for the conversion of cross-lease titles to freehold titles

the requirements in 7.c.i above shall not apply.

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## 7.d Provision of Land for Open Space and Recreation

### Rate of Contribution - Residential Purposes

Where any subdivision creates separately saleable, additional allotments for residential or visitor accommodation purposes in Residential zones, Business zones, Special Purpose zones, Rural Residential Zones or the Rural zone, other than in the Aoraki/Mount Cook National Park, a cash contribution shall be made to the Council towards the provision of land for open space in the locality, land for recreational facilities and maintenance of recreational facilities and open space calculated as follows:

$$5\% \times (a-b) \times c$$

Where:

a = the number of allotments authorised by the subdivision consent and includes

- i Vacant allotments, including vacant parts of allotments for cross-leases and unit titles; and
- ii Allotments created after the erection of a household unit, or where the subdivision and building consent for the household unit are issued in conjunction with one another:

b = number of allotments in the land prior to the subdivision (which were held in separate Certificates of title or for which Certificates of title could be issued without consent of the Council) that when created (either pursuant to a resource consent or previous legislation) complied with the minimum subdivision standards for their respective zones or standards contained in the Plan

c = the average per allotment market value (\$) of all allotment's in the subdivision, determined at the date on which the subdivision is granted, as if the allotments had been subdivided in accordance with the subdivision consent. The value of land for the purposes of determining the average cash value of allotments shall reflect the value of the lots in the completed development

In the Rural Zone and Rural Residential Zones 5% of the average value of 1500m<sup>2</sup> of each lot assessed as a site for a residential unit.

In all other zones 5% of the average cash value of the allotments in the subdivision, excluding the area of allotments for roads, utilities, reserves, access and similar purposes.

All contributions shall be to the Council in cash, unless negotiated land purchases are made in conjunction with the subdivision.

#### Where, within the preceding 10 years:

- a subdivision of land creating the allotment(s) has made provision for land for open space and/or conservation in excess of a previous contribution assessment; or
- building(s) erected on the allotment(s) have paid a financial contribution towards the provision of land for land for open space and recreation

the excess contribution or the financial contribution from the building development shall be assessed as a credit and deducted from the value of the subdivision contribution.

#### 7.e **Opuha Dam Zone - Allotment Area**

Land within the Opuha Dam Zone may be subdivided to a minimum of 2000m<sup>2</sup> for public picnic areas, esplanade reserves and switching yards and to a minimum of 25ha for all other Permitted Activity and Controlled Activities.

## 8 **Financial Contributions For Services - Subdivision And Development**

### 8.1 **Existing Services**

- 8.1.1 Where an activity or subdivision is a Permitted, Controlled, Restricted Discretionary or Discretionary Activity in this Plan, the activity or subdivision is only Permitted, Controlled, Restricted Discretionary or Discretionary if it complies with the financial contributions rules specified in 8.1.1, 8.1.2, 8.1.3 and 8.1.4 below.

Where an activity or subdivision does not comply with the financial contributions rules in 8.1.1, 8.1.2, 8.1.3 and 8.1.4 the activity or subdivision shall be a restricted discretionary activity with the consent authority's discretion limited to the matter of non-compliance.

For the purpose of Rules 8.1.2, 8.1.3 and 8.1.4 the following definitions apply:

**Residential Unit Equivalent** is calculated by dividing the total number of people that a multi-unit residential development is designed to accommodate by the deemed average occupancy of 2.6 people per household (*National average household occupancy is 2.7 but Mackenzie's is low at 2.4*)

**Multi-unit residential development** means any development involving more than one residential unit per allotment and includes flats, townhouses, retirement villages and visitor accommodation.

**Capital Reserves Balance** means the balance at 1 July each year of each of the funds established for capital expenditure for water, sewage or stormwater assets as outlined in the Council's Policy for Funding Capital Expenditure in the Long Term Council Community Plan.

#### 8.1.2 **Existing Water Supply – Financial Contributions**

Where a proposed subdivision or multi-unit residential development is located within Fairlie Town, Lake Tekapo Village or Twizel water reticulation network, or in any future Council water reticulation network and a water supply connection is required for the allotment(s) or multi-unit residential development, the Council shall recoup as a financial contribution the fair and reasonable share of the cost of existing water supply services which service land in the subdivision or multi-unit residential development. The maximum financial contribution shall be in accordance with the following formula:

$\frac{V-L}{R}$  = contribution per additional lot/residential unit equivalent

R  
with

V = Latest independent valuation of the water supply plus the value of any capital additions made since that time and less the value of depreciation charged since the date of the valuation.

- L = Capital reserve balance with water supply as at 1 July each year. (The reserve may be in funds or overdrawn resulting in a positive or negative balance.)
- R= Number of connectable properties contributing to the asset as at 1 July each year.

**Note** copies of the table of current contributions per service in Twizel, Lake Tekapo and Fairlie are available from the Council.

### 8.1.3 Existing Sanitary Sewage Disposal – Financial Contributions

Where a proposed subdivision or multi-unit residential development is located within the Fairlie Town, Lake Tekapo Village or Twizel reticulated sewage disposal areas, or in any future Council reticulated sewage disposal area and a sanitary sewage outfall is required for the allotment(s) or multi-unit residential development, the Council shall recoup as a financial contribution the fair and reasonable share of the cost of the existing reticulated sewage disposal system which serves the subdivision or multi-unit residential development. The maximum financial contribution shall be in accordance with the following formula:

$$\frac{V-L}{R} = \text{contribution per additional lot/residential unit equivalent}$$

with

- V = Latest independent valuation of the sewerage asset, plus the value of any capital additions made since that time and less the value of depreciation charged since the date of the valuation.
- L = Capital reserve balance with sewer supply as at 1 July each year. (The reserve may be in funds or overdrawn resulting in a positive or negative balance).
- R= Number of connectable properties contributing to the asset as at 1 July each year.

**Note** copies of the table of current contributions per service in Twizel, Lake Tekapo and Fairlie are available from the Council.

### 8.1.4 Existing Stormwater Treatment and Disposal

Where a proposed subdivision or multi-unit residential development is within Fairlie Town, Lake Tekapo village or Twizel stormwater disposal areas, or in any future stormwater disposal area, and the allotment(s) or multi-unit residential development **and/or its associated roading network** will receive benefit from the existing stormwater system, the Council shall recoup as a financial contribution the fair and reasonable share of the cost of the existing stormwater system which serves the subdivision or multi-unit residential development. The maximum financial contribution shall be in accordance with the following formula:

$$\frac{V-L}{R} = \text{contribution per additional lot/residential unit equivalent}$$

with

- V = Latest independent valuation of the stormwater asset, plus the value of any capital additions made since that time and less the value of depreciation charged since the date of the valuation.
- L = Capital reserve balance with stormwater supply as at 1 July each year. (The reserve may be in funds or overdrawn resulting in a positive or negative balance).
- R= Number of properties contributing to the asset as at 1 July each year.

**Note** copies of the table of current contributions per service in Twizel, Lake Tekapo and Fairlie are available from the Council.

## 8.2 New and Future Services

In addition to the requirements specified in the Primary and Secondary subdivision standards, a financial contribution may be included as a condition of a resource consent for a subdivision or development in the circumstances set out in clauses 8.2.1 and 8.2.2 below. For the purpose of this rule "development" shall mean the construction, erection or alteration of an industrial, service, commercial, recreational, community activity or visitor accommodation with a value of \$100,000, or more than one residential unit on a lot.

### 8.2.1 New Services

#### **Purpose:**

To provide services to and/or within the land in the subdivision or the site of the development.

#### **Form:**

- i Payment of money
- ii Land
- iii Any combination of money or land.

#### **Maximum Contribution**

The actual costs of providing the service to and/or within the land in the subdivision or the site of the development.

### 8.2.2 Future Services

#### **Purpose**

To provide a service within five years of the granting of the resource consent and/or pay or contribute to the cost likely to be incurred by the Council within five years of the granting of the resource consent in providing any service to and/or within the land in the subdivision or the site of the development.

#### **Form**

- i Payment of money
- ii Land
- iii Any combination of money or land.

#### **Maximum**

The likely cost of providing a service to and/or within the land in the subdivision or the site of the development.

**Note:** Financial contributions may be charged by the network utility operators.

## 8.3 General Provisions - Financial Contributions For Services

8.3.1 These provisions shall apply to all financial contributions for services on subdivision and development specified in 8.2 above.

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- 8.3.2 The actual or estimated costs of providing any service may include:
- a An allowance for the overhead costs of the Council;
  - b Any costs incurred or likely to be incurred by the Council in servicing Council expenditure in providing, upgrading or replacing a service;
  - c Such allowance or adjustment as the Council thinks fit for inflation;
  - d Provision for depreciation;
  - e All associated costs incurred in providing the service, including (but not limited to) any legal, survey and engineering costs and disbursements;
  - f The value of and/or the costs of acquiring any land or any interest in any land required for the service;
  - g Any costs in avoiding, mitigating or remedying any effects on the environment or providing, upgrading or replacing the service.
- 8.3.3 All costs shall be GST exclusive.
- 8.3.4 Where any service serves or is intended to serve land in a subdivision or development and other land, the liability of the consent holder shall be limited to the extent to which the service serves or is intended to serve the land in the subdivision or development.
- 8.3.5 Where the financial contribution is or includes a payment of money, the Council may specify in the condition:
- a The amount to be paid by the consent holder or the method by which the amount of the payment shall be determined;
  - b How payment is to be made, including whether payment is to be made by instalment;
  - c When payment shall be made;
  - d Whether the amount of the payment is to bear interest and if so, the rate of interest;
  - e If the amount of the payment is to be adjusted to take account of inflation and if so, how the amount is to be adjusted;
  - f Whether any penalty is to be imposed for default in payment and if so, the amount of the penalty or formula by which the penalty is to be calculated.
- 8.3.6 Where the financial contribution is or includes land, the value of the land shall be determined by the Council in granting a consent; the Council shall in its decision give reasons for its assessment of the value of the land.
- a Where the financial contribution is or includes land, the Council may specify:
  - b The location and area of the land;



- c Any works to be carried out on the land;
- d When and how the land is to be transferred to or vested in the Council.

8.3.7 The Council may require a bond to be given in respect of the performance of any condition requiring that a financial contribution be made.

**Note:** Financial contributions may be charged by other network utility operators.

## **9 Provision for Open Space and Recreation – Residential and Visitor Accommodation Developments**

### **9.a Application of Rule to Zones**

This rule applies to the following zones:

- i Residential zones
- ii Business zones
- iii Special Purpose zones
- iv The Rural Zone, (other than in the Aoraki/Mount Cook National Park) and Rural-Residential Zones

### **9.b Standard for Residential and Visitor Accommodation Developments**

Cash contributions towards the provision and maintenance of land and/or facilities for open space and recreation shall be made for new or additional residential units or visitor accommodation or any combination of the two, at the following rates:

- i Cash equivalent of the value of 20m<sup>2</sup> of land for each additional residential unit created, at the time of building consent, less any contribution made at the time of previous subdivision.

This rule shall not apply to any residential units to be built on a lot:

- created for residential purposes prior to 25 May 2004; and
- within a zone other than a Residential zone.

- ii Cash equivalent of the value of 2m<sup>2</sup> of land for each additional 100m<sup>2</sup> of new, net visitor accommodation building floor area created, at the time of building consent, less any contribution made at the time of previous subdivision.

- iii No contribution shall be required for farm worker accommodation.

### **9.c Discretionary Activity**

Any development which does not meet the standard of contribution specified in Standard 9b above shall be a Discretionary Activity.

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## RESOURCE CONSENTS - ASSESSMENT MATTERS

### 10.1 General

- 10.1.a In addition to the applicable provisions of the Act, the Council shall also apply the relevant *Assessment Matters* set out in Clause 10.2 below.
- 10.1.b In the case of Controlled Subdivision Activities the assessment matters taken into account shall only be those relevant to the matter in respect of which it is a Controlled Activity.
- 10.1.c In the case of Discretionary Subdivision Activities the assessment matters taken into account shall only be those relevant to the standard which has not been complied with.
- 10.1.d In the case of Controlled Subdivision Activities, the assessment matters shall only apply in respect to conditions that may be imposed on a consent.
- 10.1.e In the case of *Controlled Subdivision Activities*, the application would only be declined pursuant to Section 106 of the Act (Natural Hazards and road access).

### 10.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters for the respective standards or matters:

#### 10.2.a Allotment Size - Rural Zones

There are no specified minimum allotment sizes in the Rural Zones. Subdivision in Rural Zones for these purposes is a Controlled Activity and is subject to the following assessment matters.

- iii Whether the allotment is of a sufficient size to provide for disposal of sewage by an on site field system.
- iv The operational efficiency, and maintenance and legal implications, of having part of a field disposal system for sewage beyond the allotment.
- v Any commitment to an on site sewage disposal system, other than a field disposal system, that would provide future owners with an effective long term system of sewage treatment and disposal.

#### 10.2.b Allotment Size and Dimensions - Business Zones, Access, Utilities and Roading

There are no specified minimum allotment sizes or dimensions in the Business Zones or for allotments for access, utilities, reserves and roads. Subdivision in the Business Zones for these purposes is a Controlled Activity in respect of allotment size and dimensions and is subject to the following assessment matters:

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

**10.2.c Subdivision Design**

- i The relationship and size of the allotments in terms of their solar advantage including the alignment and layout of the allotment, the location of building platform, relationship to adjoining lots.
- ii The provision for and practicality of walkways and cycleways, and the relationship of these to reserves (existing or proposed), access to the waterways, etc.
- iii The provision for and practicality of using natural stormwater channels and wetland areas.

**10.2.d Property Access**

- i Whether the frontage road is of sufficient width to cater for the expected traffic generated by the possible land uses that will be established on the allotments being created, and whether there is any need to widen and/or upgrade the frontage road.
  - ii Where any proposed subdivision in any zone has frontage to any existing road(s) that is/are not constructed to the standards set out in Rule 7.b.i above and/or where road widening or formation is required; whether the land uses that will be established on the proposed allotments will increase the use of that road(s) to the extent that forming or upgrading the existing road(s) is required and, therefore, whether there is any need for the applicant to pay to the Council a financial contribution towards the forming or upgrading of the road(s). Such financial contribution shall not exceed the extent to which the road(s) serves or is intended to serve the subdivision.
  - iii Where any proposed subdivision in any zone has frontage to any existing road(s) that has/have been formed or upgraded by the Council within the previous 5 years, using financial contributions from an adjoining landowner paid to the Council in accordance with (ii) above; the need for the benefitting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in forming or upgrading the frontage road(s).
  - iv Any impact of roading and access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties;
  - v The effect of any new intersections or accesses created by the subdivision on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.
  - vi The provisions of the Council's Code of Practice for Subdivision;
  - vii The application of the requirements of Section 321, Local Government Act, 1974, to any subdivided allotment;
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- viii The need for and practicality of providing vehicular access to all allotments, and the practicality of providing elsewhere for vehicles.
- ix The provisions of the roading hierarchy, the account taken of pedestrian movement, provision of space for cyclists, amenity values of the street, opportunities for tree planting in the open space of the road to enhance the character and identity of the neighbourhood;
- x The need to provide cycleways in circumstances where the roading network does not supply sufficient or direct cycle routes through the locality;
- xi The degree to which proposed new roads make adequate provision for vehicle movements, car-parking and property access;
- xii The need to provide pedestrian accessway facilities in circumstances where the roading network does not provide sufficient or direct access or easy walking access to facilities in the vicinity.
- xiii The need to provide alternative access for car-parking and vehicle loading in Business Zones by way of vested service lanes at the rear of properties having regard to alternative means of access and performance standards for activities within such zones;
- xiv Where in the course of a subdivision a new road is to be constructed and vested that will, or could provide frontage to other land, the need for the Council to enter into an agreement with the subdivider that permits the creation of a point strip that separates that other land from the new road, and ensures that the benefiting owner pays a fair share towards the costs of providing the frontage road. The point strip would be vested as legal road when the adjoining benefiting owner pays the required amount. The point strip agreement would set the amount to be paid, which will vary depending on the costs involved in each individual circumstance. The agreements would be held by the Council and be available on request for inspection. The benefiting owner would be informed of the cost at the time of the point strip creation. They can be identified by the point strip separating the subsequent property from frontage to the road. The contribution values of the benefiting owners will be adjusted annually on 30 June each financial year, in accordance with the Construction Price Index, beginning on 30 June 1995.
- xv Any need to require provision be made in a subdivision for the vesting of road reserves for the purpose of facilitating connections to future roading extensions to serve surrounding land, or planned road links that may need to pass through the subdivision and the practicality of creating such easements during the time of subdivision application in order to facilitate later development.
- xvi Any need to require subdividers to enter into agreements that will enable the Council to require the future owners to form and vest roads when other land becomes available;
- xvii The need for construction standards and on-going maintenance for private vehicular access, including access to individual allotments, whilst ensuring that access is practical, convenient and safe.

- xviii The need to provide for appropriate standards of street lighting or private vehicular access lighting having regard to the classification of the road or the access and the guidelines of Transit New Zealand.
- xix The need to provide distinctive names for private vehicular accesses. The name to be agreed to by the Council.
- xx The need for and extent of any financial contribution to achieve the above matters.

#### 10.2.e **Esplanade Provision**

- vi The purposes for the creation of esplanade reserves or strips set out in Section 229 of the Act, and the provisions of Section 6 of the Act;
  - vii The appropriateness of creating an esplanade reserve or strip in relation to security or public safety concerns;
  - viii The inappropriateness of esplanade provision where the subdivision is a minor boundary adjustment; or is a further subdivision for a cross lease or unit title due to an increase or additions to existing units; or relocation of accessory buildings; or the erection of garages where these have been indicated on earlier survey plans; or the conversion of cross-lease titles to freehold titles.
  - iv The extent to which the natural functioning of the water body, water quality, and land and water based habitats will be affected by the creation of an esplanade reserve or strip, or the reduction or waiver of esplanade requirements.
  - v The extent of the public's ability to obtain access to and along the margin of the water body.
  - vi The extent that recreational use will be assisted or hindered.
  - ix The compatibility of the proposed reserve or strip with physical characteristics of the land.
  - x The extent to which the natural character and visual quality of the area will be preserved.
  - ix The extent to which natural hazards will be mitigated.
  - x The future use and purpose of any existing building that would otherwise encroach on, or be within a reserve or strip.
  - xi The extent to which the purpose of the reserve or strip could be achieved through some other means such as conservation covenants or consent notices.
  - xii The need for and appropriateness of creating esplanade strips for the purposes of public access along the margins of any lake or river in the Rural Zones with the payment of appropriate compensation where necessary.
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**10.2.f Natural and Other Hazards**

- i Any information held on the Council's Hazard registers;
- ii Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications;
- iii The applicant's or their Consultant's report, detailing the measures that have been or will be taken to avoid, remedy, or mitigate any hazard that may occur on the property;
- iv Potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities;
- v In relation to inundation from any source:
  - e. The effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
  - f. The erection of stopbanks and their environmental effects;
  - g. Any proposed boundary drainage to protect surrounding properties;
  - h. The adequacy of existing outfalls and any need for upgrading;
  - i. Any need for retention basins to regulate the rate and volume of surface run-off;
  - j. The need or merit of flood hazard mitigation by raising floor levels.
- vi In relation to erosion, falling debris or slippage, the need for ongoing conditions aimed at avoiding, remedying or mitigating future potential adverse effects, and any need for registration of consent notices on the allotment's Certificate of Title.
- vii In relation to subsidence, the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title.
- viii In relation to contaminated sites, any soil tests, establishing suitability, and methods to avoid mitigate or remedy the effects, including removal to approved disposal points;
- ix In relation to land filling and excavation operations, the following factors:
  - k. The effects on surrounding properties;
  - l. The natural pattern of surface drainage;
  - m. The type of and placement of fill material;
  - n. Mitigation, or avoidance, of adverse effects caused by dust or siltation affecting neighbouring properties;
  - o. Remedies necessary during emergencies;
- x The likelihood of the proposed subdivision, including the establishment of potential assets such as residential units, being threatened by inundation or erosion, or other natural hazards.
- xii The ability of any buildings on the land being subdivided to be relocated, the estimated cost of the relocation, and the possible destination of a relocated building.
- xiii Where the subdivision is fully or partially located in the Ostler Fault Hazard Area:

- a. the extent to which the siting and layout of the development will reduce the effects of fault rupture and ground deformation on people and their property;
  - b. the location of building sites, and whether or not an allotment should be restricted from development on parts of the site;
  - c. the extent to which geotechnical and engineering reports show that risks to buildings and the safety of occupiers and neighbours can be reduced.
- xiv Within the Hydro-Electricity Inundation Hazard Area identified on the hazard map in Appendix U:
- a. The potential for adverse and reverse sensitivity effects on the operation and management of existing power generation infrastructure, including any effect on the Potential Impact Classification, and requirements in any dam safety assurance programme;
  - b. The risk of inundation associated with the uncontrolled release of water or operational discharges from existing power generation infrastructure, and the potential effects on property and life

#### 10.2.g Water Supply

- i The suitability of the proposed water supply for fire fighting purposes; (*The Council may obtain a report from the Chief Fire Officer*).
  - ii The provisions of the Code of Practice in respect to installation of all necessary water supply pipe lines, and ancillary equipment necessary for the subdivision, including extensions to existing supply systems, and including mains, sub-mains, service mains and fire hydrants;
  - iii The need to install isolating valves generally at the street boundary or at the net site boundary where this is not the street boundary.
  - iv Whether the existing water supply systems, to which the connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
  - v Whether it may be necessary to provide new reservoirs, pumping stations and rising mains, or increasing pipe sizes leading to the subdivision in existing streets, or providing new headworks and new pumping units;
  - vi Where it is necessary to upgrade the reticulated water supply system in order to cater for the subdivision, any costs to be borne by the subdivider, calculated on the cost of supplying the increase in demand as a result of the additional allotments;
  - vii Whether, because of increased demand that the potential land users may impose upon the system, an upgrading contribution should be made towards a programmed plan for installation of new headworks and pumping units;
  - viii The extent of the Headworks Contribution taking account of the likely use of water by the subdivision and the potential land use activities that could be permitted on the land;
  - ix The need for and extent of any financial contribution to achieve the above matters.
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- x Where any proposed subdivision in any zone is to be connected to a water supply system that has been constructed or upgraded by the Council within the previous 5 years, using financial contributions from an adjoining landowner paid to the Council in accordance with these subdivision rules; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in constructing or upgrading the water supply system. Such financial contribution shall not exceed the extent to which the water supply system serves or is intended to serve the subdivision.
- xi The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility.

#### 10.2.h Stormwater Disposal

- i The provisions of the Council's Code of Practice for Subdivision;
- ii The adequacy of any proposed means of disposing of collected stormwater from the roofs of all buildings and impermeable surfaces.
- iii The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containment of contamination from roads and paved areas and of siltation;
- iv The ability to retain open natural waterway systems for stormwater disposal in preference to piped or canal systems and any adverse impacts on existing waterways;
- v The availability of an approved outfall where stormwater can be directed, whether such an outfall is capable of absorbing increased run-off and the need for and desirability of requiring a connection to such an outfall.
- vi Whether the existing stormwater disposal systems, to which any connection will be made, have sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the subdivision, in addition to installing the extensions of the supply within the subdivision.
- vii Where an existing outfall is not capable of accepting increased run-off, the adequacy of proposals and solutions for disposing of run-off;
- viii Any necessity to provide on-site retention basin to contain surface run-off where the capacity of the outfall is incapable of accepting flows, and where the outfall has limited capacity, any need to restrict the rate of discharge from the subdivision to the same rate of discharge that existed on the land before subdivision takes place;
- ix Any adverse effects of the proposed subdivision on drainage on, or from, adjoining properties and mitigation measures proposed to control any adverse affects;
- x For stormwater pipes and open waterway systems, the provision of appropriate easements in favour of either the registered user or in the case of the Council, easements in gross, to be shown on the survey plan for the subdivision, including private connections passing over other land protected by easements in favour of the user;



- x i Where it is not possible to dispose of stormwater by way of gravity pipelines, due to topography, the adequacy of alternative pumping systems;
- x ii Where stormwater disposal cannot be obtained by gravity outfall, the necessity for land to be filled against the fall of the country, solely to obtain such an outfall, and whether it is practical to provide easements through adjoining owners' land to other frontage outfall systems;
- x iii The need for and extent of any financial contribution to achieve the above matters.
- x iv Where any proposed subdivision in any zone is to be connected to a stormwater disposal system that has been constructed or upgraded by the Council within the previous 10 years, using financial contributions from an adjoining landowner paid to the Council in accordance with these subdivision rules; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in constructing or upgrading the stormwater disposal system. Such financial contribution shall not exceed the extent to which the stormwater disposal system serves or is intended to serve the subdivision.
- x v The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for stormwater disposal purposes.
- x vi Any measures to harvest and/or reuse stormwater for non-potable uses.

10.2.i **Sanitary Sewage Disposal**

- i The capacity, availability, and accessibility of the reticulated system to serve the proposed subdivision;
  - ii Whether the existing sanitary sewage disposal systems, to which the outfall will be connected, has sufficient capacity to service the subdivision, and if not whether the subdivider should contribute towards the upgrading of the system based on the cost of supplying the incremental increase in demand by the additional lots, in addition to installing the extensions of the supply within the subdivision.
  - iii The installation of all new reticulation, and the provisions of the Code of Practice;
  - iv Where it is not possible to provide a reticulated system with a gravity outfall, the feasibility of individual pump connections with their private rising mains, or new pumping stations, complete pressure, or vacuum systems.
  - v The relevance of any existing cost sharing scheme and whether the proposed reticulation will benefit other property owners;
  - vi Where a reticulated system is not available, or a connection is impractical, provision of septic tank or other disposal systems in accordance with either Regional Rules or a discharge permit issued by the Canterbury Regional Council;
  - vii Where a reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems;
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- viii Provision made by the applicant for monitoring mechanisms to ensure contaminants are not discharged into the environment from septic tank or other disposal systems, together with any consent notices to ensure compliance;
- ix The extent of the Headworks Contribution, taking account of the likely sewage disposal from the subdivision and the potential land use activities that could be permitted on the land;
- x The need for and extent of any financial contribution to achieve the above matters;
- xi Where any proposed subdivision in any zone is to be connected to a sanitary sewage disposal system that has been constructed or upgraded by the Council within the previous 10 years, using financial contributions from an adjoining landowner paid to the Council in accordance with the subdivision rules; the need for the benefiting applicant to pay to the Council a fair financial contribution towards the costs that have been incurred by the Council in constructing or upgrading the sanitary sewage disposal system. Such financial contribution shall not exceed the extent to which the sanitary sewage disposal system serves or is intended to serve the subdivision.
- xii The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for sanitary sewage disposal purposes.

#### 10.2.j **Trade Waste Disposal**

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

#### 10.2.k **Energy Supply and Telecommunication**

- i Where the subdivision involves construction of new roads or formed rights of way, the installation of an extended reticulation system (at the subdividers responsibility) having regard to the Code of Practice and the networks operators requirements;
- ii The adequacy of the proposed reticulated system to be installed by the subdivider;
- iii The need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility.

Refer to Section 14 Utilities Rules for standards relating to lines.

#### 10.2.l Land for Open Space and Recreation

- i The extent to which the provision for land for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision and diversity of open spaces and recreational facilities.
- ii The extent to which the provision of land and/or cash contributions towards land for open space and recreation is consistent with the objectives and policies of the District Plan relating the requirements for reserve contributions from subdivision; the acquisition of land for public open space and recreation; and the use of cash received as contributions.
- iii Whether the intended land use of the allotments being created is for the housing of the elderly, and whether a reduction in the contribution assessment is, therefore, reasonable.
- iv Where the contribution towards the provision of land for open space and recreation is not to be paid to the Council before a Conditions Certificate is issued pursuant to Section 224 of the Act, a requirement for the applicants to enter into a bond.
- v Whether the undertaking of works, including the planting of trees or the regrading or levelling of reserve land that will vest in the Council, or the setting aside of a reserve to protect any natural features, should be taken into account when assessing the value of the contribution towards land for open space and recreation.
- vi Whether amenities or facilities provided by the development are available to the public and should be taken into account when assessing the value of contributions towards open space and recreation.
- vii The extent to which owners or occupiers of lots, or residential or visitor accommodation buildings would make use of existing and likely future Council open space and recreation facilities.

#### 10.2.m Vegetation Protection

- i Whether any landscape features or vegetation on the site are of a sufficient amenity value that they should be retained;
- ii Whether a local purpose reserve should be set aside and vested in the Council to preserve any natural feature, vegetation or conservation value on the site;
- iii Where a reserve is set aside under (ii) above, then the value of the land so reserved shall be off-set against the cash contribution to be paid for land for open space and recreation purposes.

#### 10.2.n Easements

- i Whether there is a need for easements
    - where a service or access is required by the Council;
    - for stormwater passing through esplanade reserves where drainage will be to the river;
    - to meet network operator requirements;
-

- in respect of other parties in favour of nominated allotments or adjoining Certificates of Title;
- for private ways;
- for stormwater, sanitary sewer, water supply, electric power, gas reticulation, telecommunications;
- party walls and floors/ceilings;
- for servicing with sufficient width to permit maintenance, repair or replacement.

#### 10.2.o **Building Location and Flood Risk Areas**

- i The local ground conditions or the situation applying to the allotment and the suitability of the site of the building.
- ii Whether or not an allotment should be restricted from development on parts of the site.
- iii The minimum floor height for buildings in situations where inundation is likely and damage to structures could occur, but the land may not necessarily be filled. Council shall apply the same criteria as for buildings including whether the land is within a high or low flood risk area.

#### 10.2.p **Heritage Items**

- i The effect of the subdivision on the character of the heritage item and its environs, its important features, the reasons for its listing, and the ability of the public to enjoy and appreciate its features.
- ii Any ability by the applicant to retain the essential character of the site of the heritage item.
- iii The ability of the applicant to develop the site of the heritage item without adversely affecting the character of the heritage item and its environs.
- iv Any incentives available to retain the site of the heritage item.

#### 10.2.q **Financial Contributions for Services – Subdivision and Development**

- i In considering any application relating to financial contributions from a multi-unit residential development under 8.1 or a development under 8.2 the Council shall have regard to the respective assessment matters for financial contributions on subdivision activity applications, as though the application was for a subdivision activity.
- ii In determining what is a fair and reasonable contribution and/or whether the maximum contribution for existing services should be required, Council may take into account:
  - (a) If the subdivision or development is to occur in stages, whether it is appropriate, taking into account its form and timing, to treat the subdivision or development as a single subdivision for determining the level of contribution payable on each stage.

- (b) Financial contributions (whether in land or money) that have been paid or undertaken by the applicant in relation to the subdivision or development.
- (c) Financial contributions (whether in land or money) that relate to subdivision for development for which the Council has previously granted the applicant resource consent.

**10.2.r Design within 20 metres of Transmission Lines**

- i The extent to which the subdivision design mitigates the effects of the lines through the location of roads and reserves under the route of the line;
- ii The ability for maintenance and inspections of transmission lines and the minimisation of risk of injury and/or property damage from such lines;
- iii The extent to which potential adverse effects including visual impact and electromagnetic effects are mitigated through the location of the building platforms;
- iv The outcomes of any consultation with the affected utility operator.

**10.2.s Lakeside Protection Areas**

- i The extent to which the development potential created by the subdivision will impact on landscape values and the natural character of the area.
- ii The extent to which likely building sites could be subject to inundation from adjacent lake waters.

**10.2.t Subdivision for farming activities (see definition), farm retirement dwellings (see definition), and non-farming activities.**

- i In the case of subdivision to create a separate title for a farm retirement dwelling, the extent to which the proposed building platform would allow the future dwelling to meet the assessment matters for farm buildings and farm retirement dwellings.
- ii In the case of subdivision to facilitate farming activities, the extent to which the proposed lot(s) could provide sites for potential buildings associated with the identified farming purpose that would allow the buildings to meet the assessment matters for farm buildings.
- iii. In the case of subdivision for non-farming activities, the extent to which the proposed lot(s) could provide sites for the proposed buildings and associated development that meets the assessment matters for non-farm activities and buildings.
- iv. In all cases, the safety of the proposed access point to the road.

**10.2.u Ruataniwha Rowing Zone**

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- i The extent to which any subdivision is necessary to support or facilitate rowing activities.
- ii The extent to which the subdivision is in accordance with or differs from the site plan in Appendix B.
- iii The extent to which the development potential created by the subdivision will impact on landscape values and the natural character of the area.
- iv. The extent to which likely building sites could be subject to inundation from adjacent lake waters.

**10.2.v Twizel Special Travellers Accommodation Zone**

- i The extent to which any subdivision will be in accordance with the purpose of the zone to provide for low-density tourist accommodation.
- ii The extent to which the development potential created by the subdivision will impact on landscape values and the natural character of the area.
- iii The extent to which likely building sites could be subject to inundation from adjacent lake waters.

**10.2.w Pukaki Downs Tourist Zone**

- i The extent to which any subdivision or development is consistent with Objectives and Policies of the Pukaki Downs Tourist Zone and is necessary to implement the relevant Comprehensive Land Management Area consent.